Montana Department of
ENVIRONMENTAL QUALITY
Brian Schweitzer, Governor
P. O. Box 200901 Helena, MT 59620-0901 (406) 444-2544 Website: www.deq.mt.gov

December 24, 2009

Mr. Kim Bacon
Wibaux County Road Department
225 2nd Ave NW
Wibaux, MT 59353

Dear Mr. Kim Bacon:

Montana Air Quality Permit #3112-01 is deemed final as of December 24, 2009, by the Department of Environmental Quality (Department). This permit is for a portable crushing and screening operation. 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
(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: Wibaux County Road Department
225 2nd Ave NW
Wibaux, MT 59353

Montana Air Quality Permit number: 3112-01

Preliminary Determination Issued: 11/20/2009
Department Decision Issued: 12/08/2009
Permit Final: 12/24/2009

1. *Legal Description of Site*: Wibaux County Road Department (Wibaux) owns and operates a portable crushing/screening operation to be located at NE ¼ of Section 2, Township 13 North, Range 59 East, in Wibaux County, Montana.

2. *Description of Project*: Wibaux proposes to operate a screen and associated equipment in conjunction with the crushing operation currently present to sort materials to a specific size and recycle rejects back through a crusher.

3. *Objectives of Project*: The objectives of the project are to increase operational flexibility of the crushing/screening operation by adding a screen and conveyor, and required engines for hydraulics.

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 air quality preconstruction permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because Wibaux 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 #3112-01.

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

Terrestrials may use the same area as the screening operation. The proposed project would be considered a minor source of emissions by industrial standards. Minor effects on terrestrial life would be expected as a result from pollutant deposition.

Impacts on aquatic life may result from storm water runoff and pollutant deposition, but such impacts would be minor as the facility would be a minor source of emissions. Water would be used for pollution control. Since only a minor amount of air emissions would be generated, only minor deposition would occur. Therefore, only minor effects to aquatic life and habitat would be expected from the proposed screening operation.

B. Water Quality, Quantity and Distribution

Water would be required for pollution control for equipment operation. However, pollutant deposition and water use would cause minor impacts as only a small volume of water would be used and only a small amount of pollution deposition would be expected. Overall, the equipment would be expected to have minor impacts to water quality, quantity, and distribution in the area of operation.

C. Geology and Soil Quality, Stability and Moisture

The facility would be a minor source of emissions by industrial standards and would typically operate in areas previously designated and used for crushing/screening operations. Therefore, impacts from the emissions from the screening operation would be expected to be minor.

The screening operation would have only minor impacts on soils in any proposed site location because the facility is relatively small in size, would use only relatively small amounts of water for pollution control, and would only have seasonal and intermittent operations. Therefore, any affects upon geology and soil quality, stability, and moisture at any proposed operational site would be expected to be minor.

D. Vegetation Cover, Quantity, and Quality

Because the equipment at the facility would be a minor source of emissions by industrial standards and would typically operate in areas previously designated and used for crushing/screening operations, impacts from the emissions of the screening operation would be minor.

The amount of air emissions from this project would be minor. As a result, the corresponding deposition of the air pollutants on the surrounding vegetation would also be minor.

E. Aesthetics

The screening operation would be visible and would create additional noise while operating. However, MAQP #3112-01 would include conditions to control emissions, including visible emissions, from the plant. Also, because the screening operation would be portable, would be expected to operate on an intermittent and seasonal basis, and would typically locate within an open-cut pit, any visual and noise impacts would be expected to be minor and short-lived.

F. Air Quality

The air quality impacts from the screening operation would be minor because the facility would be relatively small. MAQP #3112-01 would include conditions limiting the opacity from the plant, as well as requiring water spray bars and other means to control air pollution. Further, MAQP #3112-01 would limit total emissions from the operation and any additional equipment operated by Wibaux at the site to 250 tons per year or less.

The diesel engines associated with this operation would be small. This facility would be expected to be used on a temporary and intermittent basis, thereby further reducing potential air quality impacts from the facility. Air quality impacts would be expected to be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

To assess potential impacts to unique endangered, fragile, or limited environmental resources in the proposed area of operations, the Department contacted the Montana Natural Heritage Program (MNHP) to identify any species of concern associated with the initial proposed site location. Search results concluded there is one species of special concern. The defined area, in this case, is defined by the township and range of the proposed site, with an additional one-mile buffer.

The search concluded that the Sander Canadensis (Sauger) is present within the search area. The current permit action would result in the emission of air pollutants, which may result in minor impacts to existing unique endangered, fragile, or limited environmental resource in any given area of operation. However, given the relatively small industrial size of the operation, and the expected temporary and seasonal operation, any impact would be expected to be minor and short-lived. In addition, typical operations would take place within a previously disturbed location.

