



Brian Schweitzer, Governor

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6/16/2009

Tracy Hodik
Century Companies, Inc.
PO Box 579
Lewistown, MT 59457

Dear Ms. Hodik:

The Department of Environmental Quality (Department) has made its decision on the Montana Air Quality Permit application for a Portable Asphalt Plant. The application was given Montana Air Quality Permit Number 2526-01. The Department's decision may be appealed to the Board of Environmental Review (Board). A request for hearing must be filed by July 1, 2009. This permit shall become final on July 2, 2009, unless the Board orders a stay on the permit.

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 before the final date stated above. 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, Montana 59620.

Conditions: See attached.

For the Department,

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

Shawn Juers
Environmental Engineer
Air Resources Management Bureau
(406) 444-2049

VW:SJ
Enclosure

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air Resources Management Bureau
P.O. Box 200901, Helena, MT 59620
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Century Companies, Inc
P.O. Box 579
Lewistown, MT 59457

Montana Air Quality Permit Number: 2526-01

Preliminary Determination Issued: 5/15/2009

Department Decision Issued: 6/16/2009

Permit Final:

1. *Legal Description of Site:* The asphalt plant would initially operate in Section 21, Township 16 North, Range 17 East, in Fergus County, Montana. However, MAQP #2526-01 applies while operating at any location in Montana, except those areas having a Department-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with PM₁₀ non-attainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.* An addendum will be required for locations in or within 10 km of certain PM₁₀ non-attainment areas.
2. *Description of Project:* Century submitted a MAQP for Portable Sources application to update the asphalt mixer to a parallel flow drum mixer and the associated burner, and to add two diesel powered engines/generators.
3. *Objectives of Project:* The objective of this project is to continue production of asphalt
4. *Alternatives Considered:* In addition to the proposed action, the Department also considered the “no-action” alternative. The “no-action” alternative would deny issuance of the Montana Air Quality Permit to the proposed facility. However, the Department does not consider the “no-action” alternative to be appropriate because Century has demonstrated compliance with all applicable rules and regulations as required for 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 BACT analysis, would be included in MAQP #2526-01.
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. 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			xx			Yes
B	Water Quality, Quantity, and Distribution			xx			Yes
C	Geology and Soil Quality, Stability and Moisture			xx			Yes
D	Vegetation Cover, Quantity, and Quality			xx			Yes
E	Aesthetics			xx			Yes
F	Air Quality			xx			Yes
G	Unique Endangered, Fragile, or Limited Environmental Resources			xx			Yes
H	Demands on Environmental Resource of Water, Air and Energy			xx			Yes
I	Historical and Archaeological Sites			xx			Yes
J	Cumulative and Secondary Impacts			xx			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

There is a possibility that terrestrials would use the same area as the proposed project. Impacts on terrestrial and aquatic life would be expected to be minor as MAQP #2526-01 has included restrictions to limit the air emissions of this facility. The permit requires Century’s emissions to meet New Source Performance Standards. Furthermore, MAQP #2526-01 requires daily operational recordkeeping on the emissions control device operated by Century to meet the emissions standards. As a relatively minor source of emissions on an industrial scale, the effects to terrestrial and aquatic life and habitat would be minimized and would be expected to be minor.

B. Water Quality, Quantity and Distribution

Emissions from the proposed project could potentially affect existing resources of water in any proposed project area. As part of the requirements of MAQP #2526-01, Century’s emissions must meet New Source Performance Standards. The emissions control device requires the use of water to capture air emissions from this facility. The water from the scrubbing process goes to settling ponds where the settleable solids are separated by gravity and the clarified water may be used in the scrubbing process again. Impacts to water resources in the proposed project area would be minimized and effects would be expected to be minor.

C. Geology and Soil Quality, Stability and Moisture

The asphalt plant would have impacts on soils in any proposed site location. The limitations in MAQP #2526-01 would keep the facility a relatively small industrial operation. The facility would use relatively small amounts of water for pollution control, and would be expected to have seasonal or intermittent operations. The effects to Geology, Soil Quality, Stability and Moisture would be expected to be minor.

D. Vegetation Cover, Quantity, and Quality

The operations of this facility would typically take place within a previously disturbed area or industrial location. MAQP #2526-01 requires Century's emissions to meet New Source Performance Standards. Furthermore, MAQP #2526-01 requires daily operational recordkeeping on the emissions control device operated by Century to meet the emissions standards. Any impacts to vegetation resources in any given proposed project area would be expected to be minor.

E. Aesthetics

The operations would be visible and would create additional noise in any given area of operation. MAQP #2526-01 would include conditions to control emissions (including visible emissions) from the plant. In addition, the operations would typically take place within a previously disturbed or industrial location. Impacts would be expected to be minor and likely short lived as the source would be permitted with the ability to be portable source.

F. Air Quality

MAQP #2526-01 includes conditions limiting emissions from the equipment. Furthermore, the permit contains the New Source Performance Standards emissions limitations and the recordkeeping requirements to assure proper operation of the emissions control unit. The facility's potential emissions have been limited to less than 100 tons per year for any pollutant. Therefore, the Department has determined that the effects to air quality would be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department, in an effort to assess any potential impacts, contacted the Montana Natural Heritage Program (MNHP) to identify any species of special concern associated with the proposed site location. The search included an additional one-mile buffer surrounding the requested area. One species of concern was found, the Sander Canadensis (Sauger).

Operation of this facility in compliance with environmental regulations would minimize any impacts to this species. As described in Section B, affects to water quality and quantity would be expected to be minimal. Therefore, impacts, if any, to Sauger would be expected to be minor.

