

MOTOR VEHICLE RECYCLING AND DISPOSAL PROGRAM

USER MANUAL FOR LICENSING MOTOR VEHICLE WRECKING YARDS

This manual will assist the program staff on the correct procedure, in licensing a motor vehicle wrecking facility or county motor vehicle graveyard as outlined in the Motor Vehicle Recycling Act. It will give a brief description of each step and will quote the statute and have an example of forms and letters that are needed to complete the licensing procedure.

FIRST STEP

The first step in licensing a motor vehicle wrecking facility or county motor vehicle graveyard is to receive a application from an individual who wants to start a motor vehicle wrecking facility or county motor vehicle graveyard in Montana. Following is the actual definition of a wrecking facility under Montana Motor Vehicle Recycling Act.

MCA, 75-10-501. Definitions.

(6) "Motor vehicle wrecking facility" means:

(a) A facility buying, selling, or dealing in four or more vehicles per year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or

(b) A facility, which buys or sells component parts, in whole or in part, and deals in secondhand motor vehicle parts. A facility which buys or sells component parts of a motor vehicle, in whole or in part, is a motor vehicle wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification. The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored for a reasonable period of time for inspection, repairs, or subsequent removal to a junkyard.

Appendix A is the actual license application.

Appendix A:
The Actual License Application

TO: PROSPECTIVE APPLICANTS FOR MOTOR VEHICLE WRECKING FACILITY LICENSES

Attached you will find an application for a Montana Motor Vehicle Wrecking Facility License. The application must be completed and all additional supporting information must be supplied in order to obtain a license as required in Section 75-10-511, MCA. Processing time after the Department receives a **complete** license application is 90 to 120 days.

As required by law, all junk vehicles must be shielded from public view. Public view is defined as any point six feet above the surface of the center of any public road from which the wrecking facility and junk vehicles can be seen. You will be required to document the type and adequacy of your shielding in the application.

It is important to allow yourself time for the entire licensing process to proceed. Two separate 30-day comment periods are required to be provided to the public. Upon receipt of a complete application for license, the Program staff must provide a 30-day comment period to the County Commissioners, adjoining property owners, and other interested parties. Program staff will schedule a visit to the proposed site as soon as possible after the end of the first comment period. The Department will then prepare an Environmental Assessment (EA) concerning the proposed facility. The EA will be circulated for public comments for a period of at least 30 days. This is the second comment period. After the end of the second public comment period you will be contacted concerning any changes or additional information that may be needed. The Department will then make its final decision on licensing.

If the Department's decision is to approve a license, the license will not be issued until all necessary shielding and construction are completed and the yearly license fee has been received. The yearly license fee is \$100.00 and expires at the end of each year. The license fee will be pro-rated on a quarterly basis for new facilities only and is non-refundable and non-transferable.

If you have any questions, please do not hesitate to contact your local junk vehicle program director or us.

Revised: August 5, 2003

INSTRUCTIONS FOR LICENSE APPLICATION

- Items 1-4 -- Self-Explanatory
- Item 5 -- Fill in the complete legal description, including the size or dimensions of the facility to be used. Attach additional sheets if needed. A description of "7 miles north of town" or "817 Green Street" is not a legal description. If you are re-licensing an existing wrecking facility, use this space to provide the facility's previous name, licensee's name, and current motor vehicle wrecking facility license number.
- Item 6 -- If you are renting or leasing the property, fill in the information and include a copy of the lease or rental agreement. If you are in the process of buying the land (contract for deed) include title holder's name and address.
- Item 7 -- If you are submitting this application to license a currently licensed and properly shielded motor vehicle wrecking facility, you may omit the information required.
- If the site you are applying for a license on is not currently licensed, then you must send all information required in Item 7.
- Item 8-17 -- Self-explanatory
- Item 18 -- This must be completed and signed by the appropriate local official after the application is completed. This is mandatory even if no zoning ordinances are currently in place.

NOTE: A copy of the completed application and attachments **must be submitted to the director of the county junk vehicle program** in the county where the proposed facility is located.

