

DEPARTMENT OF ENVIRONMENTAL QUALITY

PERMITTING AND COMPLIANCE DIVISION

Air and Waste Management Bureau



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June 1, 1998

George Friez  
Jim Gilman Excavating, Inc.  
3105 Kossuth  
Butte, Montana 59701

**RECEIVED**  
JUN 05 1998  
ENVIRONMENTAL  
QUALITY COUNCIL

Dear Mr. Friez:

Air Quality Permit #2542-02 is deemed final as of June 1, 1998 by the Department of Environmental Quality. This permit is for a portable asphalt plant and associated equipment. 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,

A handwritten signature in cursive script that reads "Richard Knatterud".

Richard Knatterud  
Air Permitting Section Supervisor

RK:bjd

Enclosure

DEPARTMENT OF ENVIRONMENTAL QUALITY  
Permitting and Compliance Division  
P.O. Box 200901, Helena, Montana 59620  
(406) 444-3490

**FINAL ENVIRONMENTAL ASSESSMENT (EA)**

Issued For: Jim Gilman Excavating, Inc.  
3105 Kossuth  
Butte, MT 59701

Air Quality Permit Number: 2542-02, Addendum 1

Notification of Permit Modification Issued: May 15, 1998  
Final Permit Issued: June 1, 1998

Montana Environmental Policy Act (MEPA) Compliance: An environmental assessment, required by the MEPA, was completed for this project as follows.

Legal Description of Site: (portable source) Any location in or within 10 kilometers of any PM-10 nonattainment area through the summer months (April 1, 1998 to September 30, 1998).

Description of Project: This permit addendum allows Gilman to operate in or within 10 kilometers of any PM-10 nonattainment area until September 30, 1998. The addendum provides conditions and limits while operating in nonattainment areas. Permit #2542-02 replaces permit #2542-01.

Benefits and Purpose of Proposal: This addendum contains stricter operational limits that allow the source to operate at the above listed locations without adversely impacting the PM-10 nonattainment areas.

Description and analysis of reasonable alternatives whenever alternatives are reasonably available and prudent to consider: No reasonable alternatives available.

A listing and appropriate evaluation of mitigation, stipulations and other controls enforceable by the agency or another government agency: A list of enforceable conditions are contained in permit #2542-02 and in Addendum 1 to this permit.

Description and analysis of regulatory impacts on private property rights: The department has considered alternatives to the conditions imposed in this permit as part of the permit development. The department has 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.

## Potential Impact on Physical Environment

		Major	Moderate	Minor	None	Unknown	Comments Attached
1	Terrestrial and Aquatic Life and Habitats			X			1
2	Water Quality, Quantity and Distribution				X		1, 4
3	Geology and Soil Quality, Stability and Moisture				X		1, 5
4	Vegetation Cover, Quantity and Quality				X		1, 5
5	Aesthetics				X		1, 6
6	Air Quality			X			1, 2, 3, 4
7	Unique Endangered, Fragile or Limited Environmental Resource			X			1
8	Demands on Environmental Resource of Water, Air and Energy			X			1, 4
9	Historical and Archaeological Sites				X		1, 7
10	Cumulative and Secondary Impacts			X			8

1. This facility will cause minor impacts. The operation is portable, operates on small portions of land, and does not stay in one location for long periods of time.
2. The department must be notified if there is a change in size of operation or equipment that results in an increase in emissions.
3. Air quality impacts from the operation are minor. This permit and addendum includes conditions limiting the production and opacity from the plant while in or within 10 kilometers of a PM-10 nonattainment area or any other site.
4. Gilman's asphalt plant uses a baghouse as pollution control, which does not incorporate any use of water during operations. Water may be used on haul roads and/or transfer points as dust suppressant.
5. Earth moving, slope stabilization and vegetation disturbance will not result from the operation of this asphalt plant. These activities may indirectly occur at these sites and may have some minor cumulative or secondary impacts.
6. There will not be any adverse aesthetic affects due to this operation.
7. Excavation will not be directly related to this operation, however, in the event that artifacts are found during the course of asphalt production, operations will be routed around the site of discovery for a reasonable time until salvage can be made. The State Historic Preservation Office will be promptly notified.
8. There is potential for other portable operations to locate at these sites. However, any such operation would have to apply for and hold the appropriate permits/contracts from the DEQ prior to operation. These permits/contracts will address the environmental impacts associated with such operations at this or any other site. Overall, the operations will have only minor impacts on the area because they affect only a small amount of property for a short amount of time. All sites are limited to total particulate emissions of 250 tons/year or less from the plant and any associated equipment. There may be minor impacts created by traffic on haul roads, however, the authorizing agent of the road is required to take reasonable precautions to reduce fugitive emissions.

## Potential Impact on Human Environment

		Major	Moderate	Minor	None	Unknown	Comments Attached
1	Social Structures and Mores				X		1
2	Cultural Uniqueness and Diversity				X		1
3	Local and State Tax Base and Tax Revenue			X			2
4	Agricultural or Industrial Production				X		3
5	Human Health			X			4
6	Access to and Quality of Recreational and Wilderness Activities				X		5
7	Quantity and Distribution of Employment			X			2
8	Distribution of Population				X		1
9	Demands for Government Services			X			6
10	Industrial and Commercial Activity				X		3
11	Locally Adopted Environmental Plans and Goals			X			7
12	Cumulative and Secondary Impacts			X			8

1. There will be no disruption of native or traditional lifestyles or communities from this operation. The cultural uniqueness and diversity of the area will not be impacted by this operation. No additional housing will be required due to this operation.
2. The operations will have little, if any, affects to the local and state tax base and tax revenue. This operation is not a permanent, stationary operation at any one site. Activities associated with this type of operation usually do not greatly affect the quality and distribution of employment in an area. This company is established in this community and has a consistent employment standing. Any employee will probably be located in the vicinity of this operation.
3. This asphalt plant will not create any agricultural production. This operation is very small by industrial standards and is not expected to cause additional industrial or commercial activity as a result of the operations.
4. This permit and addendum incorporates conditions to ensure that the operations will be operated in compliance with all applicable rules and standards.
5. The operations will not affect any access to recreational and wilderness activities.
6. Minor increases may be seen in traffic on existing roads in the area while the operations are in progress. The only other government services demanded for this project will be acquiring the appropriate permits from government agencies.
7. The impacts from this operation comply with any local standards in place to prevent major impacts to local PM-10 nonattainment Areas. There will be no affect to the locally adopted environmental plans and goals because this plant will operate at sites where current zoning does not exclude this type of activity.
8. There is potential for other portable operations to locate at this site. However, any such operation would have to apply for and hold the appropriate permits/contracts from the DEQ, prior to operation. These permits/contracts will address the environmental impacts associated with such operations at this or any other site. Overall, the operations will have only minor impacts on the area because they affect only a small amount of property for a short amount of time. All sites are limited to total particulate emissions of 250 tons/year or less from the plant and any associated equipment. There may be minor impacts created by traffic on haul roads, however, the authorizing agent of the road is required to take reasonable precautions to reduce fugitive emissions.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: This plant is a portable source and any impacts will be minimal. In addition, the controls contained in permit #2542-02 will further limit the emissions.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality, Reclamation.

Individuals or groups contributing to this EA: Department of Environmental Quality, Permitting and Compliance Division

EA prepared by: Lana Hedlund  
Date: 5/1/98