



PUBLIC NOTICE NO. MT-09-16
JUNE 15, 2009

PURPOSE OF PUBLIC NOTICE

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.

APPLICANT INFORMATION

APPLICANT: Burlington Northern Santa Fe Railway Company
235 Main Street
Havre, MT 596501

FACILITY NAME: Whitefish Rail Yard Wastewater Treatment Facility

FACILITY LOCATION: 500 Depot Street
Whitefish, MT 59937
Section 36, Township 31 North, Range 22 West,
Flathead County

RECEIVING WATER: Outfall 001: Whitefish River

Montana Pollutant Discharge Elimination System Permit Number: MT0000019

This Public Notice is for the renewal of Montana Pollutant Discharge Elimination System (MPDES) permit MT0000019 issued to the Burlington Northern Santa Fe Railway Company (BNSF) for discharges from their Whitefish Rail Yard Wastewater Treatment Facility (WWTF). The WWTF is three-celled settling lagoon wastewater treatment system discharging to the Whitefish River via Outfall 001. WWTF flow can be up to 0.189 million gallons per day (mgd) during intermittent discharge. Effluent limits and increased monitoring on a batch-by-batch basis are proposed. WWTF discharge loads are below nondegradation threshold values for significance determination and the WWTF is not considered to be a new or increased source under Nondegradation.

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.*, CA 97-35-M-DWM, District of Montana, Missoula Division.

The Department of Environmental Quality finds that the issuance of this proposed permit does not conflict with the order because Phase I of the Flathead Lake TMDL has been developed and the MPDES permit incorporates the necessary TMDL-defined waste load allocations.

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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) and the Administrative Rules of Montana 17.30.1001 et seq., Montana Ground Water Pollution Control System (MGWPCS). 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

APPLICANT INFORMATION

APPLICANT NAME:	Red Creek Ranch, LLC c/o: Zeke Dumke III, Manager 2159 S. 700 East, Suite 200 Salt Lake City, Utah 84106
FACILITY NAME	Red Creek Ranch Wastewater Treatment Facility
FACILITY LOCATION:	Northwest ¼ of Section 11, Township 12 South, Range 4 East, Gallatin County
RECEIVING WATER:	Class I ground water
PERMIT NUMBER:	MTX000119

The permit renewal authorizes the discharge of treated residential-strength domestic wastewater from the Red Creek Ranch Wastewater Treatment Facility, which collects, treats, and disposes of a daily design capacity of 9,400 gallons per day (gpd) of effluent from a main "facilities" building/complex that encompasses a store and a laundry, 10 cabins, and a recreational vehicle (RV) park with a total of 35 RV spaces. The campground is operational four months (June, July, August, September) of the year. Wastewater treatment occurs in three septic tank effluent pump

(STEP) systems, which gravity flow to six (6) 1,000-gallon dose tanks with 12 Orenco dosing siphons that dose 6 drainfields, with each drainfield having two zones. The subsurface drainfields discharge to the shallow ground water (Outfall 001).

Ground water beneath the property is listed as Class I, according to the Administrative Rules of Montana [ARM 17.30.1006(1)]. The permittee is required to monitor the effluent monthly and the quality of the shallow ground water quarterly to ensure the proper treatment of BOD, TSS, phosphorous, and nitrogen. The draft discharge permit grants a standard 500-foot ground water mixing zone.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS July 15, 2009. 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 July 15, 2009 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 Carol Bertke or Barb Sharpe 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).

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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