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting & Compliance Division
Motor Vehicle Recycling and Disposal Program
P.O. Box 200901
Helena, MT 59620-0901

MOTOR VEHICLE WRECKING FACILITY

APPLICATION FOR LICENSE

Complete this form and return with attachments to the address noted above.
(Please print or type)

1. Name of Applicant: _____

Fed. Tax ID or Social Security Number: _____

2. Name of Facility: _____

3. Facility Mailing Address: _____
Street City State Zip

4. Address of Facility: _____
Street City State Zip

5. Size and legal description of facility: _____

[Legal description should be lot, block, subdivision or 1/4 section, section, township and range.]

6. If you are not the owner of the premises, give name and address of the person or business that holds title to the property:

Name: _____

Address: _____

Is this a rental or lease Y/N _____? (If yes, attach a copy of the rental, lease, or contract for deed agreement.)

7. Attachments: a) Map of city or county showing proposed location of facility.
- b) Topographic map of area (may be combined with above map).
- c) Drawing of proposed facility showing especially the type and adequacy of shielding of the facility from public view and the location of any buildings or structures and area roads.

8. How will automotive fluids including crank case oil, transmission fluid, anti-freeze, and gasoline be managed and disposed of?

[This explanation must state that these items will not be released into the environment in any way.]

9. Are there any streams, intermittent drainages, or irrigation ditches on or within 3 miles of the property? Y/N_____ If yes, where are they located and how will they be protected from potential impacts of facility operations?

10. Will surface water run-off controls be necessary to prevent potentially contaminated run-off from leaving the property. Y/N_____? If yes? (You may need to apply for an MPDES permit from the Permitting and Compliance Division of the Department of Environmental Quality in addition to this wrecking facility license. Please contact them for information.)

11. Are there water wells within a 2 mile vicinity of this property Y/N_____? If yes, how deep are they? List the depth of each well in feet _____ and list the depth the first water table is encountered in feet? _____ (Include well logs if available. The Department of Natural Resources and Conservation is a good source for logs).

12. **Please obtain and attach soils information** for this proposed location. Typical sources of soil data are the local Natural Resource Conservation Service Office, County Planning Office and County Health Department.

[Must include a soils map and definition sheet for the appropriate soil type at the proposed location.]

13. List the names and complete mailing addresses of **all adjoining property owners** to the facility site and the property where the facility is located. Include any city, county, state, or federal lands.

[Must include the landowners name, address, city, state and zip for the notification mailings.]

14. **Are there any potential environmental impacts** that might occur with the development or operation of this wrecking yard? If yes, please explain?

14. (a) If yes, will special operational practices be incorporated to minimize these impacts?

15. The Montana Historical Society, State Historic Preservation Office (225 North Roberts, Helena, MT 59620) **must be contacted** to see if any historical sites are present on or near the proposed site. Has this been done? Y/N _____? (Attach any response from the Society).

[The Historical Society must have the legal description as ¼ section, section, township and range to do the review.]

16. Has the director of the county junk vehicle program been notified of this application Y/N _____? (A copy of this application and all attachments **must be submitted to the local director.**)

17. I hereby certify this information is to the best of my knowledge accurate and factual.

SIGNATURE OF APPLICANT: _____

TITLE: _____ PHONE: _____

DATE: _____

18. I hereby certify that the site of the planned motor vehicle wrecking facility is in accordance with local government zoning and ordinances. (To be signed by the appropriate local government official having knowledge of local zoning ordinances even if **no zoning or other ordinances** are currently in place.)

NAME OF OFFICIAL: _____

SIGNATURE: _____

TITLE: _____

OF: _____ DATE: _____
(city or county)

SECOND STEP

Once the application is received, the Program must do a thorough review of the submitted materials to ensure that the information requested has been submitted. **[The statements listed in the square brackets below some of the question on the license application, state what is specifically needed. The Program must pay thorough attention to make sure that was specifically ask for was included on the license application.]**

If the applicant **didn't** supply the specific information, a letter of deficiency will be sent to the applicant requesting the missing information. The applicant must be given **30 days** to respond to the notice of deficiency. The notice of deficiency date will be entered into a database and tracked for time frames. **Appendix 2** is an example of a deficiency letter sent to a motor vehicle wrecking facility or county motor vehicle graveyard.

When all the **necessary information** is received from the applicant, the staff may review the documents to be sure that they have all the needed information to continue processing the license application. If all the information is complete, the staff may move to the next step.

THIRD STEP

The county commissioners in the given county must be notified as to who has applied for a motor vehicle wrecking facility or a county motor vehicle graveyard license. **Appendix 5A is an example** of a county commissioners notification letter.

