



Brian Schweitzer, Governor
Richard H. Opper, Director

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

October 7, 2010

Harlowton: Times/Clarion, Great Falls Tribune

RE: Notice of Availability of Environmental Assessment for Proposed Amendment to Operating Permit 00163 issued to ES Stone and Structure, Inc.

Dear Editor:

Please place the following notice in the legal publication section of your newspaper, preferably the Sunday edition:

Legal Notice

Notice of Availability of Environmental Assessment for a Proposed Amendment to Operating Permit No. 00163

On August 24, 2010, ES Stone and Structure, Inc. (ES Stone) filed with the Department of Environmental Quality (DEQ) an application to amend Operating Permit 00163. The operating permit currently authorizes ES Stone to mine rock at thirteen different sites in Golden Valley County, Wheatland County, and Cascade County for landscaping and masonry purposes. ES Stone proposes to add two sites on private land about a mile southeast of Harlowton. The sites are located in Section 35, T8N, R15E and Section 26, T8N, R15E in Wheatland County. The sites are adjacent to ES Stone's current operations.

The current permit covers 4,439 acres, of which ES Stone is authorized to disturb 500 acres at any one time. If amended, the permit would cover 4,939 acres. The amendment would allow 40 acres to be disturbed at any one time for each of the two new sites, and 500 acres to be disturbed at any one time within the entire permit area. If amended, the permit would allow 1,500 acres to be disturbed over the life of mine.

Copies of the amendment application and environmental assessment can be reviewed by the public at DEQ offices at 1520 E 6th Ave., Helena, MT. The closing date for comments on the amendment is October 22, 2010. Copies of the Draft EA can be obtained by contacting: Herb Rolfes, Operating Permit Section Supervisor, Environmental Management Bureau; Department of Environmental Quality, PO Box 200901, Helena, MT 59620-0901, (406)444-3841 or email at hrolfes@mt.gov.

Please send your invoice, tear sheet, and affidavit of publication to Environmental Management Bureau of DEQ (address above). Please make sure your invoice contains Purchase Order #50311.52.1. Thank you.

Sincerely,

Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
(406)444-3841 or email at hrolfes@mt.gov

File 00163.37

OP\Revisions&Amendments\ESStone00163\Amendment3\ESStoneEALegalNotice