



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

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March 27, 2012

Mr. Sam Meyers
Nelcon, Inc.
P.O. Box 5370
Kalispell, MT 59903

Dear Mr. Meyers:

Montana Air Quality Permit #4720-00 is deemed final as of March 27, 2012, by the Department of Environmental Quality (Department). This permit is for a portable concrete batch plant. 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
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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
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FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Nelcon, Inc.
P.O. Box 5370
Kalispell, MT 59903

Montana Air Quality Permit (MAQP) number: 4720-00

Preliminary Determination Issued: February 22, 2012

Department Decision Issued: March 9, 2012

Permit Final: March 27, 2012

1. *Legal Description of Site:* The initial location of the portable concrete plant will be Section 28, Township 21 North, Range 58 East, in Richland County, Montana. However, this facility is permitted as a portable source, and therefore may operate at any location in Montana, except those areas having a Department of Environmental Quality (Department)-approved permitting program, areas considered tribal lands, or areas in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM₁₀) nonattainment areas.
2. *Description of Project:* Nelcon, Inc. (Nelcon) proposes to operate a portable concrete batch plant. The plant would combine aggregate, sand, cement, and cement additives for transfer to mix trucks for delivery of concrete for various uses at various job sites.
3. *Objectives of Project:* To generate profit providing concrete to various locations throughout Montana, including the ‘oil boom’ generated needs in eastern Montana.
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 Nelcon 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 #4720-00.
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. 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 would use the same area as the concrete batch plant. However, the operation would be considered a minor source of emissions by industrial standards, with intermittent and seasonal operations expected. Therefore, only minor effects on terrestrial life would be expected as a result of equipment operations or from pollutant deposition.

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 expected) and only minor amounts of water would be used. Since only a minor amount of air emissions would be generated, only minor deposition would occur.

B. Water Quality, Quantity and Distribution

Water would be used for dust suppression on the surrounding roadways and areas of operation and within the operation. However, water use would only cause a minor impact to the water quality, quantity, and distribution in the area, since only relatively small amounts of water would be required, as the facility is expected to run in an intermittent and seasonal nature. Conditions in MAQP #4702-00 would limit the amount of allowable emissions.

C. Geology and Soil Quality, Stability and Moisture

The facility would have limited allowable operation time and limited emissions. Increased vehicle traffic, deposition of pollutants, and use of water to control fugitive dust emissions would be expected. Based on the size and operating nature of the plant, and conditions in MAQP #4720-00, affects upon geology and soil quality, stability, and moisture would be expected to be minor.

D. Vegetation Cover, Quantity, and Quality

Pollutant deposition can potentially affect vegetation cover, quantity, and quality. MAQP #4720-00 would contain conditions which would limit the allowable emissions from the facility. However, operations are expected to be intermittent and seasonal. Minor impacts to vegetation cover, quantity, and quality would be expected.

E. Aesthetics

The equipment would be visible and would create additional noise in the area of operation. However, MAQP #4720-00 would include conditions to control visible emissions from the plant. The facility is also expected to operate on an intermittent basis. Minor impacts to aesthetics would be expected.

F. Air Quality

MAQP #4720-00 would contain conditions limiting the allowable emissions from the facility. The amount of allowable emissions generated from the plant is below those levels which the Department would require more rigorous air quality impact analyses be conducted. Based on the amount of allowable emissions that would be expected from the plant, only minor impacts would be expected.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department contacted the Montana Natural Heritage Program requesting any available information regarding Montana Species of Special Concern in the vicinity of the initial location of the plant, in an effort to assess any potential impacts to any unique endangered, fragile, or limited environmental resources. The request was returned with 19 species occurrence reports for 13 animal species of concern and 1 ecological site report.

Species of concern located in the vicinity of the area include the Great Blue Heron, the Whooping Crane, the Least Tern, the Veery, the Pallid Sturgeon, the Paddlefish, the Shortnose Gar, the Sturgeon Chub, the Sicklefin Chub, the Blue Sucker, the Sauger, the Hoary Bat, the Meadow Jumping Mouse, and the Spiny Softshell.

