



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-11-16

June 13, 2011

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 NAME: Town of Jordan
P.O. Box 484
Jordan, MT
59337

FACILITY NAME: Town of Jordan Wastewater Treatment Facility (WWTF)

FACILITY LOCATION: Township 18N, Range 38E, Section 16
Garfield County

RECEIVING WATER: Big Dry Creek

PERMIT NUMBER: MT0021385

This is a reissuance of the MPDES permit for the Town of Jordan Wastewater Treatment Facility. The Jordan Wastewater Treatment Facility is a 3-celled, 12.78-acre total, facultative lagoon system with one lift station that treats domestic wastewater for the Town of Jordan. The facility continuously discharges into Big Dry Creek via an effluent ditch. No mixing zone is granted. This permit does not authorize any new or increased discharges subject to the MT Nondegradation rules.

The permit contains existing effluent limits for BOD₅, TSS, and *E. coli*. New monitoring requirements are incorporated into the permit. Monitoring of the effluent is required at the end of the treatment train, prior to discharge to the effluent ditch.

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.

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APPLICANT INFORMATION

APPLICANT: Town of Grass Range
FACILITY NAME: Town of Grass Range Wastewater Treatment Facility
FACILITY LOCATION: Township 15N Range 23E Section 21, Fergus County
RECEIVING WATER: Outfall 001: South Fork McDonald Creek
PERMIT NUMBER: MT0030309

This is a reissuance of the MPDES permit for the Town of Grass Range Wastewater Treatment Facility. The facility intermittently discharges into the South Fork McDonald Creek. The permit contains effluent limits based on national secondary treatment standards. Monitoring of the effluent is required at the point of discharge, prior to entering the South Fork McDonald Creek.

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 the stream is not listed on the 1996 or 2010 303(d) lists.

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APPLICANT: US Army Corps of Engineers (USACE)
17887 Highway 37
Libby, MT 59923-7828

FACILITY NAME: Libby Dam Project

FACILITY LOCATION: Lincoln County

RECEIVING WATER: Kootenai River

PERMIT NUMBER: MT0022390

The USACE owns and operates the Libby Dam Project located east of Libby, Montana on the Kootenai River. This Public Notice modifies the Montana Pollutant Discharge Elimination System (MPDES) permit for the Libby Dam Project. The facility has requested additional time to install proper monitoring and disinfection equipment. The modified permit allows additional time to install the equipment.

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 in compliance with the provisions of 75-5-303, MCA (Nondegradation Policy) and the discharge will not cause a decline in water quality for the parameters for which the water body is listed.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS July 13, 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 July 13, 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

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

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