

**COMBINED NOTICE: FINDING OF NO SIGNIFICANT IMPACT and NOTICE TO PUBLIC
OF REQUEST FOR RELEASE OF FUNDS (FONSI/NOI/RROF)**

May 13, 2014

Custer County
1010 Main Street
Miles City, MT 59301
(406)874-3351

RECEIVED

MAY 15 2014

**LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE**

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or before June 6, 2014 the above-named County will request the Montana Department of Commerce (DOC) to release Community Development Block Grant (CDBG) funds provided under Title I of the Housing and Community Development Act of 1974, as amended (PL 93-383) for the following project:

East Valley Drive Water Line Extensions
Miles City, Custer County, Montana

This project consists of the extension of water mains to an area immediately northeast of Miles City which does not have water service available. This project extends the water system for the Custer County Water and Sewer District. A detailed Preliminary Engineering Report (PER) and Environmental Reports were prepared for this project and can be referred to for additional information. The area is adjacent to N. Haynes Avenue, Valley Drive East, and US Highway 12.

Finding of No Significant Impact

It has been determined that such request for release of funds will not constitute an action significantly affecting the quality of the human environment and accordingly the above named County has decided not to prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (PL 91-190).

The reasons for the decision not to prepare such Statement are as follows:

Extensive environmental reviews have been conducted on this proposed project following the requirements of the two funding agencies – the CDBG program mentioned above and the US Economic Development Administration (EDA). Several State and Federal agencies were contacted as part of this review process to inquire whether they had any comments on the proposed project or saw any potential environmental impacts. Effects on both the physical environment and the human population were considered. No issues of concern were raised and all required clearances were obtained. The project also complies with the local Growth Management Plan and local zoning. This project consists of buried water lines. Following construction the ground surface will be restored. Since this project provides a potable water system to an area that does not currently have one and strengthens the economy of the Miles City area, several positive impacts result from the project.

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named County. This Environmental Review Record is on file at the above address and is available for public examination and copying upon request between the hours of 8AM and 3PM.

No further environmental review of such project is proposed to be conducted prior to the request for release of CDBG project funds.

Public Comments on Findings

All interested agencies, groups and persons disagreeing with this decision are invited to submit written comments for consideration by the County to the office of the Custer County Commission on or before June 5, 2014. All such comments so received will be considered and the County will not request release of funds or take any administrative action on the project prior to the date specified in the preceding sentence.

Release of Funds

Custer County will undertake the project described above with CDBG funds provided by DOC under Title I of the Housing and Community Development Act of 1974, as amended. The County is certifying to DOC that Custer County and Keith Holmlund, in his official capacity as Environmental Certifying Officer and County Commissioner consents to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect on the certification is that upon its approval, Custer County may use the CDBG funds and DOC will have satisfied its responsibilities under the National Environmental Policy Act of 1969.

Objections to State Release of Funds

The Department of Commerce will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

- (a) that the certification was not in fact executed by the chief executive officer or other officer approved by the Department of Commerce;
- (b) that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process;
- (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DOC; or
- (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental design.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to: Department of Commerce, Community Development Division, 301 S. Park Avenue, P.O. Box 200523, Helena, Montana 59620.

Objections to the release of funds on bases other than those stated above will not be considered by DOC. No objection received after June 5, 2014 will be considered by DOC.

Kevin Krausz
May 13, 2014
1010 Main Street
Miles City, MT 59301

EXHIBIT 2-M

MONTANA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM CONSOLIDATED ENVIRONMENTAL ASSESSMENT FORM

INTRODUCTION

The following form is for the use of Community Development Block Grant (CDBG) recipients who must prepare an Environmental Assessment (EA) as required by HUD Environmental Review procedures for the CDBG program (24 CFR 58.36). Satisfactory completion of this form will meet the requirements of the federal Housing and Community Development Act as well as the national Environmental Policy Act (NEPA).

