SB 440
FORCES THE STATE TO ISSUE AIR PERMITS WITHOUT ENVIRONMENTAL ANALYSIS

If air permits are exempt from the Montana Environmental Policy Act (MEPA) many of the most significant impacts from a project would not be disclosed to the public.

The public, neighboring property owners, tribal governments, businesses and local governments would not learn about the environmental and economic impacts from a project until after the project is operating. They would have no opportunity to comment and provide information to the applicant or the State on most of the environmental impacts from a project. They would not be able to propose alternatives or mitigation measures that could help guarantee protection of public health, safety, communities, and the environment.

The following issues are not considered during the air permitting process and often only considered during the MEPA analysis:

- Impacts to cultural and historic resources (such as tribal sites, national historic landmarks, archeological sites, etc.)
- Impacts to adjacent and nearby landowners (such as whether their property will be condemned, their soils contaminated or their operations impaired)
- Economic impacts of a project (such as the local and state tax base and tax revenue)
- Impacts on local services such as:
    - Water and sewer services requirements
    - Emergency services like police, fire, hazardous incident responders
    - Schools and potential school safety issues
    - County roads
- Potential safety hazards such as traffic impacts to nearby property owners, schools, hospitals, etc.
- Impacts to wildlife and fisheries including impacts to endangered species, species of special concern, and habitat
- Impacts to wetlands and riparian areas
- Analysis of potential seismic activity in the area (such as whether a facility will sit on an active fault line)
- Disposal of coal ash waste from a coal-fired power plant
- Waste water disposal unless the activity required a point source discharge permit.
- Consideration of alternatives to the proposed project, such as constructing the project in a different location or using a less polluting technology.
- Analysis of the soils at the site and their suitability for the proposed project (permeability, potential for erosion, etc.)
- Potential impacts to water quality and quantity (such as a description of potential groundwater depletion or contamination from the project, potential impacts to down-gradient wells, etc.)
- Impacts to adjacent industrial, commercial or residential development from noise, smell, traffic, dust, and noxious weeds