County commissioners may hold a hearing but are **not** required by statute to do so. If they decide to hold a hearing, they have 30 days to hold a hearing on this action. They have the right to deny the license or take no action or they can approve the facility.

All the adjoining landowners must be notified of the fact that a motor vehicle wrecking facility or county motor vehicle graveyard has applied for a license to do business in their local area.

Appendix 5B is an example of adjoining landowner notification letter.

At the same time that the adjoining landowner is notified about a license application, the local press must also be sent a press release so that all interested parties will also know about the licensing action. **Appendix 5C** is an example of a letter to local paper and **Appendix 5D** is the actual press release.

The next step in processing the press release is required so that the billing is done correctly. An **inter office requisition** must be completed so that fiscal management can pay the bill. The inter office requisition is set up on the computer, and is in the sub directory F:\cb5349\word \contracts, and is named **IORorg.doc**. The person filling out the request can generate this easily by using the above form. The only special requirement is that three copies are provided for the offices files (one for the Junk Vehicle Program, one for Fiscal Management, and one for Support Staff). The requisition must include the following:

- a. document number required
- b. organizational number required
- c. quantity (1)
- d. actual cost
- e. brief description (Commissioners 30 day notice for Joe's Wrecking, Wrecking Yard, MT)
- f. justification (public notice required by statute)

- g. vendor (the newspaper that will be running the press release)
- h. requested by (the program personnel)
- i. approved by program manager

Appendix 5E is an example of this inter office requisition.

If the county commissioners deny the applicant the right to build a motor vehicle wrecking facility or county motor vehicle graveyard at the proposed location, the state **cannot** over turn the county commissioners decisions.

The following section of the statute defines the above three actions the Program must follow to comply with the law:

75-10-516. Motor vehicle wrecking facilities and motor vehicle graveyards - licensing process - decision criteria.

(1) When an application for a motor vehicle wrecking facility or motor vehicle graveyard is filed with the department, the department shall notify by mail:

- (a) each owner of property adjoining the proposed facility;
- (b) the governing body of the county in which the proposed facility is to be located; and

(c) a newspaper of general circulation in the area where the proposed facility is to be located.

(2) Within 30 days of receipt of the notification in subsection (1)(b), the governing body of the county may:

- (a) conduct a public hearing to determine whether the proposed facility will significantly affect the quality of life of adjoining landowners and the surrounding community; and
- (b) adopt a resolution in support of or opposition to the location of the proposed facility and transmit a copy of the resolution to the department.

(3) The department may not grant a license to a facility that a governing body has opposed under subsection (2)(b).

(4) In making its decision to grant or deny a license application, the department shall consider the effect of the proposed facility on adjoining landowners and land uses.

FOURTH STEP

IF county commissioners have **opposed** a facility, they must send a copy of the resolution in opposition to the Motor Vehicle Recycling & Disposal Program. Program staff must then log the opposed action, and date it was received into the database. Program staff must then notify the applicant that the license **cannot be issued**. If the application is going to be **denied** by the department, the program manager and the staff attorney should review the denial letter before it

is mailed to the party in question. A complete review of the denial letter may prevent the party involved from having any grounds to sue the department. **Appendix 6** is an example of a denial letter.

The county commissioners have the options to also request additional information about the proposed motor vehicle wrecking facility or county motor vehicle graveyard before they make their decision. A general rule of thumb is that the Helena office will grant a 15-day extension. Once this extension date is granted, it then must be logged into the database.

FIFTH STEP

IF county commissioners have approved the motor vehicle wrecking facility or the county motor vehicle graveyard, they must then send a copy of the resolution approving the licensing action. When the resolution is received from the county, the Program staff must then log the resolution as approved, and the date it was received.

SIXTH STEP

The next step is to contact the owner of the motor vehicle wrecking facility or county motor vehicle graveyard, to make arrangements to review the property and the surrounding area. This review process is to gather information so the environmental assessment can be written.

The program staff must look and ask, for the following things during the course of the review:

1. The program staff must review the application, and if there are any unclear areas they must be addressed with the owner or county.

2. The program staff must view the surrounding area to see what potential impacts the motor vehicle wrecking facility or county motor vehicle graveyard may have on adjoining landowners.