CDBG recipients must also demonstrate compliance with the environmental requirements of the other related federal environmental laws and regulations listed in the HUD Statutory Checklist (24 CFR 58.5). For this reason, the Statutory Checklist requirements have been combined into this single consolidated form. An index of the applicable federal statutes and regulations is found at the end of this form. Where noted, the numbers that appear to the right of the environmental subject areas listed in the checklist correspond to the listing of statutes found in the index.

The requirements of the Montana Environmental Policy Act (MEPA) and the uniform State administrative rules adopted pursuant to the Act have also been integrated into the consolidated form.

PROJECT IDENTIFICATION

Recipient: **Custer County**

Chief Elected Official: *Keith Holmlund*

Environmental Certifying Officer: *Keith Holmlund*

CDBG Contract #:

Project Name: **East Valley Drive Water Line Extensions**

Person Preparing this

Environmental Assessment: **Dayton Alsaker, PE**

Phone Number: **307-672-9006**

Instructions for Completing this Form

The following instructions should be presented and evaluated in a level of detail which is appropriate to the following considerations:

- (a) the complexity of the proposed action;
- (b) the environmental sensitivity of the area affected by the proposed action;
- (c) the degree of uncertainty that the proposed action will have a significant impact on the quality of the human environment;
- (d) the need for and complexity of mitigation required to avoid significant environmental impacts.

In all cases, the CDBG grant recipient should reference and attach additional narrative providing the specific information requested or documentation supporting the evaluation of the impact of the proposed project or activity as it relates to each environmental subject area. The narrative should also note, where applicable, the source of the evaluation, including date of contact, page reference to pertinent source documents, and the name and title or persons contacted, along with the name of the specific organization or agency.

Environmental information and assistance in preparing an environmental assessment can be obtained from a wide variety of sources. Possible sources of information include existing plans and studies, knowledgeable local residents and officials such as the county sanitarian, city or county planning board or department, local officials with the U.S. Soil and Conservation Service (SCS) or local conservation district, as well as local representatives of the State Fish, Wildlife & Parks Department, to list just a few examples. Grant recipients may also contact the State and federal agencies listed in **Exhibit 2-O** for information and assistance.

The Department of Commerce Community Development Bureau maintains copies of environmental assessments prepared on previous projects that may be useful to grant recipients, as well as full copies of applicable federal and State environmental statutes and related information. Copies of the HUD publication, *Environmental Review Guide for Community Development Block Grant (CDBG) Programs*, can be requested from the CDBG program specialist assigned to your project.

EVALUATION OF ENVIRONMENTAL IMPACT

Provide the information requested below and attach additional narrative as appropriate.

1. Describe the proposed action or activity, including construction and end-product (attach maps and graphics as necessary).

This project consists of the extension of water mains to an area that currently does not have water service available, which lies immediately outside of Miles City. This project extends the water system for the Custer County Water and Sewer District. A detailed Preliminary Engineering Report (PER), dated September 2012, was prepared for this project and can be referred to for additional information.

2. Describe the project site and surrounding area(s), including existing site use and environmental conditions (attach map as applicable).

The existing area includes a mixture of residences, businesses, industry and farmland. The area is adjacent to N. Haynes Avenue, Valley Drive East, and US Highway 12 on the edge of Miles City.

3. Describe the benefits and purpose of the proposed action.

The primary benefit from this project is to provide water service to an area that currently does not have water service, but there is a demand for water service. The project also promotes economic development, by providing water service to two businesses that will expand and therefore create additional jobs if a central water system is made available to them.

4. Describe all sources of project funding:

The two sources of funding are USEDPA and the Montana CDBG program.

5. Describe any project plans or studies which are relevant to the project.

The September 2012 Preliminary Engineering Report that assess the feasibility for this project, considered alternatives, and was used to secure funding, is particularly relevant to this project.

