



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2544

Website: www.deq.mt.gov

PRELIMINARY DETERMINATION
ON PERMIT APPLICATION

Date of Mailing: January 6, 2009

Name of Applicant: Pioneer Concrete and Fuel, Inc.

Source: Portable Truck Mix Concrete Batch Plant

Proposed Action: The Department of Environmental Quality (Department) proposes to issue a permit, with conditions, to the above-named applicant. The application was assigned Permit Application Number 4281-00.

Proposed Conditions: See attached.

Public Comment: Any member of the public desiring to comment must submit such comments in writing to the Air Resources Management Bureau (Bureau) of the Department at the above address. Comments may address the Department's analysis and determination, or the information submitted in the application. In order to be considered, comments on this Preliminary Determination are due by January 21, 2009. Copies of the application and the Department's analysis may be inspected at the Bureau's office in Helena. For more information, you may contact the Department.

Departmental Action: The Department intends to make a decision on the application after expiration of the Public Comment period described above. A copy of the decision may be obtained at the above address. The permit shall become final on the date stated in the Department's Decision on this permit, unless an appeal is filed with the Board of Environmental Review (Board).

Procedures for Appeal: Any person jointly or severally adversely affected by the final action may request a hearing before the Board. Any appeal must be filed by the date stated in the Department's Decision on this permit. The request for a hearing shall contain an affidavit setting forth the grounds for the request. Any hearing will be held under the provisions of the Montana Administrative Procedures Act. Submit requests for a hearing in triplicate to: Chairman, Board of Environmental Review, P.O. Box 200901, Helena, MT 59620.

For the Department,

Vickie Walsh
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-3490

Kathleen Doran, P.E.
Environmental Engineer
Air Resources Management Bureau
(406) 247-4443

VW: kd
Enclosure

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
P.O. Box 200901, Helena, Montana 59620
(406) 444-3490

DRAFT ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Pioneer Concrete and Fuel, Inc.
P.O. Box 3207
Butte, Montana 59702-3207

Air Quality Permit Number: 4281-00

Preliminary Determination Issued: January 6, 2009

Department Decision Issued:

Permit Final:

1. *Legal Description of Site:* SW1/4 of Section 30, Township 19 North, Range 29 West, Mineral County, MT. The site is locally known as the Rex Lincoln Site, off Interstate 90, at the DeBorgia exit. The proposed concrete batch plant is a portable operation; therefore, this permit would allow Pioneer to operate at any location in the state of Montana, except within those areas having a Department-approved permitting program, those areas considered tribal lands, or those areas in or within 10 km of certain PM₁₀ nonattainment areas. *A Missoula County air quality permit would be required for locations within Missoula County, Montana*
2. *Description of Project:* Pioneer owns and operates a portable truck-mix concrete batch plant with a maximum production capacity of 40 cubic yards/hour. The plant includes a 1969 Ross 100 Concrete Batch Plant with a 33-ton 2002 Ideal Manufacturing silo baghouse, 1988 Caterpillar 68-hp diesel-fired engine/generator, 6 cubic yard hopper, and associated material stockpiling, handling and transfer equipment and operations. This plant provides concrete for use in various construction activities.

The proposed action is to issue a Montana Air Quality Permit #4281-00 allowing construction/assembly of the plant initially located at a previously disturbed site. Because this concrete batch plant is portable, it can be expected to move and operate at various locations throughout Montana. This MEPA analysis is intended to evaluate the potential impact of this plant at any operational location.

3. *Objectives of Project:* The objective of construction and operation of the truck-mix concrete batch plant at its initial location is to provide material for support of construction projects in the area.
4. *Alternatives Considered:* In addition to the proposed action, the Department considered the “no-action” alternative. The “no-action” alternative would deny issuance of the air quality preconstruction permit for the proposed portable truck-mix concrete batch plant. The “no-action” alternative is to deny the proposed air quality permit disallowing construction and operation of the portable truck-mix concrete batch plant and would result in existing site conditions, including a previously disturbed/abandoned industrial/commercial area. However, the Department does not consider the “no-action” alternative to be appropriate because Pioneer has demonstrated compliance with all applicable rules and regulations as required for air quality permit issuance. Therefore, the “no-action” alternative was eliminated from further consideration.
5. *A listing of Mitigation, Stipulations and Other Controls:* A list of enforceable conditions, including a Best Available Control Technology (BACT) analysis, would be included in Permit #4281-00.

