



Brian Schweitzer, Governor

P. O. Box 200901 Helena, MT 59620-0901 (406) 444-2544 Website: www.deq.mt.gov

PUBLIC NOTICE NO. MT-12-31
May 29, 2012

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: City of Lewistown

FACILITY NAME: City of Lewistown Wastewater Treatment Plant

FACILITY LOCATION: 620 Metis Street, Fergus County

RECEIVING WATER: Big Spring Creek

PERMIT NUMBER: MT0020044

The Department received significant public comment on the draft Montana Pollutant Discharge Elimination System (MPDES) permit for the City of Lewistown. Based on public comment, the Department is substantially revising the draft permit and reopening the public comment period to allow interested persons an opportunity to comment on the revised permit.

The Lewistown Wastewater Treatment Plant was upgraded in 2006. The facility currently uses an anaerobic basin and two oxidation ditch basins for anoxic and aerobic zones to provide advanced activated sludge biological nutrient removal (BNR) treatment technology. The anaerobic solids digesters were converted to aerobic digestion basins during the upgrade and a rotary drum sludge thickener was added. Routine monitoring will be performed before the wastewater is discharged to Big Spring Creek.

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

Public Notice No.: MT-12-31

May 29, 2012

Page 2 of 2

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 renewal of this permit does not conflict with Judge Molloy's Order because it is not a new permit, the permit effluent limits do not allow an increased load for any pollutant, and the TMDL for total phosphorus is incorporated into this permit.

PUBLIC COMMENT

Public comments are invited **ANYTIME PRIOR TO CLOSE OF BUSINESS June 28, 2012.** 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 28, 2012** 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 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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