As discussed in the above sections, impacts to water, air, and land are expected to be minor due to the conditions and limitations which would be placed in the MAQP. Based on information submitted by the applicant for the application of an air quality permit, the initial location of the equipment will be in an area already previously disturbed by agricultural activities. Effects to these species as a direct result of the installation and operation of the equipment, given the limited amount of allowable emissions and operating time permissible, would be expected to be minor.

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

Water would be required for dust suppression of particulate emissions. Impacts to air resources would be expected as operations of the plant would create air emissions. Energy requirements would be present as the diesel generator engine required to create electrical power for the plant would require fuel. Based on the size of the operation, the conditions and limitations which would be placed in the MAQP, and the intermittent nature of the operations expected, impacts to water, air, and energy resources would be expected to be minor.

I. Historical and Archaeological Sites

The Department contacted the Montana Historical Society - State Historical Preservation Office (SHPO) in an effort to identify any historical and/or archaeological sites that may be present in the proposed initial location of the facility.

The file search returned the presence of 3 files. A historic irrigation system, a historic energy development (pipeline), and a historic railroad. The Montana Historical Society notes that as long as there will be no disturbance or alteration to structures over fifty years of age, there is a low likelihood cultural properties would be impacted. The Department determined that installation and operation of this equipment as a result of issuance of MAQP 4720-00 would not be expected to alter or change any structures over fifty years of age.

J. Cumulative and Secondary Impacts

The batch concrete plant operations would cause minor cumulative and secondary impacts to the physical and biological environment in the immediate area. The plant would generate emissions, and have minor effects to air, water, and land. The Department expects this plant to operate in compliance with all applicable rules and regulations as would be outlined in MAQP #4720-00.

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
- B. Cultural Uniqueness and Diversity

The operation of the batch concrete plant would not alter or disrupt any local lifestyles or communities (social structures or mores) in the area of operation because the plant would be relatively small and would operate intermittently. Employment of approximately 15 people would be expected. Therefore, only minor impacts to any existing social structures and mores or cultural uniqueness and diversity would be expected as a result of this permitting action.

C. Local and State Tax Base and Tax Revenue

The batch concrete plant operations itself would have little impact on the local and state tax base and tax revenue because the plant would likely be a temporary source, and operate intermittently. It would not be expected that this plant would remain at the proposed initial site for an extended period of time.

D. Agricultural or Industrial Production

The batch concrete plant operations would initially be located in an area which is predominately agricultural. As discussed in Section 7.D, effects to vegetation cover, quantity, and quality, would be expected to be minor. With the size, nature of operations, and conditions which would be placed in MAQP #4720-00, installation and operation of the batch concrete plant itself would have minor impacts to agricultural or industrial production in the area.

E. Human Health

MAQP #4720-00 would incorporate conditions to ensure that the concrete batch plant operations 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. Since these conditions would be incorporated, only minor impacts would be expected from this batch concrete plant.

F. Access to and Quality of Recreational and Wilderness Activities

Effects on the quality of recreational activities may be created by noise from the site as some recreational activity may occur on relatively nearby lands. Given the intermittent and likely temporary nature of the plant, and the distance to nearby recreational sites, no more than a minor impact to the quality of recreational and wilderness activities would be expected. Any impacts to access of recreational or wilderness activities would be expected to be minor.

G. Quantity and Distribution of Employment

H. Distribution of Population

The employment of approximately 15 people would be expected as a result of the issuance of MAQP #4720-00. Operations would be expected to be intermittent, seasonal, and temporary. No more than minor effects to the quantity and distribution of employment or distribution of population would be expected.

I. Demands for Government Services

Demands for government services would be minor as the source is a relatively small source by industrial standards.

J. Industrial and Commercial Activity

A small increase in traffic associated with the materials and equipment needed to support making the cement and shipment of cement would be expected. Impacts would be expected to be minor.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals that would be affected by the proposed project. MAQP #4720-00 would be issued in accordance with rules designed to protect human health and the environment.

L. Cumulative and Secondary Impacts

Consideration of the individual economic and social effects were determined to be minor. Cumulative and secondary impacts would be expected to be minor.

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

The current permitting action is for the construction and operation of a portable concrete batch plant. MAQP #4720-00 would include 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: 2/15/2012