6. *Regulatory Effects on Private Property*: The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.
7. *Potential Physical and Biological Effects*: The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The “no action” alternative was discussed previously.

| | | Major | Moderate | Minor | None | Unknown | Comments |
|---|--|-------|----------|-------|------|---------|----------|
| A | Terrestrial and Aquatic Life and Habitats | | | X | | | Yes |
| B | Water Quality, Quantity, and Distribution | | | X | | | Yes |
| C | Geology and Soil Quality, Stability, and Moisture | | | X | | | Yes |
| D | Vegetation Cover, Quantity, and Quality | | | X | | | Yes |
| E | Aesthetics | | | X | | | Yes |
| F | Air Quality | | | X | | | Yes |
| G | Unique Endangered, Fragile, or Limited Environmental Resources | | | X | | | Yes |
| H | Demands on Environmental Resource of Water, Air and Energy | | | X | | | Yes |
| I | Historical and Archaeological Sites | | | | X | | Yes |
| J | Cumulative and Secondary Impacts | | | X | | | Yes |

Summary of Comments on Potential Physical & Biological Effects:

The Department has prepared the following comments:

A. Terrestrial and Aquatic Life and Habitats

Terrestrial and aquatic life would use the areas in which the concrete batch plant would operate. The concrete batch plant operations would be considered a minor source of emissions, by industrial standards, with intermittent and seasonal operations. Therefore, only minor effects on terrestrial and aquatic life and habitats would be expected as a result of equipment operations or from pollutant deposition from the portable concrete batch plant.

Impacts on aquatic life could result from storm water runoff and pollutant deposition, but such impacts would be minor as the facility would be a minor source of emissions (with seasonal and intermittent operations) and only minor amounts of water would be required to be used for pollution control. Since only a minor amount of air emissions would be generated, only minor deposition (see Section 7.F of this EA) would occur.

B. Water Quality, Quantity, and Distribution

Although there would be an increase in air emissions in the area where the concrete batch plant would operate, there would be little, if any impacts on water quality, quantity, and distribution because of the relatively small size and temporary nature of the operation. Water would be used for making the concrete and for dust suppression on the surrounding roadways and areas of

operation. However, water use would only cause a minor disturbance to these areas, because only relatively small amounts of water would be needed. Overall, the concrete batch plant operations would result in only minor impacts to water quality, quantity, and distribution

C. Geology and Soil Quality, Stability, and Moisture

There would be minor impacts to the geology and soil quality, stability, and moisture near the plant's operational area due to facility construction, increased vehicle traffic, the use of water to control dust, and deposition from pollutants from concrete batch operations. As explained in Section 7.F. of this EA, the relatively small size and temporary nature of the operation, dispersion characteristics of particles and the area, and conditions placed in Permit #4281-00 would minimize the impacts from deposition.

D. Vegetation Cover, Quantity, and Quality

Because the plant would operate at a previously disturbed/abandoned industrial/commercial site and because the plant would be a relatively minor source of emissions, impacts from the emissions leaving the site and depositing on vegetation would be minor. As described in Section 7.F of this EA, the amount of emissions from the plant would be minor. As a result, the corresponding deposition of the air pollutants on the surrounding vegetation would also be minor. Also, because the water usage is minimal (as described in Section 7.B.) and the associated soil disturbance is minimal (as described in 7.C.) corresponding vegetative impacts would be minor.

E. Aesthetics

The proposed operation would be visible and would create additional noise while operating in this area. However, Permit #4281-00 would include conditions to control emissions, including visible emissions, from the plant. Also, because the proposed operation would be portable, would operate on an intermittent and seasonal basis, any visual and noise impacts would be minor and short-lived

F. Air Quality

The air quality impacts from the proposed concrete batch plant would be minor because Permit #4281-00 would include conditions limiting the opacity from the plant, as well as would require a fabric filter dust collector and a rubber boot load-out spout to control facility emissions. Permit #4281-00 would require water spray, as necessary, and other means to control air pollution. Furthermore, Permit #4281-00 would limit total emissions from the proposed equipment, and any additional equipment owned and operated by Pioneer at the site, to 250 tons per year or less, at any given operating site, excluding fugitive emissions.

G. Unique Endangered, Fragile, or Limited Environmental Resources

According to the Montana Natural Heritage Program (MNHP), there are seven resources of concern within the initial proposed area of operation. The search area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer. The resources of special concern are the Idaho Giant Salamander, Westslope Cutthroat Trout, Bull Trout, Gray Wolf, Fisher, Wolverine, and Canada Lynx. However, the total property disturbance for the concrete batch plant will be approximately 2 acres and would be located in a previously disturbed/abandoned industrial/commercial site. Therefore, only minor impacts to any unique endangered, fragile, or limited environmental resources would be expected to occur.

