



Montana Department of  
**ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

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

PUBLIC NOTICE NO. MT-06-01  
February 3, 2006

**RECEIVED**

FEB 03 2006

PURPOSE OF PUBLIC NOTICE

LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, statement of basis, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website [www.deq.mt.gov](http://www.deq.mt.gov).

APPLICANT INFORMATION

APPLICANT NAME: Noranda Minerals and Exploration, Inc.  
Suite 718, 22-2475 Dobbin Road  
Westbank British Columbia, CA V1Z 2S2

FACILITY NAME: Montanore Mine – Libby Adit

FACILITY LOCATION: Sections 15 Township 27 North, Range 31 West, Lincoln County,  
Montana

RECEIVING WATER: Outfall 001: Libby Creek via Alluvial Groundwater  
Outfall 002: Libby Creek via Alluvial Groundwater  
Outfall 003: Libby Creek, direct discharge

PERMIT NUMBER: MT0030279

This action is a permit renewal for Noranda Minerals and Exploration, Inc.'s Montanore project. The project consisted of an exploratory adit located along Libby Creek, and some basic exploratory implements. The exploration adit is a decline totaling approximately 15,000ft of tunnel that was not developed or actively mined. The adit has been closed, flooded and site has been mostly reclaimed. Remaining installations at the site primarily consist of the water management system/adit wastewater disposal system. Disposal system components remaining in place include the percolation pond (Outfall

001) the water management distribution box, the underground piping, three drainfields (Outfall 002) and a direct discharge pipeline from the percolation pond to Libby Creek (Outfall 003). The drainfields have been designed to accommodate flows in excess of 200 gallons per minute (gpm), maximum adit flows have been estimated in the renewal application to be 500gpm. The percolation pond has an estimated capacity of 25 acre-ft, if it reaches capacity an overflow pipe exists that routes water to a direct discharge to Libby Creek (Outfall 003). Discharge to Outfalls 001 and 003 have not been reported during the term of the MPDES permit and no discharge from Outfall 002 have been reported by the facility since September 1998. Final numeric effluent limits for the existing permit were developed in accordance with BHES Order 93-001-WQB or Montana water quality standards. These limits have been proposed as the final effluent limits for this permit renewal based on the analysis within the January 5, 1996, Statement of Basis.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA., et al., CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order, because this is not a new permit or an increase in permitted discharge.

#### PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS March 6, 2006. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS March 6, 2006 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne McKittrick at [WPBPublicNotices@mt.gov](mailto:WPBPublicNotices@mt.gov).

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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