



Montana Department of
ENVIRONMENTAL **Q**UALITY

Brian Schweitzer, Governor

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August 28, 2012

Bonnie Kostelecky
Fisher Sand & Gravel Co.
P.O. Box 1034
Dickinson, ND 58601

Dear Ms. Kostelecky:

The Department of Environmental Quality (Department) has made its decision on the Montana Air Quality Permit application for Fisher Sand & Gravel Co. The application was given permit number 4059-02. The Department's decision may be appealed to the Board of Environmental Review (Board). A request for hearing must be filed by September 12, 2012. This permit shall become final on September 13, 2012, unless the Board orders a stay on the permit.

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 before the final date stated above. 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.

Conditions: See attached.

For the Department,

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

Deanne Fischer, P.E.
Environmental Engineer
Air Resources Management Bureau
(406) 444-3403

CH:DF
Enclosures

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

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Fisher Sand & Gravel
P.O. Box 1034
Dickinson, ND 58601

Montana Air Quality Permit number: 4059-02

Preliminary Determination Issued: 07/27/2012

Department Decision Issued: 08/28/2012

Permit Final:

1. Legal Description of Site: Fisher owns and operates a portable diesel-fired generator engine at various locations throughout Montana. MAQP #4059-02 would apply while operating at any location in Montana, except those areas having a Montana 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. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*
2. Description of Project: The permit modification would correct the actual size of the existing diesel-fired generator engine from 1,220 brake-horsepower (bhp) to 1,372 bhp. The diesel-fired generator engine would continue to be used to provide power to other Fisher equipment (i.e. screens, crushers, etc.), which was permitted separately from the diesel-fired generator engine.
3. Objectives of Project: The current permit action would correct the size of the existing diesel-fired generator engine in the permit so it would be more accurately reflect the actual equipment being operated.
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 Fisher 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 #4059-02.
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			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 Resources			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

The current permit action would modify the actual size of the existing diesel-fired engine/generator set in the permit. Although air pollutant deposition would occur in the areas where the engine/generator set would operate, the size and temporary nature of the operation, dispersion characteristics of pollutants, and conditions placed in MAQP #4059-02, would result in minor impacts. In addition, the engine/generator set would be relatively small by industrial standards and located at previously disturbed sites. Therefore, the operation of the engine/generator set would present only minor impacts to the terrestrial and aquatic life and habitats in areas of potential operation.

B. Water Quality, Quantity and Distribution

Although there would be an increase in air emissions in the area where the diesel-fired generator engine would operate, there would only be minor impacts on water quality, quantity, and distribution because of the temporary nature, size, operational requirements, and conditions placed in MAQP #4059-02 for the facility. Further, as described in Section 7.F. of this EA, the Department determined that any impacts from deposition of pollutants would be minor. In addition, any accidental spills or leaks from equipment would be required to be handled according to the appropriate environmental regulations in an effort to minimize any potential adverse impact on the immediate and surrounding area. Overall, the current permit action would have minor impacts to water quality, quantity, and distribution in the area of operations.

C. Geology and Soil Quality, Stability and Moisture

As a result of the operation of the diesel-fired generator engine, there would be minor impacts to the geology and soil quality, stability, and moisture near the equipment's operational area caused by increased vehicle traffic and deposition of pollutants from portable generator operations. As explained in Section 7.F. of this EA, the facility's size, operational requirements, temporary nature of the operation, and conditions placed in MAQP #4059-02 would minimize the impacts from deposition. In addition, the engine/generator set would be relatively small by industrial standards and located at previously disturbed sites, which would also reduce the potential impact to the local geology and soil quality, stability, and moisture.

D. Vegetation Cover, Quantity, and Quality

The operation of the engine/generator set would result in minor impacts to the vegetative cover, quantity, and quality, because small amounts of vegetation would likely be disturbed as a result of operating the diesel-fired generator engine. In addition, pollutant deposition would occur on the surrounding vegetation. However, as explained in Section 7.F. of this EA, the Department determined that, due to the relatively small size and temporary nature of the operation, conditions placed in MAQP #4059-02, and dispersion characteristics of the emissions, any impacts from deposition would be minor. In addition, because the water usage would be minor (as described in Section 7.B. of this EA) and the associated soil disturbance would be minor (as described in Section 7.C. of this EA), corresponding vegetative impacts from water and soil disturbance would also be minor.

