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August 27, 2012

Director Office, DNRC
Environmental Quality Council
Documents Section, State Library
Jim Skinner, Department of Transportation

Ladies & Gentlemen:

Pursuant to the Administrative Rules of Montana, 17.4.609, the following Environmental Assessment has been prepared by the Department of Environmental Quality concerning Robert Payne \ dba \ Payne Logging Company, a motor vehicle wrecking facility.

The purpose of the Environmental Assessment is to inform all interested governmental agencies, public groups or individuals of the proposed action and to determine whether or not the action may have a significant effect on the human environment. This Environmental Assessment will be circulated for a period of thirty **(30) days** at which time a decision will be made as to our future action.

If you wish to comment on this proposed action, please do so within the allotted time.

Sincerely,

Carda Taylor
Motor Vehicle Recycling & Disposal Program
(406) 444-3048 or e-mail at CTaylor3@mt.gov

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DEPARTMENT OF ENVIRONMENTAL QUALITY
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ENVIRONMENTAL ASSESSMENT (EA)

The Montana Department of Environmental Quality licenses and regulates motor vehicle wrecking facilities under the authority of the Motor Vehicle Recycling & Disposal Act (75-10-501, MCA) and Administrative Rules of Montana (ARM 17.50.201).

Division/Bureau: Permitting & Compliance \ Waste and Underground Tank Management \ Solid Waste Program \ Motor Vehicle Recycling and Disposal Program

General Comments

To be eligible for licensing, a proposed wrecking facility must:

- 1) Be in compliance with all existing zoning ordinances on the date the license application is submitted to the department.
- 2) Be capable of being shielded from view of any existing public road. If the license application is approved, the applicant must construct all necessary shielding prior to the issuance of the license and commencement of operation at the facility.
- 3) Not create any adverse environmental impacts.

Project or Application: Payne Logging Company a Montana firm has proposed a private Motor Vehicle Wrecking facility in Lincoln County.

Description of Project:

The proposed motor vehicle wrecking facility will be in Lincoln County. This facility will be located at 99 My Road, Libby, MT. The legal description of the facility is the NW ¼ NW ¼ Section 2, Township 30 North, Range 31 West. The facility is approximately 3.15 acres in size. See attached aerial photo of the proposed site.

Purpose of Proposal: By obtaining a motor vehicle wrecking facility license, the applicant will be allowed to: (1) Buy, sell, or deal in four or more vehicles per year of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle, (2) Buy or sell component parts, in whole or in part, and deal in second-hand junk vehicles, (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking facilities. This business if licensed will provide a commercial source of automotive parts at a cost savings to the consumer, and (4) This business will also recycle all the ferrous metals and non-ferrous metals that

were not sold to the general public. Recycling metals will conserve energy and natural resources otherwise used to manufacture new automotive parts.

Benefits of Proposal: By obtaining a motor vehicle wrecking facility license, the applicant will be allowed to: (1) Purchase junk vehicles from the general public and insurance companies which will contribute to the overall cleanliness of the community in which it is located; (2) The facility will be required by statute to shield the junk vehicle from public view; (3) The facility will be required to handle all automotive waste in an environmentally safe manner; and (4) This service will conserve energy and natural resources otherwise used to manufacture new parts.

Description and analysis of reasonable alternatives, whenever alternatives are reasonably available and prudent to consider by the applicant and the Department:

Alternative #1 considered by the applicant – Not to establish a facility at this location. This would limit public access to used automotive parts and limit the amount of automotive parts for recycling.

Alternative #2 considered by the applicant - To establish a facility at a location other than the one proposed in the license application. This would require the applicant to find and acquire by purchase or lease a different parcel for the proposed usage. At the time this application was made the Department was not made aware that any other location was considered.

Alternative #3 - License the site because the applicant will be able to meet the requirements of the Motor Vehicle Recycling & Disposal Program Act and associated rules.

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: Automotive fluids **must be** drained from the vehicles prior to dismantling. All fluids removed from the vehicles must be captured over an impermeable surface, properly containerized, and properly stored for reuse, recycling, or proper disposal. This is a management method intended to alleviate the potential for groundwater contamination. This is a license condition enforceable by the agency.

CFCs (Freon) **must not** be released to the environment. This is a federally enforceable requirement and is enforced by the U.S. EPA.

Recommendation:

The Montana Environmental Policy Act requires the adequate review of state actions to ensure environmental impacts are fully considered. Environmental Assessments (EA) are procedural documents that dictate a process agencies must follow. An EA does not result in a certain decision.