3. The program staff must discuss the type of shielding material to be used, height that it will be installed, the spaces between the shielding, and the actual placement of the shielding on the property.

4. The program staff must check to see if the applicant has an impermeable surface to remove all fluids from the incoming vehicles.

5. The program staff must also check to see if the applicant has a method, and the resources to contain, and recycle or reuse the fluids in a proper manner.

6. The program staff must do a visual check from all the public roads to make sure that the junk vehicles will be properly shielded from public view. Following is the actual section from the statute defining "public view".

75-10-501 (8) "Public view" means any point 6 feet above the surface of the center of a public road from which junk vehicles can be seen.

SEVENTH STEP

Once all the data is gathered the program staff will return to the office, and start the write up on the environmental assessment. The reference manual for environmental assessment is called MEPA, or the Montana Environmental Protection Act. This act is the guideline for doing the environmental assessment (EA). It is also the guideline for doing an environmental impact statement (EIS); however, typically an EIS is **not** required for a wrecking yard license.

EIGHTH STEP

Appendix 8 is an example of an environmental assessment; however there are so many things that can change from one assessment to the next a person must treat each EA separately. The program staff must then complete the EA and prepare the necessary documents.

All the adjoining landowners, county commissioners, and other interested parties must be notified that the environmental assessment has been completed and is ready for public comment.

Appendix 9A is an example of the notification letter.

At the same time the local press must also be sent a press release so that all interested parties can be involved in the comment process. **Appendix 9B** is an example of the letter to local paper and **Appendix 9C** is the actual press release.

The Department must publicly notice the environmental assessment for **30 days**. They then must review any comments that were received from the public about the proposed motor vehicle wrecking facility or county motor vehicle graveyard.

The next step in processing the press release is required so that the billing is done correctly. An **inter office requisition** must be completed so that fiscal management can pay the bill. The inter office requisition is set up on the computer, and is in the sub directory F:\cb5349\word \forms, and is named IORorg.doc. The person filling out the request can generate this easily by using the above form. The only special requirement is that three copies are provided for the offices files (one for the Junk Vehicle Program, one for Fiscal Management, and one for Support Staff). The requisition must include the following:

- a. document number required
- b. organizational number required
- c. quantity (1)
- d. actual cost
- e. brief description (EA 30 day notice for Joe's Wrecking Yard at Wrecking Yard, MT)
- f. justification (public notice required by statute)
- g. vendor (the newspaper that will be running the press release)
- h. requested by (the program personnel)

- i. approved by program manager

Appendix 9D is an example of the inter office requisition.

When the 30-day comment period is completed, the program staff must then review all the comments received. The program staff must then make the decision as to whether the license will be **granted or denied**. In either case, the Department must notify the party submitting the application. The party will be informed whether the application was approved or denied.

NINTH STEP

If the application is to be approved by the department, the program staff must notify the party involved that the license has been granted. The department has two options when granting a license and they are:

1. The department may **grant a conditional** license so the party involved may start his or her operation. This will give them an 18-month period to satisfy all the requirements of the Motor Vehicle Recycling and Disposal program. **Appendix 10A** is an example of a conditional license letter.

If at the end of the 18-month period the applicant is **not** in compliance with the law, they must be informed that their conditional license will be **revoked**.

An important point to remember is that a facility with a conditional license **can not** buy from the salvage pools. They can buy from the salvage pool when they have been granted the actual license.

2. The department can grant a license directly to the party involved if they have meet all the requirements established by the Motor Vehicle Recycling and Disposal Program.

Appendix 10B is an example of a final approval letter.

If the application is going to be **denied** by the department, the program manager and the staff attorney should review the denial letter before it is mailed to the applicant. A complete review of the denial letter may prevent the party involved from having grounds to sue the department.

Appendix 2

Date

Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

Subject: Motor Vehicle Wrecking Facility License

Dear Mr. Wrecking:

The Department has received and reviewed your motor vehicle wrecking facility license application. It is the Department's determination that your application is missing necessary information to process the license under the Motor Vehicle Recycling and Disposal Act. The following questions on the applications were **not** completed totally; therefore, the Department needs more information before it can continue its licensing process.

Question 9 on your application was answered **no**, but it's my understanding that a continuously flowing stream is 200 feet from the proposed wrecking yard. Please explain how this stream will be protected from the potential impacts of your wrecking yard.