6. Proposed implementation schedule.

The design of the project is underway. This design and the approvals of this design should be completed in the next 30 days. It is desirable to move into construction as quickly as possible after this is done in order to make water available to this area as quickly as possible. All work should be completed by ~~August~~ ^{December} 2014.

7. Compliance with any applicable local plans, ordinances, or regulations.

The PER referenced above was reviewed by local entities, and this proposed project is in compliance with local regulations and supported by all local entities, including Custer County and the City of Miles City.

Project is in Compliance

	Yes	No	Not Applicable
Local Comprehensive (Growth Management) Plans including housing, land use and public facilities elements	X	-	-
Local zoning ordinances or land use regulations, such as permit systems or soil conservation district requirements	X	-	-

8. Evaluation of impact, including cumulative and secondary impacts, on the **Physical Environment:**

Please complete the following checklist. Attach narrative containing more detailed analysis of topics and impacts that are potentially significant.

Key Letter: N - No Impact/Not Applicable; B - Potentially Beneficial; A - Potentially Adverse;
P - Approval/ Permits Required; M - Mitigation Required

KEY	Impact Categories-- PHYSICAL ENVIRONMENT	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
N	Soil Suitability, Topographic and/or Geologic Constraints	The project area soils generally consist of silty clay with 0 to 2 percent slopes. Montana's quaternary faults are located in the western portion of the state and the nearest recorded seismic activity is approximately 82 km from the project area. Source: Natural Resources Conservation Service – Web Soil Survey, Miles City Quadrangle, 7.5 Minute Series, http://neic.usgs.gov , and http://geohazards.usgs.gov .
	HUD Environmental Criteria--24 CFR Part 51:	
N	51(b) Noise--Suitable Separation Between Housing & Other Noise Sensitive Activities & Major Noise Sources (Aircraft, Highways & Railroads) ⁸	As seen in the aerial photos in the PER, the project area is scattered mixed-use with a few homes and businesses primarily along the highways. Once the project is constructed, there will be no noise generated from the project improvements. Heavy equipment will be used to construct the water lines so there will be no ice for the 60 day construction period, however work will be limited to daytime hours to <u>reduce the noise nuisance.</u>
N	51(c) Hazardous Facilities--Acceptable Separation Distance from Explosive and Flammable Hazards (Chemical/Petrochemical Storage Tanks & Facilities--ex., Natural Gas Storage Facilities & Propane Storage Tanks) ⁷	<i>Comments and Source of Information:</i> No mining districts, remediation response sites, crude oil pipelines, or EPA toxic release inventory sites exist in the project area. One leaking underground storage tank (LUST) site was observed near the intersection of Haynes Avenue and East Valley Drive. The final alignment of the waterline will not interfere with the LUST site area. Source: Montana Department of Environmental Quality (MDEQ), Waste and Underground Tank Management Bureau and System Output maps – Underground Tanks, Mining Districts, Remediation Response Sites, Crude Oil Pipelines, and EPA Toxic Release Inventory Sites provided by http://maps2.nris.mt.gov .
N	51(d) Airport Runway Clear Zones--Avoidance of Incompatible Land Use in Airport Runway Clear Zones ⁷	Project lies over 3 miles from the Miles City airport, therefore airport clear zones are not an issue.
	EPA Hazardous Waste Sites, or Other Hazards or Nuisances Not Covered Above	