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

The screening operation would require only small quantities of water, air, and energy for proper operation. Water would be used for dust suppression and would control particulate emissions being generated at the site. However, water use is expected to be via water truck and the total usage relatively small. Energy requirements would also be small as the associated engines are small and the facility would not be expected to be used continuously. Therefore, any impacts to water, air, and energy resources in any given area would be minor.

I. Historical and Archaeological Sites

The Department contacted the State Historic Preservation Office (SHPA) to request a cultural resource file search for the project location to aid the Department in the assessment of impacts to historical and archeological sites. The SHPO file search reported no previously recorded sites within the designated search area.. The Department would expect minor, if any, impacts to any sites present in the area.

J. Cumulative and Secondary Impacts

The proposed project would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because the facility would generate emissions. Noise would also be generated from the site. Emissions and noise would cause minimal disturbance because the equipment is small and the facility would be expected to operate in areas designated and used for such operations. Additionally, this facility, in combination with the other emissions from Wibaux equipment operations at the site would not be permitted to exceed 250 tons per year. Overall, any cumulative or secondary impacts to the physical and biological aspects of the human environment would be expected to be minor.

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 proposed project would result in minor, if any, impacts to social structures and mores. The project will typically operate in an area designated for such activities. Furthermore, operations are expected to be intermittent and seasonal.

B. Cultural Uniqueness and Diversity

The proposed project would result in minor, if any, impacts to cultural uniqueness and diversity. The project will typically operate in an area designated for such activities. Furthermore, operations are expected to be intermittent and seasonal. No significant increase in the number of employees required to operate the equipment is expected.

C. Local and State Tax Base and Tax Revenue

The proposed project would result in minor, if any, impacts to the local and state tax base and tax revenue. The additional equipment proposed would not be expected to require any more than a negligible increase in employees.

D. Agricultural or Industrial Production

The proposed project would have a minor impact on local industrial production since the project would increase air emissions slightly. Because only a minor increase in air emissions is expected, minimal deposition of air pollutants would occur on the surrounding land, and only minor, if any effects on the surrounding vegetation or agricultural production would occur. In addition, the facility operations would be permitted with operational conditions and limitations that would minimize impacts upon surrounding vegetation. The equipment would typically operate in areas previously designated and used for crushing/screening operations.

E. Human Health

Conditions would be incorporated into the permit to ensure that the facility would operate 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 project would be minimized by the use of water spray.

F. Access to and Quality of Recreational and Wilderness Activities

This facility would typically be located on previously disturbed property and would not impact access to recreational and wilderness activities. Minor impact on the quality of recreational activities might be created by noise. Visible air emissions would be minimized as a result of limitations placed in the Montana Air Quality Permit and the expected temporary and portable nature of the operation.

G. Quantity and Distribution of Employment

This facility would be a small, portable operation, with expected seasonal and intermittent operations. Therefore, this project would not be expected to have long-term affects upon the quantity and distribution of employment in any given area of operation.

H. Distribution of Population

The facility would be small and temporary in nature with very few employees. Therefore, the facility would be expected to have little, if any impact on the normal population distribution in the area of operation or any future operating site.

I. Demands for Government Services

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. However, demands for government services would be minor, as the permitting action proposed adds equipment to an already permitted operation.

J. Industrial and Commercial Activity

The proposed project would represent only a minor increase in the industrial activity in the proposed area of operation because the facility would continue to be a small industrial source, and be portable and temporary in nature. Very little additional industrial or commercial activity would be expected as a result of the proposed operation. Therefore, any impacts to the 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. The proposed project would be allowed by its Montana Air Quality Permit to operate in areas designated by EPA as attainment or unclassified for ambient air quality. An addendum would be required to operate in or within 10 kilometers (km) of a PM_{10} nonattainment area. The permit would contain maximum capacity and opacity limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards. Because the facility would be small and portable, any impacts from the project would be minor.

L. Cumulative and Secondary Impacts

Overall, the proposed project would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate area of operation.

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 screening operation including diesel engines and conveyor. MAQP #3112-01 includes conditions and limitations to ensure the facility will operate in compliance with all applicable rules and regulations. In addition, there are no significant impacts associated with this proposal.

Other groups or agencies contacted or which may have overlapping jurisdiction: Montana Historical Society – State Historic Preservation Office, Natural Resource Information System – Montana Natural Heritage Program

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: 11/6/2009