H. Demands on Environmental Resource of Water, Air, and Energy

Due to the relatively small size of the facility and relatively low potential to emit regulated air pollutants, the concrete batch plant would result in only minor demands on the environmental resources of water, air, and energy for normal operations. Small quantities of water would be used for dust suppression and for concrete batching operations. Approximately 20 gallons of water would be needed for every cubic yard of concrete produced. Water used for dust suppression would control particulate emissions generated through equipment operation and vehicle traffic at the site. Energy requirements would be accommodated through the operation of the proposed diesel-fired engine/generator and would be minor due to the relatively small amount of fuel required to operate the engine/generator. In addition, the concrete batch plant would operate on an intermittent and seasonal basis thereby minimizing energy demands. Further, impacts to air resources from the new equipment would be minor because the source would remain small by industrial standards, would operate on an intermittent and seasonal basis, and would generate relatively minor amounts of regulated pollutants through normal operations. Ambient concentrations of air contaminants would comply with ambient standards.

I. Historical and Archaeological Sites

The proposed project is to operate within a previously disturbed industrial site. According to the Montana Historical Society – State Historical Preservation Office (SHPO), there have been no previously recorded sites within the designated area. Furthermore, SHPO has stated that there is a low likelihood that cultural properties will be impacted. Therefore, given the previous industrial activity for this site, the Department believes that no impacts upon historical or archaeological sites would be expected as a result of operating the proposed concrete batch plant.

J. Cumulative and Secondary Impacts

The proposed concrete batch plant would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because the facility would generate emissions of regulated air pollutants and noise would be generated from equipment operations. Emissions and noise would cause minor disturbance to the surrounding environment because the equipment is relatively small by industrial standards and the facility would be expected to operate in areas designated and typically used for such operations. Additionally, this facility, in combination with the other emissions from equipment operations at the operational site, would not be permitted to exceed 250 tons per year of non-fugitive emissions.

Overall, any cumulative or secondary impacts to the above-cited physical and biological aspects of the human environment would be minor because the proposed concrete batch plant would typically operate within areas designated for such operations. Therefore, the overall industrial nature of the area would not change as a result of the proposed project and any associated impacts would be minor.

8. *Potential economic and social effects:* The following table summarizes the potential economic and social effects of the proposed project on the human environment. The “no action” alternative was discussed previously.

| | | Major | Moderate | Minor | None | Unknown | Comments |
|---|---|-------|----------|-------|------|---------|----------|
| A | Social Structures and Mores | | | | X | | Yes |
| B | Cultural Uniqueness and Diversity | | | | X | | Yes |
| C | Local and State Tax Base and Tax Revenue | | | X | | | Yes |
| D | Agricultural or Industrial Production | | | X | | | Yes |
| E | Human Health | | | X | | | Yes |
| F | Access to and Quality of Recreational and Wilderness Activities | | | X | | | Yes |
| G | Quantity and Distribution of Employment | | | X | | | Yes |
| H | Distribution of Population | | | X | | | Yes |
| I | Demands for Government Services | | | X | | | Yes |
| J | Industrial and Commercial Activity | | | X | | | Yes |
| K | Locally Adopted Environmental Plans and Goals | | | X | | | Yes |
| L | Cumulative and Secondary Impacts | | | X | | | Yes |

Summary of Comments on Potential Economic & Social Effects:

A. Social Structures and Mores

The concrete batch plant operation would cause no disruption to the social structures and mores in the area because the source would be a minor industrial source of emissions, would be located in a previously disturbed industrial site, and would only have temporary and intermittent operations. Additionally, the equipment would be required to operate according to the conditions placed in Permit #4281-00. Thus, no impacts upon social structures or mores are expected to result.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of this area would not be impacted by the proposed operation because this site is a previously disturbed industrial site. Additionally, the facility would be considered a portable/temporary source with seasonal and intermittent operations. Therefore the predominant use of the surrounding areas would not change as a result of this project and the cultural uniqueness and diversity of the area would not change as a result of this project and the cultural uniqueness and diversity of the area would not be affected.

C. Local and State Tax Base and Tax Revenue

The operation would have little, if any, impact on the local and state tax base and tax revenue because the facility would be a relatively small industrial source (minor source) and would have

seasonal and intermittent operations. Thus, only minor impacts to the local and state tax base and revenue could be expected from the employees and facility production. Furthermore, the impacts to local tax base and revenue would be minor because the source would also be portable and the money generated for taxes would be widespread.

