Montana Department of
ENVIRONMENTAL QUALITY
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May 7, 2009

Ken Griffith
Griffith Excavating, Inc
PO Box 1193
Baker, MT 59313

Dear Mr. Griffith:

Air Quality Permit #3417-01 is deemed final as of May 7, 2009, by the Department of Environmental Quality (Department). This permit is for a portable crushing facility. All conditions of the Department's Decision remain the same. Enclosed is a copy of your permit with the final date indicated.

For the Department,

Vickie Walsh
Air Permitting Program Supervisor
Air Resources Management Bureau
(406) 444-9741

Shawn Juers
Environmental Engineer
Air Resources Management Bureau
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VW:SJ
Enclosure

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air Resources Management Bureau
1520 East Sixth Avenue
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Helena, Montana 59620-0901
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FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued For: Ken Griffith Industries, Inc.
P.O. Box 1116
4333 Tumwater Access Road
Port Angeles, WA 98362

Permit Number: 3417-01

Preliminary Determination Issued: 3/20/2009
Department Decision Issued: 4/21/2009
Permit Final:

1. *Legal Description of Site*: Ken Griffith submitted an application to add diesel generators/engines to a portable crushing plant in Section 13, Township 8 North, Range 58 East, in Fallon County, Montana. Permit #3417-01 would apply while operating at any location in Montana, except within those areas having a Department-approved permitting program, those areas considered to be tribal lands, or those areas in or within 10 km of certain PM_{10} nonattainment areas. An addendum to this air quality permit would be required if Ken Griffith intends to locate in or within 10 km of certain PM_{10} nonattainment areas. *A Missoula County air quality permit would be required for locations within Missoula County, Montana.*

2. *Description of Project*: The permit applicant proposes the operation of two diesel generators. Currently on site is a portable crushing plant that consists of an impact crusher (up to 467 TPH) and associated equipment.

3. *Objectives of Project*: The object of the project would be to produce business and revenue for the company through the sale and use of crushed scoria. The issuance of Permit #3417-01 would allow Ken Griffith to operate the permitted equipment at various locations throughout Montana.

4. *Additional Project Site Information*: In many cases, this crushing operation may move to a general site location or open cut pit, which has been previously permitted through the Industrial and Energy Minerals Bureau (IEMB). If this were the case, additional information for the site would be found in the Mined Land Reclamation Permit for that specific site.

5. *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 to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because Ken Griffith demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.

6. *A Listing of Mitigation, Stipulations, and Other Controls*: A listing of the enforceable permit conditions and a Permit Analysis, including a BACT analysis, would be contained in Permit #3417-01.

7. *Regulatory Effects on Private Property Rights*: The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined the permit conditions would be reasonably necessary to ensure compliance with applicable requirements and to demonstrate compliance with those requirements and would not unduly restrict private property rights.

8. *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 Included
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 Resource			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 and Biological Effects: The following comments have been prepared by the Department.

A. Terrestrial and Aquatic Life and Habitats

Emissions from the diesel-powered generators/engines would have only minor impacts upon the terrestrial and aquatic life and habitats in areas where the generators/engines may operate. Although air pollutant deposition would occur in the areas where the generators/engines operate, the size and temporary nature of the operation, dispersion characteristics of pollutants, and conditions placed in Permit #3417-01 would result in minor impacts. In addition, the generators/engines would be relatively small and located at previously disturbed sites. Therefore, the operation of the generators/engines would present only minor impacts to the terrestrial and aquatic life and habitats in areas of potential operation.

B. Water Quality, Quantity, and Distribution

There would only be minor impacts on the water quality, quantity, and distribution because of the relatively small size and temporary nature of the operation. While deposition of pollutants would occur, the Department determined that any impacts from deposition of pollutants would be minor. As described in 7.F. of the EA, due to the conditions placed in Permit #3417-01 and the size a nature of the facility, the maximum impacts from the air emissions from this facility would be minor. Therefore, the diesel powered generators/engines would have only minor impacts to water quality, quantity, and distribution in the proposed area of operation.