Key Letter: N - No Impact/Not Applicable; B - Potentially Beneficial; A - Potentially Adverse;
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N	Lead-based Paint ¹³	This project involves the installation of new water main materials. There is no lead based paint associated with these materials, and the project does not impact any existing buildings were lead-based paint might be found.
N	Asbestos ¹⁴	This project involves the installation of new water main materials. There are no asbestos associated with these materials, and the project does not impact any existing buildings were asbestos might be found.
N	Effects of Project on Surrounding Air Quality or Any Effects of Existing Air Quality on Project ¹	With the exception of the possibility of dust produced by construction means, existing air quality and surrounding air quality is not affected or impacted while constructing the waterline project. Dust control measures will be specified in construction plans. Once constructed, the water system improvements will not impact air quality.
N	Groundwater Resources & Aquifer ^{a 10*}	During well installation in the area of the project, groundwater is encountered at depths ranging from 10 to 25 feet below ground surface (bgs). The buried waterline will be at a depth of approximately 6 to 8 feet bgs and will not impact the local groundwater resource. Most wells in the area used for drinking water are 100 feet or more deep. Source: Montana's Ground-Water Information Center (GWIC), Site Report, V.11.2012.
N	Surface Water/Water Quality, Quantity & Distribution ^{10*}	No lakes, major streams, hydrologic units, or Montana watershed groups exist within the project area. Source: System Output Maps – Major Lakes, Major Streams, Hydrologic Units, and Montana Watershed Groups provided by http://maps2.nris.mt.gov .

* See index at end of form.

^aIncluding Sole Source Aquifer. Contact DOC for further information regarding Missoula-area projects.

Key Letter: N - No Impact/Not Applicable; B - Potentially Beneficial; A - Potentially Adverse;
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KEY	Impact Categories-- PHYSICAL ENVIRONMENT	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
N	Floodplains & Floodplain Management ^{5*}	The project area is located in Floodplain; however, the project is not limited by special construction provisions due to the lack of structures associated with the project. The eight step floodplain decision-making process has been completed and approved by local authorities. Source: Flood Insurance Rate Map, Custer County, Montana and Incorporated Areas, Panels 662 and 666 of 2275 and an undated letter received from Custer County Planning and Floodplain Administration.
N	Wetlands Protection ^{11*}	No wetlands exist within the project area. Source: Wetland and Riparian Area Mapping by http://nris.state.mt.gov/wis/wetlands/ .
P	Agricultural Lands, Production, & Farmland Protection ^{3*}	The project area consists of agricultural lands classified as irrigated. Irrigated agricultural lands are considered prime farmland. Provisions of the Federal Farmland Protection Policy Act (FPPA) should be followed to protect the prime farmland status. The farmland should be restored to the natural state and farmland use not to be changed by the project intentions. Prior to construction, Natural Resources Conservation Service should be contacted to analyze any potential of wetland manipulation. Source: Parcel Agricultural Use – System Output Map provided by http://maps2.nris.mt.gov and letter received from Natural Resources Conservation Service, dated June 7, 2012.
N	Vegetation & Wildlife Species & Habitats, Including Fish ^{4*}	No wildlife species or habitat of concern exist in the project area due to the semi-urban location. Source: Letter received from United States Department of the Interior, Fish and Wildlife Service, dated, November 19, 2009.
N	Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species ^{2*}	No animal species of concern including mammals, birds, reptiles, and fish are found to inhabit the project area. No plant species of concern inhabit the project area. Source: Montana Natural Heritage Program.
N	Unique Natural Features	The soils consist of Holocene Alluviums made up of gravel, sand, silt and clay deposited in stream and river channels with depths up to 50 feet. No unique geological features exist in the project area. Source: Geologic Map of the Miles City 30' x 60' Quadrangle, Eastern Montana, Montana Bureau of Mines and Geology, Open File Report MBMG 426.

Key Letter: N - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
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N	Access to and Quality of Recreational & Wilderness Activities, and Public Lands, Including Federally Designated Wild & Scenic Rivers ¹²	No recreational, wilderness, public lands, or public open space exists in the project area.
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9. Evaluation of impact, including cumulative and secondary impacts, on the **Human Population** in the area to be affected by the proposed action:

Please complete the following checklist. Attach narrative containing more detailed analysis of topics and impacts that are potentially significant.

