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LEGISLATIVE ENVIRONMENTAL POLICY OFFICE

Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

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PRELIMINARY DETERMINATION
ON PERMIT APPLICATION

Date of Mailing: August 16, 2006

Name of Applicant: Schellinger Construction Co., Inc.

Source: To update the emissions inventories to reflect the most recent emission factors and Department guidelines allowing increased production limits during summer months at all sites listed in the permit. Schellinger also requested to list two additional sites for potential future crushing activities in the permit.

Proposed Action: The Department of Environmental Quality (Department) proposes to issue a permit, with conditions, to the above-named applicant. The application was assigned permit application number 2623-19.

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 August 31, 2006. 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, Montana 59620.

For the Department,

David L. Klemp
Air Permitting Supervisor
Air Resources Management Bureau
(406) 444-3490

DK:lr
Enclosures

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
Air Resources Management Bureau
1520 East Sixth Avenue
P.O. Box 200901
Helena, Montana 59620-0901
(406) 444-3490

DRAFT ENVIRONMENTAL ASSESSMENT (EA)

Issued For: Schellinger Construction Co., Inc.
P.O. Box 39
Columbia Falls, MT 59912

Permit Number: #2623-19

Preliminary Determination Issued: August 16, 2006
Department Decision Issued:
Permit Final:

1. *Legal Description of Site*: Schellinger submitted a request to update Permit #2623-18 to reflect the current emission factors and Department guidelines which would allow increased production limits in the permit and the addendum. Schellinger also requested to list two additional sites in the addendum for the winter season. Permit #2623-19 would apply while operating at any location in Montana, except within those areas having a Department approved permitting program, those areas considered to be tribal lands, or those areas in or within 10 km of certain PM_{10} nonattainment areas. Addendum 19 to the Schellinger facility applies while operating at any location in or within 10 km of certain PM_{10} nonattainment areas. *A Missoula County air quality permit would be required for locations within Missoula County, Montana.*

2. *Description of Project*: Schellinger proposes to use this crushing/screening facility to crush, screen, and sort sand and gravel materials for use in various construction operations. For a typical operational setup, unprocessed materials are loaded into a hopper and conveyed to the crushing/screening plant. Materials are crushed by the crushers, screened and sorted by the screens, and conveyed to stockpile for sale and use, generally for construction operations.

3. *Objectives of Project*: The object of the project would be to increase production during summertime operations to produce business and revenue for the company through the increased sale and use of aggregate products. The issuance of Permit #2623-19 would allow Schellinger to operate the permitted equipment at various locations throughout Montana.

4. *Additional Project Site Information*: In many cases, this crushing/screening operation may move to a general site location or open cut pit, which has been previously permitted through the Industrial and Energy Minerals Bureau (IEMB). If this were the case, additional information for the site would be found in the Mined Land Reclamation Permit for that specific site.

5. *Alternatives Considered*: In addition to the proposed action, the Department 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 Schellinger demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.

6. *A Listing of Mitigation, Stipulations, and Other Controls*: A listing of the enforceable permit conditions and a permit analysis, including a BACT analysis, would be contained in Permit #2623-19.

7. *Regulatory Effects on Private Property Rights*: The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined the permit conditions would be reasonably necessary to ensure compliance with applicable requirements and to demonstrate compliance with those requirements and would not unduly restrict private property rights.

8. *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			X			yes
B.	Water Quality, Quantity, and Distribution			X			yes
C.	Geology and Soil Quality, Stability, and Moisture			X			yes
D.	Vegetation Cover, Quantity, and Quality			X			yes
E.	Aesthetics			X			yes
F.	Air Quality			X			yes
G.	Unique Endangered, Fragile, or Limited Environmental Resource			X			yes
H.	Demands on Environmental Resource of Water, Air, and Energy			X			yes
I	Historical and Archaeological Sites			X			yes
J.	Cumulative and Secondary Impacts			X			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 areas in which the crushing/screening operations occur. However, the crushing/screening operations are portable and the impacts would be limited by the short-term nature of the operation. Furthermore, since Schellinger would generally locate at a pre-existing pit, additional impacts to the terrestrial and aquatic life and habitats would be minor as a result of the crushing/screening operations.

