



PUBLIC NOTICE NO. MT-09-36
September 21, 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: ExxonMobil Refining and Supply Company
PO Box 1163
Billings, MT 59103-1163

FACILITY NAME: ExxonMobil Billings Refinery

FACILITY LOCATION: T1N, R26 E, All of parts of sections 24 and 25
Yellowstone County

RECEIVING WATER: Outfall 001: Yellowstone River
Outfall 002: Yellowstone River

PERMIT NUMBER: MT0000477

This facility is a petroleum refinery located in Billings, Montana. The refinery processes, treats, and transforms crude oil and other raw materials into refined hydrocarbon products, byproducts, and intermediates.

The applicant has requested modification of the Montana Pollutant Discharge Elimination

System (MPDES) permit specified above. The modification incorporates additional permit requirements to address oil sheens at Outfall 002 and to limit effluent received by Tank 350.

Pursuant to the Administrative Rules of Montana (ARM) 17.30.1365(4)(b), only conditions to be modified may be reopened when a new draft permit is prepared. All other aspects of the existing permit remain in effect for the duration of the unmodified permit.

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 discharge is not considered a "new or increased source".

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS **October 22, 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 22, 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 Bree Duffy 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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