



January 2, 2007

Times - Clarion

RE: Application for an Amendment to Bozeman Brick, Block and Tile's Operating Permit 00166 for a New Rock Collecting Site in Wheatland County

Dear Editor:

Please place the following notice in the legal publication section of your newspaper once each week for three consecutive weeks:

Legal Notice

Notice of Application for an Amendment to Bozeman Brick, Block and Tile's Operating Permit 00166 (pursuant to the Metal Mine Reclamation Act, Section 82-4-353 (1), MCA).

Bozeman Brick, Block and Tile dba Bozeman Construction Company located at 1110 North Rouse, Bozeman, MT. 59715 filed an application on December 19, 2006 for an amendment to Operating Permit 00166 from the Montana Department of Environmental Quality (DEQ), Environmental Management Bureau in Helena. Bozeman Brick, Block and Tile will use hand tools, skidders, and an excavator to pick up sandstone rock and boulders for landscaping and masonry purposes. The operation would be on private land in portions of 3 and 4, Township 6 North, Range 15 East, about 9 miles south of Harlowton, MT in Wheatland County.

The proposed operation has been previously reviewed for compliance under a Supplemental Programmatic Environmental Assessment (SPEA) for a General Quarry Operating Permit published by the DEQ in February 2004. DEQ determined that the operation didn't meet the requirements listed in the SPEA due to the number of sites and there would be more than five acres unreclaimed at one time. An operating permit was issued on September 8, 2006.

Currently, Bozeman Brick, Block and Tile is applying for a 100 acre amendment to their permit of which only two acres will be disturbed at any one time. Currently, the approved operating permit consists of approximately 443 acres, of which up to approximately 222 acres may be disturbed. The operating plan calls for the reclamation of all surface disturbances. Approval of the amendment may occur

once the application is complete, an environmental analysis is performed, and the reclamation bond has been posted to ensure reclamation after completion of the rock collecting activities. If Bozeman Brick, Block and Tile develops additional lease agreements on other sites in the future, they would have to apply for an amendment or revision to the operating permit.

Copies of the application can be reviewed by the public at DEQ offices at 1520 E. 6th Ave., in Helena, MT. Please submit comments or questions on the proposal by January 22, 2006. For information on the project and to submit comments on the proposal, contact:

Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 2000901
Helena, MT 59620-0901
(406) 444-3841 or e-mail at hrolfes@mt.gov