E. Aesthetics

The diesel-fired generator engine would be visible and would create noise in the areas where it would operate. MAQP #4059-02 would include conditions to control emissions (including visible emissions) from the generator and the surrounding work area. The engine/generator set would be relatively small by industrial standards and temporary and would be used to power permitted portable equipment owned by Fisher at previously disturbed sites. Therefore, any aesthetic impact to a given area would be minor and temporary.

F. Air Quality

Air quality impacts from the operation of the diesel-fired generator engine would be minor because emissions from the diesel-fired generator engine would be relatively small. Dispersion and deposition of pollutants would occur from the operation of the diesel-fired generator engine; however, the Department determined that any air quality impacts from the pollutants would be minor due to dispersion characteristics (from factors such as wind speed and wind direction) and conditions placed in MAQP #4059-02. MAQP #4059-02 would include conditions limiting opacity from the diesel-fired generator engine and would require that reasonable precautions be taken to control emissions from haul roads, access roads, parking lots, or the general work area. In addition, MAQP #4059-02 would also limit total emissions from the diesel-fired generator engine and any additional equipment operated at the same site to 250 tons per year or less. Further, because the diesel-fired engine/generator set would be limited in hours of operation to keep the potential emissions to less than 100 tons per year for any pollutant generated, the Department determined that the diesel-fired generator engine would be a minor source of emissions as defined under Title V.

G. Unique Endangered, Fragile, or Limited Environmental Resources

In an effort to identify species of special concern that may be present in the proposed areas of operation, the Department previously contacted the Montana Natural Heritage Program (MNHP) for a review of species of special concern for many gravel pits around the state. This would include many of the pits where the engine/generator set may be located, but no initial location was identified under this permit. Issuance of this permit would increase emissions to the atmosphere near the location proposed for the operation of the diesel-fired generator engine. However, as explained in Section 7.F. of this EA, because of the relatively small size and temporary nature of the diesel-fired generator engine, operating in previously disturbed areas, and conditions placed in MAQP #4059-02, any impacts to unique endangered, fragile, or limited environmental resources from the deposition of pollutants would be minor.

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

The diesel-fired generator engine would be used to provide power to other Fisher equipment (i.e. screens, crushers, etc.) that is permitted separately. Water would be used on haul roads, access roads, parking lots, or the general plant property, as necessary, to control dust resulting from indirect use of the diesel-fired generator engine. Also minor amounts of air would be used in diesel-fired generator engine operations and air quality would be impacted by pollutant emissions. The engine/generator set would consume energy from diesel fuel, a non-renewable resource. Generally, the operations are seasonal and would result in smaller demands on environmental resources. Therefore, any impacts on the demands of the environmental resources of water, air, and energy would be minor.

I. Historical and Archaeological Sites

According to past correspondence with the Montana State Historic Preservation Office (SHPO), there is low likelihood of disturbance to any known archaeological or historic site given that the diesel engine generator would be locating in existing gravel pits. Therefore, it is unlikely that the project would affect any known historic or archaeological site and any impacts would be minor.

J. Cumulative and Secondary Impacts

The operation of the diesel-fired generator engine would cause minor cumulative and secondary impacts to the physical and biological environment because other operations (i.e. screening, crushing, etc.) may potentially locate at the same site. Any operations would have to apply for and receive the appropriate permits from the Department prior to operation and the permits would address the environmental impacts associated with the operations at the proposed sites. The diesel-fired generator engine operations would be limited by Permit #4059-02 to total emissions of 250 tons/year or less when operated in conjunction with other Fisher equipment, of any air pollutant (excluding fugitive emissions).

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				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 operation of the diesel engine generator would not alter or disrupt any local lifestyles or communities (social structures and mores) in the area of operation because the generator would be relatively small by industrial standards, would operate intermittently, and would be used with the additional permitted equipment at a previously disturbed site. Therefore, the existing social structures and mores would not be affected as a result of this permitting action.