D. Agricultural or Industrial Production

The concrete batch operations would have only a minor impact on local industrial productions because the facility would be a relatively small industrial source of concrete production and air emissions. As minimal (approximately 2 acres) disturbance is proposed by this action, minimal impacts to agricultural production are expected. Minor impacts to industrial production are expected as the facility described in the proposed action produces a construction material. However, the proposed operation remains relatively small by industrial standards. Overall, potential impacts to agricultural and industrial production are expected to be minor.

E. Human Health

Permit #4281-00 would include limits and conditions to ensure that the concrete batch plant would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. The air emissions from this facility would be minimized by the use of a fabric filter dust collector, a rubber boot load-out spout, water and water spray. Therefore, only minor impacts would be expected on human health from the proposed asphalt plant facility.

F. Access to and Quality of Recreational and Wilderness Activities

Noise from the facility would be minor because the concrete batch plant would be small by industrial standards and would initially and typically operate in areas used for such operations. As a result, the amount of noise generated from the concrete batch plant operation would be minimal for the area. Any impacts to the quality of recreational and wilderness activities created by the proposed project would be expected to be minor and short-lived. Similarly, because the concrete batch plant would initially and typically operate within areas designated for such operations, impacts to access to recreational and wilderness areas are expected to be minor or insignificant. Overall potential impacts to access to and quality of recreational and wilderness activities are expected to be minor.

G. Quantity and Distribution of Employment

The concrete batch plant operation would likely require the existing employees (up to 6) to operate and would have seasonal and intermittent operations. No individuals would be expected to permanently relocate to this area of operation as a result of operating the proposed facility. Therefore, only minor effects upon the quantity and distribution of employment in the area would be expected.

H. Distribution of Population

The proposed concrete batch plant operation is small and would likely require existing employees to operate. No individuals would be expected to permanently relocate to this area of operation as a result of operating the concrete batch plant facility, which would have only intermittent and seasonal operations, and is a portable source. Therefore, the proposed facility would not disrupt the normal population distribution.

I. Demands for Government Services

Minor increases would be seen in traffic on existing roadways in the area while the concrete batch plant operation is in progress. In addition, government services would be required for acquiring the appropriate permits for the proposed project and to verify compliance with the permits that would be issued. Overall, any demands for government services would be minor.

J. Industrial and Commercial Activity

The concrete batch plant would represent only a minor increase in the industrial activity in the proposed initial or any future area of operation because the source would be a relatively small industrial source that would be portable and temporary in nature. Very little, if any, additional industrial or commercial activity would be expected as a result of the proposed operation.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals in the initial area of operation or any future operating site because Permit #4281-00 would allow for operations at various unknown locations throughout the state. Permit #4281-00 would contain limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards, as a locally adopted environmental plan or goal for operating at this proposed site. Because the facility would be a small and portable source, and would have intermittent and seasonal operations, any impacts from the facility would be minor and short-lived. Therefore, the overall industrial nature of the area would not change as a result of the proposed project and any associated impacts would be minor.

However, if the plant moved to an area classified as nonattainment for PM₁₀, the operation would be required to apply for and receive an addendum to Permit #4281-00 prior to operation at the site. An addendum would include more restrictive requirements to protect the nonattainment area from further degradation. The state standards would be protective of any proposed area of operation.

L. Cumulative and Secondary Impacts

The concrete batch plant would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area of operation because the source is a portable and temporary source. Minor increases in traffic would have minor effects on local traffic in the immediate area. Because the source is relatively small and temporary, only minor economic impacts to the local economy would be expected from operating the facility.

Overall, the proposed concrete batch plant operation would result in only minor and temporary secondary and cumulative impacts to the social and economic aspects of the human environment of the initially proposed and any future operating site

Recommendation: An Environmental Impact Statement (EIS) is not required. Permit #4281-00 includes conditions and limitations to ensure the facility will operate in compliance with all applicable air quality rules and regulations. In addition, all impacts associated with the proposed action are expected to be insignificant or minor.

If an EIS is not required, explain why the EA is an appropriate level of analysis: All potential effects resulting from construction and operation of the proposed facility are minor; therefore, an EIS is not

required.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Department of Environmental Quality – Air Resources Management Bureau, Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Heritage Program.

Individuals or groups contributing to this EA: Montana Department of Environmental Quality - Air Resources Management Bureau, Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Heritage Program.

EA prepared by: K. Doran
Date: December 17, 2008