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Brian Schweitzer, Governor

Website: www.deq.mt.gov

PUBLIC NOTICE NO. MT-09-18
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, fact sheet, 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: **Montana Gold and Sapphires, Inc.**

FACILITY NAME: **Montana Gold and Sapphires Suction Dredge Project**

FACILITY LOCATION: **Two dredges docked on Hauser Lake ½ mile below Canyon Ferry Dam (Latitude 46.65327, Longitude 111.73405)**

RECEIVING WATER: **Hauser Lake**

PERMIT NUMBER: **MT0025020**

Montana Gold and Sapphires, Inc. (MGS) is a mining company that proposes to use two suction dredges to mine for gold and sapphires in Hauser Lake. The 8-inch dredge is 16-feet wide and 30-feet long with a triple sluice box located on the rear deck. The 8-inch dredge can process up to 8 cubic yards of raw material (gravel, cobbles and rocks) per hour. The pump capacity is 600 gallons per minute (gpm). Gold and sapphires are separated out by gravity in the three sluice boxes.

The 16-inch dredge is 25-feet wide and 50 feet long with a double sluice box located on the rear deck. The 16-inch dredge will be used infrequently for removing one to four feet of overburden material, when necessary, before the 8-inch dredge is used for recovering gold and sapphires. The 16-inch dredge can process up to 25 cubic yards of raw material per hour. The pump capacity is 4500 gpm. Gold and sapphires are separated out by gravity in the two sluice boxes.

The permittee plans to operate one dredge at a time for up to eight hours a day, six days a week, for eight months of the year. The applicant does not plan to operate the dredges during winter months or night time hours.

The permit contains effluent limits for turbidity, oil and grease and total cubic yards of raw material processed. Routine monitoring for effluent limits as well as total suspended solids, dissolved oxygen, total recoverable metals, pesticides, PCBs and toxicity will protect the water quality in Hauser Lake.

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.

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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