Question 11 on your application, didn't answer at what depth the first water table is encountered. Please supply at what depth the first water is encountered in this area and the well logs.

Question 12 was answered by sending a soils map and soils definition as requested, but the area marked on the map for the location of the wrecking yard does not match the definition code. The map displays soil code 198 highlighted in yellow but the definition sheet supplied has only soil code 130. Please match and supply the correct soil code with the location of the wrecking yard on the soils map.

Question 15 was answered **no** and the Montana Historical Society, State Historic Preservation Office must be contacted before a license can be issued. Please contact the Historical Society and supply their answer.

Please feel free to contact me if you have any question regarding this matter. A written reply is requested by _____.

Sincerely,

Bruce W. Meyer

APPENDIX 5A

Date

Beaverhead County Commissioners
P.O. Box 278 Certified -- Return Receipt Requested
Wrecking Yard, MT 59725

Dear Commissioners:

The Montana Department of Environmental Quality, Motor Vehicle Recycling & Disposal Program has received an application for a motor vehicle wrecking facility license, the proposed location to be within the boundaries of your County. As required by the Motor Vehicle Recycling & Disposal Act, §75-10-516, MCA, this letter is to notify you of the receipt by the Department of such application.

The name and mailing address of the applicant are as follows:

Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

The proposed motor vehicle wrecking facility will be located just 3 miles north of Wrecking Yard, Montana on Highway 91. The legal description of where the facility will be located is the W½ of the NW¼ of Section 6, Township 7 South, Range 8 West, M.P.M., Beaverhead County, Montana.

Section 75-10-516(2), MCA, provides that, within 30 days of receipt of this notification, the governing body of the County may: (a) conduct a public hearing to determine whether the proposed facility will significantly affect the quality of life of adjoining landowners and the surrounding community, and (b) adopt a resolution in support of or in opposition to the location of the proposed facility and transmit a copy of the resolution to the Department. The Department may **not** grant a license to a facility that a governing body has opposed under this section of the law.

If I may be of any assistance, please contact me or Darrell Stankey, Motor Vehicle Recycling and Disposal Program Manager.

Sincerely,

APPENDIX 5B

Date

John Q Public
Public Lane
Wrecking Yard MT 59999

Dear Sir:

The Department of Environmental Quality, Motor Vehicle Recycling & Disposal Program has received an application proposing to establish a motor vehicle wrecking facility at or near Wrecking Yard, MT. This letter is to inform you of this application.

The application has been submitted by:
Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

The proposed motor vehicle wrecking facility will be located just 3 miles north of Wrecking Yard, Montana on Highway 91. The legal description of where the facility will be located is the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 6, Township 7 South, Range 8 West, M.P.M., Beaverhead County, Montana.

Pursuant to Section 75-10-516, MCA, the governing body of the County may, within 30 days of the date of notification of the application, hold a public hearing on this application and adopt a resolution in support of or opposition to the location of the proposed facility and transmit a copy of the resolution to the Department. The Department may **not** grant a license to a facility that governing body has opposed under this section of the law.

If I may be of any assistance, please contact me.

Sincerely,

Bruce W. Meyer
Motor Vehicle Recycling & Disposal Program

APPENDIX 5C

Date

Advertising Editor
Wrecking Yard Chronicle
Wrecking Yard Street
Wrecking Yard MT 59999

Dear Editor,

State law requires all motor vehicle wrecking facilities to be screened from public view and licensed by the Montana Department of Environmental Quality. I am enclosing a public notice pertaining to the application for the licensing of a motor vehicle wrecking facility in your area. This notice is currently being circulated for thirty (30) days to assure public knowledge of the proposed action. We request that the enclosed notice be published as a legal notice in your newspaper as soon as possible. We are making every effort possible to generate public knowledge and interest in this licensing action.

Please submit billing in the prescribed manner to the Department of Environmental Quality, PCD/JV, P.O. Box 200901, Helena, MT 59620-0901. We request that this notice be run one time only. Please include at least one original copy of the notice with the bill.

Thank you in advance for your assistance.

Bruce W. Meyer
Motor Vehicle Recycling & Disposal Program

Enc.
cc: Support Services

APPENDIX 5D

PUBLIC NOTICE

An application for the licensing of a motor vehicle wrecking facility has been submitted to the Montana Department of Environmental Quality, for review. The name and address of the applicant follows:

Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

The motor vehicle wrecking facility is proposed to be located at or near Wrecking Yard, MT. Legal Description: W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 6, Township 7 South, Range 8 West in Beaverhead County.

