



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2544

Website: www.deq.mt.gov

PUBLIC NOTICE NO. MT-09-33
September 8, 2009

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); 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 Ekalaka
FACILITY NAME: Town of Ekalaka Wastewater Treatment Facility
FACILITY LOCATION: 60 Beaver Flats Road, Ekalaka MT
RECEIVING WATER: Outfall 001: Russell Creek
PERMIT NUMBER: MT0020371

This is a reissuance of the MPDES permit for the Town of Ekalaka Wastewater Treatment Facility. The facility discharges into Russell Creek. The permit contains effluent limits for BOD₅ and TSS. New *E. coli* limits and increased monitoring requirements are also included in the permit. Monitoring of the effluent is required at the point of discharge.

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 and does not allow any increase in the pollutant load to Russell

Creek and the waste load allocation from an approved TMDL is incorporated into the permit.

* * * * *

APPLICANT: Town of Stevensville
P.O. Box 30
Stevensville, MT 59870

FACILITY NAME: Town of Stevensville Wastewater Treatment Plant

FACILITY LOCATION: 600 West 2nd Street
Stevensville, Ravalli County, MT 59870

RECEIVING WATER: Outfall 001: Intermittent side channel of the Bitterroot River

PERMIT NUMBER: MT0022713

The Town of Stevensville (Town) Wastewater Treatment Plant is an extended aeration, activated sludge oxidation ditch followed by a polishing lagoon cell with a design flow of 0.30 million gallons per day with no disinfection. The permitted discharge is to the mainstem Bitterroot River and the Town was under compliance schedule to move the location of Outfall 001 from its present location to a location that discharges directly to the mainstem Bitterroot River. The Department is proposing to modify the existing MPDES permit to allow Outfall 001 to continue to discharge treated effluent from its WWTP to an intermittent side channel of the Bitterroot River as it has since at least 1966. The proposed modification will add effluent limitations on total ammonia-N to the final effluent limitations for Outfall 001 in order to comply with water quality standards. Because this is not a new or increased source, Montana Nondegradation rules do not apply.

In accordance with ARM 17.30.1365(4)(b), only those conditions to be modified may be reopened and subject to public comment. All other conditions of the existing permit remain in effect.

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 Department finds that the issuance of this proposed permit does not conflict with the order because the permit does not authorize any new or increased discharge

Public Notice No.: MT-09-33

September 8, 2009

Page 3 of 3

of pollutants.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS **October 9, 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 **October 9, 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 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.

PUBLIC NOTICE NO. MT-09-33

September 8, 2009