C. Geology and Soil Quality, Stability, and Moisture

As a result of the operation of the portable diesel-powered generators/engines, there would be minor impacts to the geology and soil quality, stability, and moisture near the equipment's operational area because of the increased vehicle traffic and deposition of pollutants from portable generator operations. As explained in Section 7.F. of this EA, the facility's size, operational requirements, temporary nature of the operation, and conditions placed in Permit #3417-01 would minimize the impacts from deposition. In addition, the generators/engines would be relatively small in size and located at previously disturbed sites, which would also reduce the potential impact to the local geology and soil quality, stability, and moisture.

D. Vegetation Cover, Quantity, and Quality

Because small amounts of pollutant deposition would occur on the surrounding vegetation, there would be minor impacts on the local vegetative cover, quantity, and quality. The generators/engines would also be relatively small in size and located at previously disturbed sites. As explained in Section 7.F. of this EA, the Department determined that, as a result of the size and temporary nature of the operation and conditions placed in Permit #3417-01, any impacts on vegetative cover, quantity, and quality from the deposition of pollutants would be minor.

E. Aesthetics

The diesel-powered generators/engines would be visible and may create some additional noise in the area of operation. However, Permit #3417-01 would include conditions to limit emissions from the plant generator. The generators/engines would be relatively small and temporary and would be used to power the portable facility at previously disturbed sites. Therefore, any aesthetic impact to a given area would be minor and temporary.

F. Air Quality

The air quality emission impacts from the diesel-powered generators/engines would be minor because Permit #3417-01 would include conditions limiting the emissions from the equipment. In addition, the facility's potential emissions would be limited by Permit #3417-01 to less than 100 tons per year for any pollutant, resulting in the facility not requiring a Title V Operating Permit. Because of the size and temporary nature of the operation and conditions placed in Permit #3417-01, impacts from the deposition of pollutants would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts to unique, endangered, fragile, or limited environmental resources in the initial proposed area of operation, contacted the Montana Natural Heritage Program (MNHP). Search results concluded there are four occurrences of one such environmental resource found within the defined area. The defined area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer.

Centrocerus urophasianus (Greater Sage-grouse) is a species of concern in the area. Only minor and temporary effects to these species of concern would be expected from the proposed operation because pollutants would be dispersed before reaching this species. Also, this operation is located within the same area previously permitted and in an area previously used for aggregate crushing. Given the temporary and portable nature of the operations, any impacts would be minor and short-lived. Additionally, operational conditions and limitations

within Permit #3417-01 would aid in the protection of these resources by protecting the surrounding environment.

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

The operation of the generators/engines would require only small demands on water, air, and energy as a result of the relatively small size and temporary nature of the facility. While small amounts of water would be used for dust control on the surrounding roadways and job site, no water would be needed to operate the generator. Furthermore, as described in Section 7.F. of this EA, pollutant emissions generated from the facility would have minimal impacts on air quality in the immediate and surrounding area. The generators/engines would consume energy in the form of diesel fuel, a non-renewable resource. Overall, the equipment is relatively small and would have operational restrictions placed in Permit #3417-01. Because the facility operations would be seasonal and temporary, demands and impacts to the environmental resource of air and energy would be minor.

I. Historical and Archaeological Sites

The generators would typically operate within a previously disturbed open-cut pit. In consideration of correspondence from the Montana Historical Preservation Office, there would be a low likelihood of disturbance to any known archaeological or historical site given any previous industrial disturbance in a given area of operation. Therefore, the crushing operation would have only a minor impact on any historical or archaeological sites in a given area of operation.

J. Cumulative and Secondary Impacts

The diesel-powered generators/engines would cause minor impacts on the physical and biological environment because the generator would result in emissions of particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM10), nitrogen oxides (NOx), volatile organic compounds (VOC), carbon monoxide (CO), and sulfur oxides (SOx). Additional noise impacts from the generators/engines would also be minor. As a result of the temporary or seasonal nature of the facility and conditions and limitations contained within Permit #3417-01, impacts would be minimized. There is potential for other operations to locate at this site; however, any operations would have to apply for and receive the appropriate permits from the Department prior to operation. These permits would address the environmental impacts associated with the operations at the site.

