



Montana Department of  
**ENVIRONMENTAL QUALITY**

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 4

Brian Schweitzer, Governor

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PUBLIC NOTICE NO. MT-06-05  
March 24, 2006

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PURPOSE OF PUBLIC NOTICE

**LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE**

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are 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 draft permits for the facilities listed below. Copies of the draft permits, statements of basis, and environmental assessments 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: Town of Grass Range  
P.O. Box 807  
Grass Range, MT 59032-0807

FACILITY NAME: Town of Grass Range

FACILITY LOCATION: T 15N, R 23 E, Section 21 SE ¼, Fergus County

RECEIVING WATER: South Fork McDonald Creek

PERMIT NUMBER: MT0030309

Domestic wastewater is treated through a two-celled facultative lagoon system. Discharge is controlled and intermittent. The facility is not equipped to physically or chemically disinfect prior to discharge.

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 it is not a new permit and the new permit will reduce the pollutant load to South Fork McDonald Creek.

APPLICANT: Town of Hobson  
P. O. Box 251  
Hobson, MT 59452

FACILITY NAME: Town of Hobson

FACILITY LOCATION: T 14N, R 15 E, Section 26  
Judith Basin County

RECEIVING WATER: Unnamed ditch

PERMIT NUMBER: MT0021636

The permittee operates a two-celled facultative lagoon. Discharge is a controlled release to an unnamed ditch. The facility is not equipped to disinfect.

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 and the receiving water is not on the 303(d) list of impaired streams.

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APPLICANT: Luzenac America, Inc.  
P.O. Box 130  
Cameron, MT 59720

FACILITY NAME: Yellowstone Mine

FACILITY LOCATION: Sections 3, 4 and 9, Township 9 South,  
Range 1 West and Section 34, Township 8 South, Range 1  
West, Madison County

RECEIVING WATER: Johnny Gulch, and  
Unnamed Irrigation Ditch

PERMIT NUMBER: MT 0028584

Luzenac America Inc.'s (LAI) Yellowstone Mine currently has an existing Montana Pollutant Discharge Elimination System (MT0028584) permit to discharge mine dewatering wastewater to an unnamed tributary in Johnny Gulch. The LAI Yellowstone Mine is an open-pit talc mining and sorting operation. The mine is located within the Johnny Gulch drainage of the Gravelly Mountain Range approximately 10 miles south of Cameron. The permittee proposes renewal of Outfall 001. Outfall 001 discharges pit dewatering mine drainage to a reach of Johnny Gulch, which is in an ephemeral hydrologic condition. The permittee has proposed a new outfall, Outfall 002. Outfall 002 will discharge storm water and mine drainage resulting from precipitation events in excess of the 15 year 24 hour storm. The receiving water for Outfall 002 is an unnamed irrigation ditch. The discharge from the new source, Outfall 002, has been determined non-significant pursuant to 75-5-317, Montana Code Annotated. Monitoring for general water quality parameters, total suspended sediment, nitrogen and a limited list of metals is proposed at each outfall. The permit contains a compliance schedule to achieve the designed storm water retention capacity. No mixing zones are proposed.

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, neither Johnny Gulch nor the unnamed irrigation ditch have been listed as impaired and in need of a TMDL.

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APPLICANT: Mr. Michael Strahan  
1810 Coffeen Ave.  
Sheridan WY 82801

FACILITY NAME: Wolf Mountain Coal Inc.

FACILITY LOCATION: NW ¼ of NW ¼ of Section 18, Township 8 South,  
Range 40 East, Bighorn County}

RECEIVING WATER: Ephemeral tributary of the South Fork of Monument  
Creek

PERMIT NUMBER: MT0031411

The proposed Wolf Mountain Coal facility is a stoker coal processing facility. The facility is located approximately 11 miles north of Decker MT. Crushed coal, supplied by the contiguous Spring Creek Coal mine, will be trucked to the facility. Processing includes conveyers and screening equipment to

size various coal products. Coal products may then be coated with oil to minimize dust before being conveyed to overhead truck, load-out bins. The facility proposes to generate 4,800 gpd of process water daily. Process wastewater will be generated by the wash down of screening equipment; not from the physical washing of coal. Discharges from the facility will consist of process equipment wash down waters commingled with storm water runoff.

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, the water body was not listed on the 1996 or most recent 303(d) list.

#### PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS April 24, 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 April 24, 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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