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

The operation of this facility requires use of water to control air emissions. The use of settling ponds allows reuse of water and minimizes use of fresh water. Pollutant emissions generated from this facility would have minimal impacts, as described in Section 7.F. The generators would consume energy in the form of diesel fuel, a non-renewable resource. Overall, the equipment is relatively small and would have restrictions placed in MAQP #2526-01. Demands and impacts to the environmental resource of water, air and energy would be minor.

I. Historical and Archaeological Sites

The Department, in an effort to assess any potential impacts to historical or archaeological sites, contacted the Montana State Historic Preservation Office (SHPO) to identify the presence of any known historically significant or archaeological sites in the vicinity of the proposed site location. No such information was found for the proposed site. The facility would usually operate in an already disturbed site and therefore, impacts to historical or archeological sites would be unlikely.

J. Cumulative and Secondary Impacts

The portable asphalt plant would cause minor impacts on the physical and biological environment because the facility would emit pollutants. As a result of the conditions and limitations contained within MAQP #2526-01, impacts would be minimized. There is potential for other operations to locate at this site; however, many operations likely to operate in these types of sites would have to apply for and receive the appropriate permits from the Department prior to operation. Additional operations that fall below permitting requirements would be expected to add an insignificant increase in impacts. These permits would address the environmental impacts associated with the operations at the site. Additionally, this plant, in combination with the other emissions from equipment operations at the operational site, would not be permitted to exceed 250 tons/year of non-fugitive emissions.

8. 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			xx			Yes
B	Cultural Uniqueness and Diversity			xx			Yes
C	Local and State Tax Base and Tax Revenue			xx			Yes
D	Agricultural or Industrial Production			xx			Yes
E	Human Health			xx			Yes
F	Access to and Quality of Recreational and Wilderness Activities			xx			Yes
G	Quantity and Distribution of Employment			xx			Yes
H	Distribution of Population			xx			Yes
I	Demands for Government Services			xx			Yes
J	Industrial and Commercial Activity			xx			Yes
K	Locally Adopted Environmental Plans and Goals			xx			Yes
L	Cumulative and Secondary Impacts			xx			Yes

SUMMARY OF COMMENTS ON POTENTIAL ECONOMIC AND SOCIAL EFFECTS: The following comments have been prepared by the Department.

A. Social Structures and Mores

The asphalt plant would cause minor disruption to the social structures and mores in the area because the source would be a minor industrial source. The asphalt plant would be required to operate according to the limits and conditions that would be included in MAQP #2526-01, which would limit the effects to social structures and mores.

B. Cultural Uniqueness and Diversity

The asphalt plant operation would cause minor, if any, disruption to the above-cited social structure or cultural uniqueness and diversity of the human environment in any given area of operation because the source would be a minor industrial source. The predominant use of the surrounding area would not be expected to change as a result of the proposed project.

C. Local and State Tax Base and Tax Revenue

The asphalt plant would have little impact on the local and state tax base and tax revenue because the facility would be a minor industrial source. This facility would require only a small number of employees. Furthermore, the impacts to local tax base revenue would be minor because the source is permitted as a portable source and the money generated for taxes may therefore be widespread.

D. Agricultural or Industrial Production

Minimal deposition of air pollutants would occur on the surrounding land, and only minor and temporary impacts would be expected to the surrounding vegetation and land. Any impacts to surrounding agricultural land and practices in a given proposed area of operation would be expected to be minor.

E. Human Health

MAQP #2526-01 would include limits and conditions to ensure that the asphalt 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 the proposed facility would be minimized by the use of an emissions control unit and other process limits that would be required by MAQP #2526-01. Therefore, only minor impacts would be expected on human health from the facility.

F. Access to and Quality of Recreational and Wilderness Activities

Noise from the asphalt plant may have a minor affect to the area. The asphalt plant is small by industrial standards and would be minimal for the area. Furthermore, the asphalt plant is permitted as a portable facility and therefore any impacts would be expected to be temporary.

G. Quantity and Distribution of Employment

The asphalt plant would require only a small number of employees to operate and as being permitted as a portable source, would be expected to be seasonal and intermittent. Therefore, the quantity and distribution of employment would be minor.

H. Distribution of Population

The asphalt plant would require only a small number of employees to operate and as a facility permitted as a portable source, would be expected to be seasonal and intermittent. Little, if any permanent relocation into or out of the area would be expected. Therefore, the asphalt plant would have minor impacts to the distribution of population.

I. Demands for Government Services

A small increase in traffic would be expected on roadways in the area while the asphalt plant was operating. Also, government services would be required for acquiring the appropriate permits and reviewing associated reporting requirements. However, overall demands for government services would be small and minor.

J. Industrial and Commercial Activity

As described above, the asphalt plant is small on an industrial scale and would require a small amount of employees to operate. Only a small amount of additional industrial or commercial activity would be expected as a result of operation of this asphalt plant. Therefore, the overall change of industrial and commercial activity would be minor.

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 since MAQP #2526-01 would allow for operations at various unknown locations throughout the state. However, if the facility moved to an area classified as non-attainment for particulate matter, the operation would be required to apply for and receive an addendum to MAQP #2526-01 prior to operation at the site. The state standards would be protective of any proposed area of operation

L. Cumulative and Secondary Impacts

The asphalt plant operations would cause minor cumulative and secondary impacts. Because the source is relatively small, and permitted as a portable source, only minor and temporary impacts would be expected.

Recommendation: No Environmental Impact Statement (EIS) is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: The current permitting action is for the construction and operation of a portable asphalt plant. MAQP #2526-01 includes conditions and limitations to ensure the facility will operate in compliance with all applicable air rules and regulations. In addition, there are no significant impacts associated with this proposal.

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

EA prepared by: Shawn Juers

Date: April 10, 2009