The purpose of this environmental assessment is to: 1) Assist the public in understanding the licensing laws governing the Motor Vehicle Recycling and Disposal program; 2) Identify and discuss the potential environmental impacts of the proposed facility if it is licensed and becomes operational; 3) Discuss actions taken by the applicant and enforceable measures and conditions designed to mitigate the impacts identified by the department during the review of the application; 4) Seek public input to ensure the department has identified the substantive environmental impacts associated with the proposed facility.

If an EIS is not required, explain why the EA is an appropriate level of analysis:

It is the preliminary determination of the department that the EA will provide an adequate review for the proposed facility. This determination was made after: 1) Careful review of the information submitted with the license application; 2) On site assessment of the proposed facility and the surrounding area by department, and 3) Comparing the proposed facility to currently licensed and operating motor vehicle wrecking facilities.

Other groups or agencies contacted or which may have overlapping jurisdiction:

Lincoln County Commissioners.

Individuals or groups contributing to this EA:

United States Department of Agriculture
Montana Historical Society and State Historic Preservation Office

EA prepared by Bruce W. Meyer and Carda Taylor, DEQ Permitting and Compliance Division, Waste and Underground Management Bureau, Junk Vehicle Program

References:

Montana Tech of the University of Montana, 2012, Montana Bureau of Mines and Geology, Groundwater Information Center, <http://mbmgwic.mtech.edu/>

United States Department of Agriculture, 2012 Natural Resources Conservation Service, Web Soil Survey, <http://websoilsurvey.nrcs.usda.gov/app/Homepage.htm>

Date: August 24, 2012

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	Maj	Mod	Min	None	Unkn	Att
1. Terrestrial and Aquatic Life and Habitat			xxx			xxx
2. Water Quality, Quantity, and Distribution			xxx			xxx
3. Geology and Soil Quality, Stability and Moisture			xxx			xxx
4. Vegetation Cover, Quantity and Quality			xxx			xxx
5. Aesthetics				xxx		xxx
6. Air Quality				xxx		
7. Unique, Endangered, Fragile or Limited Environmental Resources				xxx		
8. Demands on Environmental Resources of Water, Air, and Energy				xxx		
9. Historical and Archaeological Sites				xxx		xxx

*Maj = Major; Mod = Moderate; Min = Minor; Unkn = Unknown; Att = Physical Environment Impacts Section
CUMULATIVE AND SECONDARY IMPACTS: The potential impacts on the physical environment will be minimal because of the proposed management practices. Upon closure of the facility and removal of the junk vehicles the aesthetics of the site will return to their original state.

POTENTIAL IMPACT ON HUMAN ENVIRONMENT

	Maj	Mod	Min	None	Unkn	Att
1. Social Structure and Mores				xxx		
2. Cultural Uniqueness and Diversity				xxx		
3. Local and State Tax Base and Tax Revenue			xxx			xxx
4. Agricultural or Industrial Production				xxx		
5. Human Health				xxx		
6. Access to and Quality of Recreational and Wilderness Activities				xxx		
7. Quantity and Distribution of Employment			xxx			xxx
8. Distribution of Population				xxx		
9. Demands for Government Services			xxx			xxx
10. Industrial and Commercial Activities				xxx		
11. Locally Adopted Environmental Plans and Goals				xxx		xxx

*Maj = Major; Mod = Moderate; Min = Minor; Unkn = Unknown; Att = Human Environmental Impact Section
CUMULATIVE AND SECONDARY IMPACTS: The impacts will be minor for local and state tax base and tax revenue due to fact that a business has been established for many years on this property .The quantity and distribution of employment will be minor to none because of the size of the business. The demands for government services will be minor to none and will be covered by county staff and state staff.

ENVIRONMENTAL ASSESSMENT

Potential Impacts on Physical Environment

1. Terrestrial & aquatic life habitats
4. Vegetation cover, quantity and quality

The proposed wrecking facility in Libby , Montana, is surrounded by residential areas, and the city park. The actual working area of the wrecking yard only covers a small portion of the 12.7 acre parcel. The actual wrecking yard will be sited on 3.15 acres on the west side of the property. The impacts to the wildlife habitats are minor to none because of the open space around the processing site and the adjoining properties. The impacts to the aquatic habitats are very minor to none because there are no standing ponds or running streams on the property.

The impacts to the vegetation cover, quantity and quality are minor to none because the site has been used by Robert Payne for Payne Logging for many years.