B. Water Quality, Quantity, and Distribution

Although there would be an increase in air emissions in the area where the crushing/screening facility would operate, there would only be minor impacts on the water quality, quantity, and distribution because of the relatively small size and temporary nature of the operation. While additional deposition of pollutants would occur, the Department believes that any impacts from deposition of pollutants would be minor. As described in 7.F. of the EA, due to the conditions placed in Permit #2923-19 and the size and nature of the facility, the maximum impacts from the air emissions from this facility would be minor.

Water would be required for dust suppression on the surrounding roadways and areas of operation and for pollution control for equipment operations. However, water use would only cause a minor surface disturbance to the proposed operational site, since only relatively small amounts of water would be required to be used for pollution control. Therefore, at most, only minor surface and groundwater quality impacts would be expected as a result of using water for dust suppression because only small amounts of water would be required and deposition of air pollutants on surrounding water bodies would be minor.

C. Geology and Soil Quality, Stability, and Moisture

The crushing/screening operations would have only minor impacts on geology and soil quality, stability, and moisture because the crushing/screening facility would generally locate within a previously disturbed open-cut pit. As explained in Section 7.F. of this EA, the deposition of air pollutants on soils would be minor because operations would be seasonal and intermittent, relatively small amounts of pollution would be generated, and air pollutant dispersion would greatly minimize the impacts from the pollution on the surrounding soils.

Additional pollution deposition and water used to control emissions from the increased production would result in only minor disturbance to the soil. The soils in the affected area would be impacted by the crushing/screening operations due to the additional emissions and use of the crushing/screening facility. However, given the relatively small size and portable, temporary nature of the operation, any impacts would be minor.

D. Vegetation Cover, Quantity, and Quality

Minor, if any impacts would occur on vegetative cover, quality, and quantity because the facility would operate at a site where vegetation has been previously removed/disturbed. The facility would be a relatively minor source of emissions and the pollutants would be greatly dispersed (see Section 8.F); therefore, deposition on vegetation from the proposed project would be minor. Also, because the water usage would be minimal (see Section 8.B) and the associated soil disturbance from the application of water and any associated runoff would be minimal (see Section 8.C), corresponding vegetative impacts would be minor.

E. Aesthetics

The crushing/screening operation would be visible and would create additional noise in the area. Permit #2623-19 would include conditions to limit the emissions (including visible emissions) from the plant. Also, because the crushing/screening operation would be portable, would operate on an intermittent and seasonal basis, and would locate within an existing open-cut pit, any visual and noise impacts would be minor and short-lived. Overall, the impacts to the aesthetics of the surrounding area would be minor.

F. Air Quality

Air quality impacts from the proposed project would be minor because the facility would be relatively small, would operate on an intermittent and temporary basis, and would locate in a previously disturbed open-cut pit. Permit #2623-19 would include conditions limiting the facility's opacity and crushing/screening production from the plant, as well as conditions requiring water spray bars to control air pollution. In addition, water spray bars and reasonable precautions would be required to control emissions from haul roads, access roads, parking lots, and the general work area. Permit #2623-19 would also limit total emissions from the crushing/screening facility and any additional Schellinger equipment operated at the site to 250 tons/year or less, excluding fugitive emissions. Further, the Department determined that the crushing/screening facility would be a minor source of emissions as defined under the Title V Operating Permit Program because the source's PTE is below the major source threshold level of 100 tons per year for any regulated pollutant.

Pollutant deposition from the facility would be minimal and the pollutants emitted from the facility would be widely dispersed (from factors such as wind speed and wind direction). The corresponding impacts of pollutants from deposition on surrounding soils, vegetation, water resources, human populations, and terrestrial and aquatic life would also be minor.

G. Unique Endangered, Fragile, or Limited Environmental Resources

Due to the minor amount of increased emissions from the current permit action, the fact that the facility operates in existing pits, would have limited production and have seasonal and intermittent use, the Department determined that it would be unlikely that the proposed project would impact any species of special concern and that any potential impacts would be minor.

