



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-10-12

May 3, 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 Construction Dewatering Projects

FACILITY NAME: Varies

FACILITY LOCATION: Statewide (Except for Indian Reservations)

RECEIVING WATER: Statewide

PERMIT NUMBER: MTG070000

The Construction Dewatering General Permit (CDGP) will provide statewide general permit coverage for construction dewatering projects. Owners or operators of proposed dewatering projects must apply for authorization and receive written approval from the Department to be covered under the CDGP.

The CDGP covers discharges of water from cofferdams, trenches, pits or other similar excavations associated with construction sites in Montana, excluding Indian Reservations. Well pump tests, well development discharges and similar activities that must remove turbidity and suspended solids or sediment before the treated water is discharged to state water may also be covered under the CDGP. Discharges from construction dewatering activities may be continuous or intermittent and usually last less than one year.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total

Public Notice No.: MT-10-12

May 3, 2010

Page 2 of 2

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: 1) it is not a new permit; 2) the actual load for turbidity and suspended solids will not exceed water quality standards and the permit is in compliance with the provisions of 75-5-303 MCA; and 3) minimum treatment requirements are met.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS June 2, 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 June 2, 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.

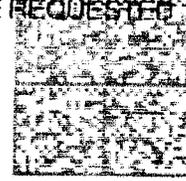
PUBLIC NOTICE NO. MT-10-12

May 3, 2010

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER PROTECTION BUREAU
PO BOX 200901
HELENA MT 59620-0901

RETURN SERVICE REQUESTED

Apr 30
2010



Master

Presort First Class
U.S. Postage
PAID
Helena, MT
Permit No. 89
04/30/2010
Mailed From: 59601
US POSTAGE

TODD EVERTS
LEGISLATIVE ENVIRONMENTAL POLICY OFFICE
RM 171 STATE CAPITOL BUILDING
INTERAGENCY MAIL