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: June 19, 2012

Name of Applicant: Bishop, Inc.

Source: Portable Crushing and Screening Operation

Proposed Action: The Department of Environmental Quality (Department) proposes to issue a permit, with conditions, to the above-named applicant. The application was assigned Montana Air Quality Permit Application Number 4761-00.

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 July 5, 2012. 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,

Charles Homer
Manager, Air Permitting, Compliance, and Registration
Air Resources Management Bureau
406-444-5279

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

CH:SJ
Enclosures

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

DRAFT ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Bishop, Inc.

Montana Air Quality Permit number: 4761-00

Preliminary Determination Issued: June 19, 2012
Department Decision Issued:
Permit Final:

1. *Legal Description of Site*: The initial location for this portable crushing and screening operation is Section 10, Township 27 North, Range 47 East, in Roosevelt County, Montana.

2. *Description of Project*: Montana Air Quality Permit (MAQP) #4761-00 would be issued for the operation of a portable crushing and screening operation, which would consist of a 125 ton per hour screen, 125 ton per hour crusher, 200 brake-horsepower generator engine, and 5 conveyors.

3. *Objectives of Project*: To produce crushed and screened mineral products.

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 Bishop, Inc (Bishop) 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 Best Available Control Technology analysis, would be included in MAQP #4761-00.

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

The Department would expect no more than minor impacts to terrestrial and aquatic life because MAQP #4761-00 would have limitations and conditions which would limit allowable emissions to relatively minor levels. MAQP #4761-00 would apply to a source just over the emissions threshold which requires a permit.

B. Water Quality, Quantity and Distribution

Water would be required for dust suppression on the processing equipment, haul road(s), and surrounding operational area. However, the Department would expect only minor impacts to water quality, quantity, and distribution, as the operation is small in comparison to other similar operations, and water usage would only be required as necessary.

C. Geology and Soil Quality, Stability and Moisture

Water would be required for dust suppression on the processing equipment, haul road(s), and surrounding operational area. Portable crushing and screening operations typically operate with an open cut pit. Impacts to geology, soil quality, stability, and moisture, as a result of the crushing and screening operations, would be expected to be minor.

D. Vegetation Cover, Quantity, and Quality

MAQP #4761-00 would permit the operation of a source of particulate matter emissions. The permit would contain conditions and limitations which would require control of particulate emissions to a level which the Department believes would limit the impacts from deposition to any surrounding vegetation. Impacts to vegetation cover, quantity, and quality, would be expected to be minor.

E. Aesthetics

The facility would be audible and visible. Activity would likely occur within the existing open cut mine. MAQP #4761-00 would contain conditions to control visible emissions from the crushing and screening operation. The portable operation would likely operate on an intermittent, seasonal, and temporary basis; however, the Department would expect only minor impacts to aesthetics as a result of issuance of MAQP #4761-00.

F. Air Quality

MAQP #4761-00 would contain limitations and conditions derived from rules intended to protect air quality. The allowable emissions from the facility would be minor on an industrial scale, and any impacts to air quality would be expected to be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

As described in Section 7.D of this environmental assessment, impacts to Vegetation Cover, Quantity, and Quality from pollutant deposition would be expected to be minor. Conditions and limitations in MAQP #4761-00 would limit the allowable emissions of particulate matter. Control of fugitive dust emissions would also be required. Furthermore, because the equipment would typically operate in an area in which open cut operations have previously been conducted, the project would likely not significantly increase disturbance within such an area. As described in Section 7.F, the Department determined that impacts to air quality would be minor. As described in Section 7.A and 7.B, impacts to terrestrials and water quality would be expected to be minor. With these considerations, the Department would expect only minor impacts to any unique endangered, fragile, or limited environmental resources in the area.

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

MAQP #4761-00 would require use of water to control particulate matter emissions. The potential to emit would be limited based on the permit conditions, limiting the demand on air resources. Energy demands would be present in the form of diesel fuel to operate the diesel-fired generator engine; however, these demands would be expected to be minor.

Demands on water, air, and energy resources would be expected to be minor.

I. Historical and Archaeological Sites

A portable crushing and screening operation typical operates within an open cut pit location. The Department would expect no more than minor impacts to any historical or archaeological sites in such areas as a direct result of issuance of MAQP #4761-00.

J. Cumulative and Secondary Impacts

The Department would expect minor impacts to the individual physical and biological considerations above. Cumulative and secondary impacts 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
B. Cultural Uniqueness and Diversity

As the portable crushing and screening operations would be small and only require a few employees, and would likely operate in existing open cut pits, any impacts or changes to the accepted traditional customs and usages of the area, and the patterned social arrangements which form the society as a whole, would be expected to be minor. Likewise, any impacts to cultural uniqueness and diversity would be expected to be minor.

C. Local and State Tax Base and Tax Revenue

MAQP #4761-00 would permit the operation of a small portable crushing and screening operation. The operation is a rather small operation for this source category. Any impacts to local and state tax base and tax revenue would be expected to be minor.

D. Agricultural or Industrial Production

MAQP #4761-00 would permit operations of a small portable crushing and screening operation, with an initial location within an existing open cut pit. Particulate matter emissions would be expected; however, the limitations and conditions in the permit would limit those emissions, and therefore limit the amount of particulate matter available for deposition in the surrounding areas. Use of haul trucks and haul roads would be expected as a part of the normal operations associated with this permit. The Department would expect only minor impacts to agricultural or industrial production in the area.

E. Human Health

MAQP #4761-00 would contain limitations and conditions derived from rules intended to protect human health. Further, the facility is small for the source category, and allowable emissions are small on an industrial scale. The Department would expect no more than minor impacts to human health.

F. Access to and Quality of Recreational and Wilderness Activities

The Department is not aware of any access to recreational or wilderness activities which would be directly impacted by issuance of MAQP #4761-00. The initial location is within an existing open cut pit, which is a typical location for this type of operation. Noise from the operation would be expected, and the equipment may be visible, however, the MAQP would contain limitations and conditions which would limit the visible emissions from the operation. The Department would expect minor impacts to access to and quality of recreational and wilderness activities.

G. Quantity and Distribution of Employment
H. Distribution of Population

MAQP #4761-00 would permit a small portable crushing and screening operation, which would be expected to require no more than a few employees to operate. With only a few employees needed, and the likely intermittent, temporary, and seasonal operations, any impact to quantity and distribution of employment and distribution of population would be expected to be minor.

I. Demands for Government Services

As a permitted source, demands for government services would include review of reports required by the permit as well as other compliance related activities. As a true minor with respect to the Title V program, demands for government services would be minimal as a direct result of the requirement to obtain an air quality permit. Only minor impacts to demands for government services would be expected.

J. Industrial and Commercial Activity

MAQP #4761-00 would permit operations of a small portable crushing and screening operation. The facility is relatively small for the source category, and small on an industrial scale. No more than minor impacts to industrial and commercial activity would be expected as a result of issuance of MAQP #4761-00.

K. Locally Adopted Environmental Plans and Goals

The Department is not aware of any locally adopted environmental plans or goals which issuance of MAQP #4761-00 would impact. MAQP #4761-00 would contain limitations and conditions derived from rules intended to protect human health and the environment.

L. Cumulative and Secondary Impacts

The Department determined minor impacts would be expected for the individual economic and social considerations above. The Department would expect cumulative and secondary impacts to be minor.

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 crushing and screening operation. MAQP #4761-00 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: 6/11/2012