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

Due to the relatively small size of the facility and the slight increase in production, the crushing/screening operations would only require small quantities of water and energy for proper operation. Only small quantities of water would be required to be used for dust suppression to control emissions being generated at the site. Energy requirements would be small because the facility would be a crushing/screening operation that would be powered by one industrial diesel generator. The facility would use a limited amount of fuel (a non-renewable resource), would have limited production, and would have seasonal and intermittent use. In addition, impacts to air resources would be minor because the source would be a small industrial emissions source, with intermittent and seasonal operations, and because air pollutants generated by the facility would be widely dispersed. Therefore, any impacts to water, air, and energy resources would be minor.

I. Historical and Archaeological Sites

The Department previously 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 areas of construction/operation. Search results concluded that there were no previously recorded historical or archaeological resources within the area proposed for initial operations. Further, according to past correspondence from SHPO, there would be a low likelihood of adverse disturbance to any known archaeological or historic site given previous industrial disturbance to an area. Therefore, no impacts upon historical or archaeological sites would be expected as a result of operating the proposed crushing/screening equipment because the operational site has already been disturbed and because no previously recorded historical/archaeological resources have been identified at the proposed operational site location.

J. Cumulative and Secondary Impacts

The crushing/screening operation would cause minor cumulative and secondary impacts to the physical and biological aspects of the human environment because the facility would generate relatively minor amounts of PM, PM_{10}, NO_x, VOC, CO, and SO_x emissions. Noise generated by equipment operations would be minimal because the equipment would operate in an actively mined and bermed open-cut pit that would be separated from any residential areas. Emissions generated from facility operations would result in only minor deposition on surrounding resources, and the facility would have intermittent and seasonal operations. Additionally, this facility, in combination with other Schellinger equipment operated at the same site, would not be permitted to exceed 250 tons per year of non-fugitive emissions. Therefore, any cumulative or secondary impacts to the physical and biological aspects of the human environment would be minor.

9. *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				X		yes
B.	Cultural Uniqueness and Diversity				X		yes
C.	Local and State Tax Base and Tax Revenue			X			yes
D	Agricultural or Industrial Production			X			yes
E.	Human Health			X			yes
F.	Access to and Quality of Recreational and Wilderness Activities			X			yes
G	Quantity and Distribution of Employment				X		yes
H.	Distribution of Population				X		yes
I.	Demands for Government Services			X			yes
J.	Industrial and Commercial Activity			X			yes
K.	Locally Adopted Environmental Plans and Goals			X			yes
L.	Cumulative and Secondary Impacts			X			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 crushing/screening operation would cause no disruption to the social structures and mores in the area because the source would be a minor industrial source of emissions, would be operating at an area designated and currently used for aggregate mining, would be separated from the general population, and would only have temporary and intermittent operations. Additionally, the equipment would be expected to operate according to the conditions placed in Permit #2623-19. Thus, no impacts upon social structures or mores would result.

B. Cultural Uniqueness and Diversity

The cultural uniqueness and diversity of this area would not be impacted by the proposed increase in emissions at the crushing/screening operation because the facility would operate at sites that have been used for crushing/screening of aggregate and is separated from the general population. Additionally, the facility would be a portable/temporary source with seasonal and intermittent operations. Therefore, the predominant use of the surrounding areas would not change as a result of this project and the cultural uniqueness and diversity of the area would not be affected.

C. Local and State Tax Base and Tax Revenue

The crushing/screening operations would have little, if any, impact on the local and state tax base and tax revenue because the facility would be a relatively small industrial source (minor source) and would have seasonal and intermittent operations. The facility would require the use of only a few existing employees. Thus, only minor impacts to the local and state tax base and revenue could be expected from facility production. Furthermore, the impacts to local tax base and revenue would be minor because the source would also be portable and the money generated for taxes would be widespread.

D. Agricultural or Industrial Production

The crushing/screening operations would have only a minor impact on local industrial production since the facility would be a relatively small industrial source of aggregate production and air emissions. Also, the facility would locate in an existing permitted open-cut pit, adjacent to an area that could be used for animal grazing and agricultural production. Additional industrial resources are not expected as the result of this facility. However, the facility operations would be small and temporary in nature and would be permitted with operational conditions and limitations that would minimize impacts on surrounding vegetation (as described in Section 8.D of this EA). Pollution control would be utilized for equipment operations and production limits would be established to minimize emissions.