The facility will be required to handle all automotive fluids as outlined in the Hazardous Waste regulations. The owner will have all the fluids removed over an impermeable surface. These automotive fluids will be either reused or recycled or disposed of properly. This will also include mercury, acids, and lead. The impacts caused by the wrecking facility activities should not be significant to the area's ecosystem because of its management practices as well as the intended preventative measures to ensure the ground is not compromised during the processing of the vehicles.

2. Water quality, quantity, and distribution

The properties in this area are on wells. The static ground water level in sections 1,2,3,4,9,10,11,12,13,14,15,16 Township 30N , Range 31W varies from -1.16 feet to 360 feet below ground surface (BGS) with an average static water level of 39.30 feet (BGS). The static ground water level in sections 25,26,27,28,33,34,35,36 Township 31N , Range 31W varies from 1 feet to 360 feet (BGS) with an average of static water level of 105.75 feet BGS. This proposed motor vehicle wrecking yard is not expected to have any negative impacts on the quality, quantity, and distribution of the ground water because of the intended management practices. These practices will include the removal of the automotive fluids over an impermeable surface before the junk vehicles are processed. These auto fluids will be either reused or properly recycled.

3. Geology and soil quality, stability, and moisture

The soils in the vicinity of the site are classified by the U.S. Natural Resource Conservation Service as Andic Dystrachrepts. Andic Dystrachrepts Soils are moderately well drained and have 0 to 20 percent slopes. The well log specifically for the property to be licensed indicated that the average static water level is 37.5 feet.

Waste anti-freeze, gasoline, and lubricating oils contain petroleum distillates, heavy metals, and possibly toxic compounds if improperly disposed of, can cause surface and groundwater degradation. Any detrimental contamination from these sources will be avoided because the applicant plans to process the vehicles over an impermeable surface and properly reuse or recycle all of the above-named automotive fluids. Some residual lubricating oils and anti-freeze may drip from the vehicles stored at the facility. This residual dripping is not expected to be significant or result in heavy soil accumulations because the junk vehicles will have the fluid removed and will be processed over an impermeable surface.

5. Aesthetics

The Motor Vehicle Recycling & Disposal Program is mandated by statute to require all Motor Vehicle Wrecking Facilities to shield their junk vehicles from public view. "Public view" is defined as any point six feet above the surface of the center of a public road from which the junk vehicles can be seen.

The existing vegetation will shield the junk vehicles from public view as well as the planned installation of cargo containers to act as shielding on the north side. An onsite evaluation conducted by department personnel determined the existing vegetation and cargo containers will meet the shielding requirements of the Motor Vehicle Recycling & Disposal Act.

9. Historical and archaeological sites

Based on the information gathered from the State Historic Preservation Office, it was concluded that the proposed facility would have a low likelihood of impacting cultural resources in the area.

Potential Impacts on Human Environment

3. Local & state tax base & tax revenue

7. Quantity and distribution of employment

The establishment of a motor vehicle wrecking facility at the proposed location may provide a source of used motor vehicles or component parts for sale to the public. The issuance of a motor vehicle wrecking facility license will allow the applicant to: (1) Buy,

sell, or deal in four or more vehicles per year of a type required to be licensed for the purpose of wrecking, dismantling, disassembling, or substantially altering the form of the motor vehicle; (2) Buy or sell component parts, in whole or in part, and deal in second-hand motor vehicle parts; and (3) Purchase wrecked vehicles from insurance companies. Insurance companies are required by state law to sell junk vehicles only to licensed motor vehicle wrecking yards.

The operation of a motor vehicle wrecking facility has the potential to create additional labor requirements and may be result in employment opportunities. These labor requirements to support the yard's operations would provide a positive employment impact for the community.

9. Demands for governmental services

The issuance of a motor vehicle wrecking facility license will require administrative and inspection services of the Montana Department of Environmental Quality and the Lincoln County Junk Vehicle Program personnel. These services are not expected to heavily impact current workloads.

11. Locally adopted environmental plans and goals

The site selection is **not** the responsibility of Motor Vehicle Recycling & Disposal Program, but rather the applicant.

The establishment of a motor vehicle wrecking facility at this location does **not** conflict with any existing zoning ordinances as certified by Kristin Smith, Planning Director, Lincoln County, Libby, Montana.

Effect on Adjoining Landowners and Land Uses **Other Site-Specific Information**

Information gathered for the preparation of this Environmental Assessment reveals that the residential area and city parks adjacent to proposed site will not be adversely affected by the operation of a MVWF. The location of this wrecking facility should have minor or no impact on the adjoining landowners and land uses because of the management practices that have been noted in this EA.

