

PUBLIC NOTICE NO. MT-08-14
August 25, 2008

PURPOSE OF PUBLIC NOTICE

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); ARM 17.30.1001 *et seq.*, Montana Ground Water Pollution Control System (MGWPCS); 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.

APPLICANT INFORMATION

APPLICANT: Town of Twin Bridges

FACILITY NAME: Town of Twin Bridges Wastewater Treatment Facility

FACILITY LOCATION: T 3S, R 6W, Section 22, Madison County

RECEIVING WATER: Outfall 001 – Bayer's Ditch

PERMIT NUMBER: MT0028797

This is a reissuance of the MPDES permit for the Town of Twin Bridges wastewater treatment facility. The Town operates a two-cell facultative lagoon facility that continuously discharges into Bayer's Ditch, a seasonal irrigation ditch. Effluent limits are required for biochemical oxygen demand, total suspended solids, and pH. Effluent monitoring is required for pathogens, as measured by *E. coli* bacteria, nutrients, oil and grease, total dissolved solids, and dissolved oxygen.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads (TMDLs) 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., CV 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.

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APPLICANT: Sussex Development Inc.
184 Saddle Mountain Drive
Clancy, MT 59634

FACILITY NAME: Heron Creek Subdivision

FACILITY LOCATION: Section 12, Township 10 North, Range 2 West,
Lewis and Clark County

RECEIVING WATER: Outfall 001a: Class I Ground Water
Outfall 001b: Class I Groundwater

PERMIT NUMBER: MTX000210

This is a new permit for a wastewater treatment system to service the proposed Heron Creek Subdivision (HCS). The HCS is located at the intersection of Keir Lane and Eames Lane in Helena, MT in Lewis and Clark County. The proposed wastewater treatment facility will discharge via two drainfields. The western most drainfield and the southern drainfield will be deemed outfalls 001a and 001b respectively. The drainfields are located on the hydraulically up gradient side of the HCS. Outfalls 001a and 001b are situated in T10N, R2W, in the northwest ¼ of Section 12, or N 46°38' 35" latitude and W 111° 48' 14" longitude. The proposed wastewater treatment facility will discharge via a 2 multi zoned drainfields. The proposed HCS wastewater treatment system will service approximately 109 dwelling units.

The discharge constitutes a new or increased source and is subject to Montana Nondegradation Policy (75-5-303, MCA). The permit contains numeric permit limits and monitoring requirements in accordance with the Montana Water Quality Act. The Department had determined that the proposed discharge will not cause degradation to state waters.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS September 24, 2008.

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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 September 24, 2008 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 Beaman at 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 and 17.30.1024).

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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