



Brian Schweitzer, Governor

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PUBLIC NOTICE NO. MT-10-06
March 8, 2010

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a General Permit as described 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: Owners/Operators of Disinfected Water and Hydrostatic Testing Activities

FACILITY NAME: Varies

FACILITY LOCATION: Statewide

RECEIVING WATER: Statewide

PERMIT NUMBER: MTG770000

The Disinfected Water and Hydrostatic Testing General Permit (General Permit) allows facilities to discharge wastewater from disinfected water and hydrostatic testing activities. Disinfected water activities include discharges from swimming pools and potable water systems. Discharges from potable water systems are those associated with maintaining a potable water supply, flushing fire hydrants and draining water storage towers and tanks prior to cleaning or maintenance activities or similar activities. Hydrostatic testing discharges are limited to hydrostatic testing of new or existing piping, tanks, vessels, boilers and other similar equipment.

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.

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The Department finds that the issuance of this proposed permit does not conflict with the court order because it is not a new permit.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS April 7, 2010. 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 April 7, 2010 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.

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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