Key Letter: N - No Impact/Not Applicable; **B** - Potentially Beneficial; **A** - Potentially Adverse;
P - Approval/Permits Required; **M** - Mitigation Required

KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
N	Visual Quality--Coherence, Diversity, Compatible Use, and Scale Aesthetics	This project is buried water lines, therefore it is compatible with the project area, and visual impact is not affected.
N	Historic Properties, Cultural, and Archaeological Resources ⁶	The Montana State historical preservation office was contacted. There are no known historic properties or cultural or archaeological resources impacted by the project.
N	Changes in Demographic (Population) Characteristics	There are a few homes in the project area, this is not an important residential neighborhood. Installing this waterlines will not result in significant new home construction. It is a goal of this project by the Southeast Montana Economic Development Corporation and the Custer County Commissioners that this waterline help spur economic development in the area by businesses. This could have a modest positive impact on the demographics of the miles city community.
N	Environmental Justice ^{13*}	The project does not impact lower income households, and therefore there are no environmental justice issues.
B	General Housing Conditions--Quality & Quantity	This project will not affect general housing conditions. It will provide a benefit to existing residents in the area in that they will be able to get off their wells in on to a central water system if they choose.
N	Displacement or Relocating of Businesses or Residents	This project will not displace or relocate any business or residents.
B	Human Health	There are public health and safety benefits to this project. A central water supply that complies with drinking water regulations will be provided to the area. This will also be a more dependable water supply, resulting in improved sanitary conditions.
B	Local Employment & Income Patterns--Quantity and Distribution of Employment	A primary purpose of this water main extension project is to create and retain jobs with existing and prospective local businesses and to enhance the area by having water service available. This will allow additional economic development efforts to take place, as this area already has sewer service and highway access.

B	Local and State Tax Base & Revenues	Similar to the previous item, this project is for economic development to retain an ad to local businesses. Therefore the local and state tax base will benefit.
N	Educational Facilities	Educational facilities will not be affected. One possible benefit is that by helping to maintain the local population levels and tax basis, local schools will actually receive a benefit.
B	Commercial and Industrial Facilities, Production & Activity	The primary project goal is to make this area more attractive for both existing and possible new commercial and industrial businesses. This area is well suited for commercial and industrial development except that it lacks a central water system. Providing central water will help to both retain existing businesses and pursue new ones. An important factor here is fire protection. There currently is not in their protection service will be added with the project. Some businesses may avoid an area if there is no fire protection in some cases it may not be possible to obtain building permits without some level fire protection. Per protection should also reduce insurance rates lowering costs for these businesses
N	Health Care	Health care will not be affected by the project.

N	Social Services	The project will not increase the demand on local governmental services. Custer County, the City Miles City, and the Custer County Water and Sewer District all support the project.
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B	Fire	Fire protection will be significantly improved by this project. There is no existing water system in the area, therefore no fire hydrants or fire flows are available. Hydrants and lines size to carry fire flows will be provided by this project.
N	Emergency Medical	Medical services will not be impacted by this project.
N	Parks, Playgrounds, & Open Space	Parks and playgrounds and open space will not be impacted by this project.
N	Cultural Facilities, Cultural Uniqueness, & Diversity	Cultural facilities cultural uniqueness and diversity will not be affected by this project.
KEY	Impact Categories-- HUMAN POPULATION	Source of Documentation Note date of each contact or page reference. Attach additional material as applicable. Where appropriate, please fully explain in attached materials.
N	Transportation--Air, Rail & Auto (Including Local Traffic)	Transportation networks and traffic flow will not be affected by this project. Airports and railroads are not involved. This is actually a very good location to extend water service that may lead to a few additional or expanded businesses. The project area is along US Highway 12 with easy access to I-94 (about 1 mile away). Therefore truck traffic to businesses in this area do not impact the city or residential areas.
N	Consistency with Other State Statutes or Local Ordinances, Resolutions, or Plans (to be added by local community)	The project is compatible with local ordinances resolutions and plans. Project is strongly supported by Custer County, City of Miles City, and the local Planning Commission.

