



Brian Schweitzer, Governor
Richard H. Opper, Director

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

December 28, 2010

Newspapers: Billings, Laurel

RE: Notice of Availability of a Draft Environmental Assessment for an Operating Permit for a Decorative and Masonry Rock Quarry and Possible Bentonite Clay in Yellowstone County

Dear Editor:

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

Legal Notice:

Application for Quarry in Yellowstone County

Tom Gauger has filed an application with the Department of Environmental Quality (DEQ) for an operating permit for a rock quarry. The quarry would be located on private land in Section 9, Township 2 South, Range 25 East, approximately 10 miles west of Billings and about 4 miles east of Laurel, MT. Excavators and front end loaders would be used to extract rock and boulders for landscaping and masonry purposes, and possibly bentonite clay.

The operating permit would cover approximately 76 acres, although only a portion of the 76 acres would be disturbed. Ground disturbance would range up to approximately 30 feet in depth. If a permit is approved, Gauger would post a bond to ensure reclamation is completed.

The proposed operation has been reviewed for compliance under a Supplemental Programmatic Environmental Assessment (SPEA) for a General Quarry Operating Permit published by the DEQ in February 2004. DEQ cannot approve the operating permit under the SPEA because Gauger proposes to disturb and leave un-reclaimed more than five acres at any one time, would construct sediment control ponds, and may alter the route of two springs located in ephemeral drainages within the proposed permit boundary.

Because the proposed quarry cannot be permitted under the SPEA, DEQ has prepared a Draft Checklist Environmental Assessment (CEA) regarding the environmental impacts of the proposed project. Copies of the CEA can be

reviewed at DEQ offices at 1520 E. 6th Ave., in Helena, MT, or on DEQ's website (<http://www.deq.mt.gov/default.mcpix>).

Comments on the CEA must be submitted by January 28, 2011, to the following address:

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 e-mail at hrolfes@mt.gov

Additional information on the proposed quarry may also be obtained by contacting Herb Rolfes.

To expedite payment, please send your **invoice, tear sheet, and affidavit of publication** to DEQ at the address above to the attention of Dick Morrow. Please indicate that the bill applies to EMB 50311.79 Thank you.

Sincerely,



Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
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