E. Human Health

Permit #2623-19 would incorporate conditions to ensure that the crushing/screening facility 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. As described in Section 8.F. of this EA, the air emissions from this facility would be minimized by the use of water spray and other process limits. Furthermore, dispersion of pollutants would result in minimal impacts upon the surrounding area of operations and pollutants would be widely dispersed (see Section 8.F of this EA). Therefore, only minor impacts would be expected on human health from the proposed crushing/screening facility.

F. Access to and Quality of Recreational and Wilderness Activities

Noise from the facility would be minor because the facility would be a crushing/screening operation that would operate within an existing industrial open-cut pit site. The surrounding project area is between Highway 2 to the north and an unimproved roadway to the south. The proposed site is bermed and is in a designated industrial area that is removed from the general population. As a result, the amount of noise generated from the crushing/screening operations would be minimal. Also, the facility would operate on a seasonal and intermittent basis at this existing pit site, and would be a relatively minor industrial source of emissions. Therefore, any changes in the quality of recreational and wilderness activities created by operating the equipment at this site would be expected to be minor and intermittent.

G. Quantity and Distribution of Employment

The portable crushing/screening operation is relatively small, would have seasonal and intermittent operations, and would only require a few employees to operate. No individuals would be expected to permanently relocate to this area of operation as a result of operating the crushing/screening facility, since Schellinger would be expected to utilize existing employees for this temporary project. Therefore, no effects upon the quantity and distribution of employment in this area would be expected.

H. Distribution of Population

The portable crushing/screening operation is small and would only require a few existing employees for proper operation. No individuals would be expected to permanently relocate to this area of operation as a result of operating the crushing/screening facility, which would have only intermittent and seasonal operations and would be a portable source. Therefore, the crushing/screening facility would not disrupt the normal population distribution.

I. Demands of Government Services

Minor increases would be seen in traffic on existing roadways in the area while the crushing/screening operation is in progress. In addition, government services would be required for acquiring the

appropriate permits, maintaining compliance with the appropriate permits, and for providing corresponding government services (such as traffic control and roadway compaction testing) to maintain roads. Demands for government services would be minor.

J. Industrial and Commercial Activity

The crushing/screening operation would represent only a minor increase in the industrial activity in this or any other area of operation because the source would be a relatively small industrial source that would be portable and temporary in nature. No additional industrial or commercial activity would be expected as a result of the proposed operation.

K. Locally Adopted Environmental Plans and Goals

Schellinger would be allowed, by permit, to operate in areas designated by EPA as attainment or unclassified, including the proposed initial site location. Permit #2623-19 would contain production and opacity limits for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards. However, the Department is not aware of any related locally adopted environmental plans or goals to further regulate facility operations. Because the facility would be a small and portable source, and would have intermittent and seasonal operations, any impacts upon locally adopted environmental plans and goals from the facility would be minor and short-lived.

L. Cumulative and Secondary Impacts

The crushing/screening operations would cause minor cumulative and secondary impacts to the social and economic aspects of the human environment in the immediate areas of operation because the source would be a portable and temporary source. Further, no other industrial operations are expected to result from the permitting of this facility. Minor increases in traffic would have minor effects on local traffic in the immediate area. Because the source would be relatively small and temporary, only minor economic impacts to the local economy would be expected from operating the facility. Further, this facility may be operated in conjunction with other equipment owned and operated by Schellinger, but any cumulative impacts upon the social and economic aspects of the human environment would be minor and short-lived. Thus, only minor and temporary cumulative effects would result on the local economy.

Recommendation: An EIS is not required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: All potential effects resulting from construction and operation of the proposed facility are minor; therefore, an EIS is not required.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality - Permitting and Compliance Division (Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

Individuals or groups contributing to this EA: Department of Environmental Quality (Air Resources Management Bureau and Industrial and Energy Minerals Bureau), Montana State Historic Preservation Office (Montana Historical Society).

EA prepared by: Julie Merkel
Date: August 14, 2006