9. 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 Included
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 AND SOCIAL EFFECTS: The Department has prepared the following comments.

A. Social Structures and Mores

The operation of the generators/engines would cause no disruption to the social structures and mores in the area because the source is a minor source of emissions (by industrial standards) and would only have intermittent operations. Additionally, the equipment would be expected to operate in an area previously designated and used for aggregate crushing. Further, the facility would be a minor source of air pollution and would be required to operate according to the conditions that would be placed in Permit #3417-01. In addition, the generators are being added to a facility already in operation. Therefore, no impacts are expected upon social structures or mores as a result.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of these areas would not be impacted by the proposed addition of generators/engines because these sites are expected to be previously designated and used for aggregate crushing. Additionally, the facility would be considered a portable/temporary source with seasonal and intermittent operations. Therefore, predominant use of the surrounding areas would not change as a result of this project.

C. Local and State Tax Base and Tax Revenue

The addition of generators/engines would have little, if any, impact on the local and state tax base and tax revenue because the facility is a relatively small industrial source (minor source) and would be used on a seasonal and intermittent basis. No additional full time or permanent employees are expected to be added as a result of issuing Permit 3417-01. Thus, only minor, if any, impacts to the local and state tax base and revenue could be expected. 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 generators/engines would be used at previously disturbed industrial areas; therefore, the Department does not expect that the permitted operation would impact or displace agricultural production. Furthermore, only minor impacts on any local industrial production would be expected because the operation of the facility (and generators/engines) would be temporary and would be relatively small in size.

E. Human Health

Permit #3417-01 would incorporate conditions to ensure that the generators/engines would operate in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. Therefore, only minor impacts would be expected upon human health from the proposed crushing/screening facility.

F. Access to and Quality of Recreational and Wilderness Activities

The generators/engines would typically operate within the confines of an existing open-cut pit. Therefore, only minor impacts upon the access to and quality of recreational and wilderness activities would result. Also, the facility would operate on a seasonal and intermittent basis and would be relatively small by industrial standards. Therefore, any changes in the quality of recreational and wilderness activities created by operating the equipment at a given site would be expected to be minor and intermittent.

G. Quantity and Distribution of Employment

As a result of the relatively small size and temporary nature of the operation, the quantity and distribution of employment in the area would not be impacted. No full time, permanent employees would be expected to be employed as a result of issuing Permit #3417-01 for the addition of the portable diesel generator.

H. Distribution of Population

No individuals would be expected to permanently relocate to a given area of operation as a result of Permit #3417-01. Also, the facility has only intermittent and seasonal operations. Therefore, the addition of generators/engines would not disrupt the normal population distribution in a given area of operation.

I. Demands of Government Services

Although minor increases would be observed in the local traffic on existing roads in the area where the facility operates, the operation of the diesel-powered generators/engines to the existing operations would not result in a need for new, altered, or additional government services.

J. Industrial and Commercial Activity

The operation of the generators/engines would represent only a minor increase in the industrial activity in any given area because of the small size and the portable and temporary nature of the facility; therefore, only minor additional industrial or commercial activity would result from the generator operations.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans and goals that would affect Ken Griffith. The facility would be allowed, by permit, to operate in areas designated by EPA as attainment or unclassified. Permit #3417-01 would contain limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards. Because the facility would be a small and portable source, and would have intermittent and seasonal operations, any effects from the facility would be minor and short-lived.

L. Cumulative and Secondary Impacts

The operation would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate areas 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 areas, thus, having a direct effect on the social environment. Because the source is relatively small and temporary, only minor economic impacts to the local economy would be expected from operating the facility. Thus, only minor and temporary cumulative effects would result to the local economy.

Recommendation: An Environmental Impact Statement (EIS) is not required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: All potential effects resulting from 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 Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

Individuals, or groups, contributing to this EA: Department of Environmental Quality (Air Resources Management Bureau), Montana State Historic Preservation Office (Montana Historical Society), and Montana Natural Heritage Program.

EA prepared by: Shawn Juers
Date: 3/18/2009