The purpose of this notice is to inform the public of the proposed location and to seek their participation in the decision-making process, pursuant to the Motor Vehicle Recycling & Disposal Act, 75-10-516 MCA. A 30-day comment period from the date of this notice will be given for the public to submit written comments to the Department concerning the proposed facility. A copy of the EA can be found on the department web site at www.deq.state.mt.us/ea/wastemgt.asp.

Dated this XXth day of Month, XXXX

APPENDIX 5E

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
REQUISITION/ORDER FORM

VENDOR:	BILL TO/SHIP TO:	
Flathead Newspaper Group	<i>DEPARTMENT OF ENVIRONMENTAL QUALITY</i>	OFFICE USE ONLY
PO Box 7610	<i>APO #</i>	DOC. #: WUTB0504423
Kalispell MT 59904-7610	REQUESTED BY: Bruce W. Meyer Phone: 444-2835	RC # 575721
	<i>PO BOX 200901</i>	RC #
	1520 East 6 th Avenue	RC #
	<i>Helena MT 59620-0901</i>	RC #
		O/E #

QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL COST
1	1	Commissioners 30 day notice for Joe Wrecking, Wrecking Yard, MT.	18.00	18.00
TOTAL				18.00

JUSTIFICATION: PUBLIC NOTICE REQUIRED BY STATUTE

DELIVER TO:	PCD / Darrell A. Stankey	DATE REC'D: XXXX XX, XXXX
	DIVISION / PERSON	
AUTHORIZED SIGNATURE:	CANNOT BE THE SAME AS REQUESTED BY	DATE:

APPENDIX 6

Date

Certified -- Return Receipt Requested

Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

Subject: Motor Vehicle Wrecking Facility License Application

Dear Mr. Wrecking:

On February 30, 2005 you submitted an application for consideration for licensure of a proposed motor vehicle wrecking facility. The application was processed from that date forward.

As a result of the public hearing held by the Beaverhead County Commissioners on February 30, 2005, the County Commissioners adopted resolution number 6-94. This resolution reads: "Now Therefore Be It Resolved that we, the elected and qualified commissioners of Beaverhead County, Montana, due to the stated concerns of the public, hereby oppose the granting of a motor vehicle wrecking facility license to Joe Wrecking for use on Lots 14 and 15 Block 29 Wrecking Yard Heights Addition, Beaverhead County."

75-10-516(3), MCA, states: "The department may not grant a license to a facility that a governing body has opposed under subsection (2)(b)." Therefore, the Department is hereby officially notifying you that your application for a motor vehicle wrecking facility license in Dillon - Beaverhead County- may not be granted by the Department because the county has adopted a resolution opposing it.

You are reminded that possession of four or more junk vehicles, as defined by law, is considered to be proof of operation of a motor vehicle wrecking facility. You must therefore reduce the number of junkers in your possession to no more than three. All junk vehicles that you retain are still required to be adequately shielded from public view.

Vehicles temporarily held at garages for repair, as documented by signed work orders, are exempted from the wrecking facility definition. If the vehicles are junkers, however, they must be shielded.

APPENDIX 6

Page 2

A written compliance plan must be submitted to the Department and to the County for the removal of the excess junkers. The plan must establish specific time frames for this compliance effort to be accomplished. The plan must be acceptable to the Department and to the County. The written compliance plan must be submitted to the Department within 30 days from receipt of this letter.

Should you have further questions, please contact either Ken Smith, the Central MT Health District Junk Vehicle Program Manager, Darrell Stankey of this office, or me.

Sincerely,

Bruce W. Meyer
Motor Vehicle Recycling & Disposal Program
cc:

APPENDIX 9A

Date

Beaverhead County Commissioners, Component Drive, Wrecking Yard, MT 59999
John Q Public, Public Lane, Wrecking Yard, MT 59999
MT Dept of State Lands
Environmental Quality Council
MT Dept of Fish Wildlife & Parks
Documents Section, State Library

Ladies and Gentlemen:

Pursuant to the Administrative Rules of Montana, 17.4.601, the following Environmental Assessment has been prepared by the Department of Environmental Quality concerning Joe's Wrecking Yard 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 no 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 care to comment on this project please do so within the allotted time.