B. Cultural Uniqueness and Diversity

It would be unlikely that the operation of the portable engine/generator set would have any impact on the cultural uniqueness and diversity of the proposed area of operation because the generator operations would be temporary and would take place in a previously disturbed industrial area.

C. Local and State Tax Base and Tax Revenue

The proposed operation of the diesel-fired generator engine would have little, if any affect on local and state tax base and tax revenue. The facility is a relatively small and temporary source; therefore, it would not remain at any individual site for any extended time period. No full time, permanent employees would be added as a result of issuing MAQP #4059-02, and any revenue created by the operation of the diesel engine generator would be widespread and for a relatively short time period.

D. Agricultural or Industrial Production

Under normal circumstances, the operation of the diesel-fired generator engine would take place in a previously disturbed industrial area. Therefore, the Department does not expect that the operation of the diesel-fired generator engine would affect or displace any agricultural land. Further, the diesel-fired generator engine operation is small by industrial standards and would have only a minor impact on any local industrial production.

E. Human Health

MAQP #4059-02 would incorporate conditions to ensure that the diesel-fired generator engine would be operated in compliance with all applicable rules and standards. These rules and standards are designed to be protective of human health. As described in Section 7.F. of this EA, the Department determined that any impacts from deposition of pollutants would be minor due to dispersion characteristics and conditions placed in MAQP #4059-02. The air emissions from this facility would be minimized by opacity limitations on the diesel engine generator and the surrounding area of operation.

F. Access to and Quality of Recreational and Wilderness Activities

This engine/generator set would be located on previously disturbed property and would not impact access to recreational and wilderness activities. However, minor impact on the quality of recreational activities might be created by the noise from the generators. Emissions from this engine/generator set would be minimized as a result of limitations placed in MAQP #4059-02 and the temporary and portable nature of the operation.

G. Quantity and Distribution of Employment

Given the relatively small size and temporary nature of the operation, it is not expected that the activities from the operation of the diesel-fired generator engine would affect the quantity and distribution of employment in any given area. No full time, permanent employees would be hired or discharged as a result of issuing MAQP #4059-02.

H. Distribution of Population

Given the relatively small size and temporary nature of the operation, it is not expected that the activities from the diesel-fired generator engine would disrupt the normal population distribution of any given area. No secondary activities are expected to move to any area as a result of the current project.

I. Demands for Government Services

Government services would be required for acquiring the appropriate permits and ensuring compliance with the permits that are issued; however, the government services required would be minor.

J. Industrial and Commercial Activity

The operation of the diesel-fired generator engine would represent only a minor increase in the industrial activity in any given area. No additional industrial or commercial activity would result from the operation of the diesel-fired generator engine because no secondary activities are expected to move to any area as a result of the current project.

K. Locally Adopted Environmental Plans and Goals

The Department is unaware of any locally adopted environmental plans or goals at any given site that the diesel-fired generator engine may be operated under MAQP #4059-02. Fisher would be allowed, by MAQP #4059-02, to operate in areas designated by the United States Environmental Protection Agency as attainment or unclassified for ambient air quality. MAQP #4059-02 contains operational restrictions for protecting air quality and to keep facility emissions in compliance with any applicable ambient air quality standards, as a locally adopted environmental plan or goal for operating at the proposed site. Because the proposed diesel-fired generator engine would be a portable source and would likely have intermittent and seasonal operations, any impacts from the project would be expected to be minor and short-lived.

L. Cumulative and Secondary Impacts

Overall, the cumulative and secondary social and economic impacts from this project would be minor because the diesel-fired generator engine would typically locate at an existing gravel pit. New businesses would not be drawn to the area and permanent jobs would not be created or lost due to the operation of the diesel engine generator. Because no new employees would be hired due to the operation of the diesel engine generator, there would be no economic impacts from new employees. In addition, any social and economic impacts that are created would be minor and short-lived because of the relatively small size and temporary nature of the operation.

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 diesel-fired generator engine. MAQP #4059-02 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 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

EA prepared by: Deanne Fischer

Date: July 17, 2012