10. Describe and analyze reasonable alternatives to the proposed activity whenever alternatives are reasonably available and prudent to consider, and discuss how the alternatives could be implemented, if applicable.

This area does not have central water supply, therefore there were no real alternatives to providing this service. Either central water supply is provided or it isn't. Several alternatives for routing the water lines were considered with the best alternative selected for implementation. The proposed water lines are the most cost-effective to accomplish the project goals.

11. Where applicable, list and evaluate mitigation actions, stipulations, and other controls which will be enforced by the local government or another governmental agency.

All local governmental agencies having jurisdiction will be contacted and their approval will be obtained to proceed with this project.

12. Is the proposed project in compliance with all applicable Federal, State, and local laws and regulations?

 - Yes - No

LEVEL OF CLEARANCE FINDING:

Based on the foregoing environmental review, it is concluded that:

FINDING: A request to the Montana Department of Commerce for release of funds for the within project **is not** an action significantly affecting the quality of the human environment, and no EIS is required. A Finding of No Significant Impact (FONSI) can be made.

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FINDING: A request to the Montana Department of Commerce for release of funds for the within project **is** an action significantly affecting the quality of the human environment, and an EIS is required.

Finding Executed by:

Name (Typewritten):

Title: Environmental Certifying Officer

Signature:



Date:

12-18-13

INDEX OF APPLICABLE FEDERAL STATUTES AND REGULATIONS INCLUDED IN THE CHECKLIST

1. Air Quality

- a. Clean Air Act (42 U.S.C. 7401 et seq.) as amended; particularly section 17(c) and (d) (42 U.S.C. 7506(c) and (d)).
- b. Determining Conformity of Federal Actions to State or Federal Implementation Plans (Environmental Protection Agency-- 40 CFR parts 6, 51, and 93).

2. Endangered Species

- a. The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) as amended; particularly section 7 (16 U.S.C. 1536).

3. Farmlands

- a. Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) particularly sections 1540(b) and 1541 (7 U.S.C. 4201(b) and 4202).
- b. Farmland Protection Policy (U.S. Department of Agriculture 7 CFR Part 658).

4. Fish and Wildlife

- a. Fish and Wildlife Coordination Act (16 U.S.C. 661-666c).

5. Floodplain

- a. Executive Order 11988, Floodplain Management, May 24 1977 (42 FR 26951, 3 CFR, 1977 Comp., as interpreted in HUD regulations at 24 CFR Part 55.
- b. Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001-4128).
- c. National Flood Insurance Program (44 CFR 59-79).

6. Historic Properties

- a. The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 et seq.), particularly sections 106 and 110 (16 U.S.C. 470 and 470h-2), except as provided in - 58.17 for Section 17 projects.
- b. Executive Order 11593 - Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921), 3 CFR 1971-1975 Comp., particularly section 2(c).

11. Wetlands

- a. Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961), 3 CFR, 1977 Comp., particularly sections 2 and 5; and Applicable State Legislation or Regulations.

12. Wild and Scenic Rivers

- a. Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et. seq.) as amended, particularly section 7(b) and (c), (16 U.S.C. 1278 (b) and (c)).

Note: *In Montana, this act applies to the North Fork of the Flathead River from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir; and, the Missouri River consisting of the segment from Fort Benton, one hundred and forty-nine miles downstream to Fred Robinson Bridge.*

13. Environmental Justice

- a. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994 (59 FR 7629), 3 CFR, 1994 Comp. P. 859. (24 CFR Part 58.5, April 30, 1996)

14. Lead-based Paint

HUD Lead-based Paint Standards (24 CFR Part 35) and Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act that appear within Title X of the Housing and Community Development Act of 1992.

15. Asbestos

OSHA's asbestos standard (29 CFR 1926.1101) and EPA asbestos sections of NESHAP (National Emission Standard for Hazardous Air Pollutants), administered by Montana Department of Environmental Quality's Asbestos Control Program.