



PUBLIC NOTICE NO. MT-10-40
December 27, 2010

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: United States Army Corps of Engineers (USACE)
FACILITY NAME: Fort Peck Project
FACILITY LOCATION: #1 Lower Yellowstone Road, McCone County
RECEIVING WATER: Missouri River
PERMIT NUMBER: MT0031551

The USACE owns and operates the Fort Peck Project Hydroelectric Power Generation Units. Water is diverted from Fort Peck Lake through four (4) tunnels, two of which are used in the generation of electricity. Two other tunnels are used for flood control. Water from tunnels one and two are used to generate electricity through generators connected to turbines located in Power Plant #1 and Power Plant #2. The electricity derived from this system is marketed through the Western Area Power Administration.

Approximately 344.2 million gallons per day of water (mgd) flow through each of the three generating units (turbine/generator) in Power Plant #1. Approximately 483.1 mgd flow through each of the two generating units (turbine/generator) in Power Plant #2. The USACE requests coverage for wastewater discharges from 11 outfalls. Eight outfalls discharge noncontact cooling water and three outfalls discharge sump water. Appropriate effluent limits and monitoring requirements are included in the proposed permit.

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.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS February 16, 2011. 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 February 16, 2011 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 Noelle Uncles 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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