Sincerely,

Enc.

APPENDIX 9B

Date

Advertising Editor
Wrecking Yard Chronicle
Wrecking Yard Street
Wrecking Yard MT 59999

Dear Sir:

State law requires all motor vehicle wrecking facilities to be screened from public view and be licensed by the Montana Department of Environmental Quality. I am enclosing a public notice pertaining to the application for the licensing of a motor vehicle wrecking facility in your area. This notice is currently being circulated for thirty **(30) days** to assure public knowledge of the proposed action. We request that the enclosed notice be published as a legal notice in your newspaper as soon as possible. We are making every effort possible to generate public knowledge and interest in this licensing action.

Please submit billing in the prescribed manner to the Department of Environmental Quality, Permitting/Compliance Division, P.O. Box 200901, Helena, MT 59620-0901. We request that this **notice be run 1 time only**. Please include at least **1 original** copy of the notice with the bill.

Thank you in advance for your assistance.

Sincerely,

Bruce W. Meyer
Motor Vehicle Recycling & Disposal Program
(406) 444-2835 or e-mail at brmeyer@state.mt.us

Enc.

cc: Support Services

APPENDIX 9C

PUBLIC NOTICE

An application for the licensing of a motor vehicle wrecking facility has been submitted to the Montana Department of Environmental Quality, Permitting & Compliance Division, for review. The name and address of the applicant follows:

Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

The motor vehicle wrecking facility is proposed to be located at or near Wrecking Yard, MT. Legal Description: W½ of the NW¼ of Section 6, Township 7 South, Range 8 West in Beaverhead County.

The Department has reviewed the application submitted XXXX XX, XXXX and found it to be complete. The purpose of this notice is to inform the public of the proposed action and to seek their participation in the decision-making process. Pursuant to the Administrative Rules of Montana (ARM), Rules 17.4.609 and 17.4.610, an Environmental Assessment has been prepared for the proposed facility and is available upon request from the Department of Environmental Quality, Permitting/Compliance Division, P.O. Box 200901, Helena, MT 59620-0901. A **30-day comment period** from the date of this notice will be given for the public to submit written comments to the Department concerning the proposed facility.

Dated this XXth day of XXXXX, XXXX.

APPENDIX 10A

Date

Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

Subject: Motor Vehicle Wrecking Facility
CONDITIONAL APPROVAL GRANTED

Dear Mr. Wrecking:

The Department has completed the final review of your application for your proposed motor vehicle wrecking facility. There were some minor comments received on the Environmental Assessment prepared for your proposed facility. It is the Department's determination that your facility will be able to meet the requirements of the Motor Vehicle Recycling & Disposal Act and the associated rules. The Department has also determined that it can be operated in a way, which will minimize any environmental impacts and will not cause a degradation of any surface or groundwater. Your application is therefore **conditionally approved** for licensure. The program will give you until November 30, 2000 to bring the facility into compliance. You must receive a pre-operational inspection indicating compliance with the laws and rules, including all shielding requirements, before final approval.

Please contact Darrell A. Stankey or me, for the pre-operational inspection of the new shielding.

Please feel free to contact me if you have any questions.

Sincerely,

Bruce W. Meyer
Motor Vehicle Recycling & Disposal Program
(406) 444-2835 or e-mail at brmeyer@state.mt.us

cc:

APPENDIX 10B

Date

Joe's Wrecking Yard
Joe Wrecking
126 Wrecking Yard Lane
Wrecking Yard, MT 59999

Subject: Motor Vehicle Wrecking Facility Change of Ownership
APPROVAL GRANTED

Dear Mr. Wrecking:

The Motor Vehicle Recycling & Disposal Program received a notice from the Beaverhead County Commissioners on XXXXXX XX, XXXX. This letter was regarding your change of ownership for Deluxe Auto at Somers, MT. The letter stated "Please be advised we have received no comment from the public and are not taking any action regarding the above-referenced facility application."

Your change of ownership is therefore **approved** for licensure.

Please feel free to contact me if you have any questions.

Sincerely,

Bruce W. Meyer
Motor Vehicle Recycling & Disposal Program
(406) 444-2835 or e-mail at brmeyer@state.mt.us

cc:

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Last Update October 1, 2009