



January 8, 2007

Round-Up Record, Times/Clarion, Great Falls Tribune

RE: Application for an Amendment to and Notice of Environmental Assessment for ES Stone's Operating Permit 00163 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 Operating Permit Amendment (pursuant to the Metal Mine Reclamation Act (MMRA), Section 82-4-353 (1), MCA).
Notice of Availability of Environmental Assessment.

ES Stone and Structure, Inc. (ES Stone), P. O. Box 28, Ryegate, MT filed an application on October 12, 2006 and sent in a revised application on November 2, 2006 for an amendment to Operating Permit 00163 from the Montana Department of Environmental Quality (DEQ), Environmental Management Bureau in Helena. ES Stone has lease agreements with a ranch in Wheatland County to quarry and hand pick rock for landscaping and masonry purposes. The new site would be on private land. The Moore Site #13 would be located on thirteen acres located in Section 34, Township 8 North, Range 15 East about 1.5 miles south of Harlowton, MT.

The proposed new site has been reviewed for compliance under a Supplemental Programmatic Environmental Assessment (SEA) for a General Quarry Operating Permit published by the DEQ in March 2004. There would be a pallet and splitting yard and up to 8.25 acres disturbed and unreclaimed at any one time on the 13 acre quarry and rock picking area. DEQ has determined that the Moore Site #13 does not meet the requirements listed in the SEA because ES Stone would have more than five acres disturbed and unreclaimed at any one time. ES Stone cannot receive an operating permit amendment for the Moore Site #13 without additional environmental analysis. ES Stone would have to post additional reclamation bond for this site.

This legal notice serves as notice that a Draft EA has been completed on the Moore Site #13. Copies of the Draft EA have been sent to the ES Stone mailing list.

Copies of the application can be reviewed by the public at DEQ offices at 1520 E. 6th Ave., Helena, MT. Copies of the Draft EA can be obtained by contacting:

Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901
(406)444-3841 or email at hrolfes@mt.gov

Please submit comments or questions on the proposed amendment and environmental analysis by February 8, 2007.

To expedite payment, please send your invoice, affidavit of publication, and original tear sheet to the address below to the attention of Sue Fairchild indicating document #**EMB 5037 088**.

Sincerely,

Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901
(406)444-3841 or email at hrolfes@mt.gov

File 00163.37

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