



Montana Department of  
**ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2544

Website: [www.deq.mt.gov](http://www.deq.mt.gov)

PUBLIC NOTICE NO. MT-12-47  
September 28, 2012

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); ARM 17.30.1001 *et seq.*, Montana Ground Water Pollution Control System (MGWPCS); 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](http://www.deq.mt.gov).

APPLICANT INFORMATION

APPLICANT: Signal Peak Energy  
100 Portal Drive  
Roundup, MT 59072

FACILITY NAME: Bull Mountain Mine No. 1

FACILITY LOCATION: 100 Portal Drive, Roundup, MT 59072

RECEIVING WATER: Rehder Creek and PM Draw.

PERMIT NUMBER: MT0028983

This is a reissuance of MPDES permit MT0028983 for Signal Peak Energy which discharges treated mine drainage from an underground coal mine to the following receiving waters: Rehder Creek and PM Draw. For disturbed land areas, treatment consists of a settling pond designed to contain the runoff from a 10-year, 24-hour precipitation event. For reclaimed areas, treatment consists of an approved Sediment Control Plan.

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 it is not a new permit and the receiving waters are not listed as impaired.

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APPLICANT INFORMATION

APPLICANT: M&W Milling and Refining, Inc.  
FACILITY NAME: M&W Milling and Refining Company  
FACILITY LOCATION: 1 mile southwest of Virginia City  
Latitude 45° 17' 24" N, Longitude 111° 57' 46" W  
RECEIVING WATER: Unnamed tributary of Alder Gulch  
PERMIT NUMBER: MT0030015

This is a reissuance of the MPDES permit for M&W Milling and Refining, Inc. (M&W). M&W owns and operates a custom milling facility for precious and base metals located southwest of Virginia City. The discharge consists of ground water intercepted below the impoundment and potential leachate from the impoundment to an unnamed tributary of Alder Gulch. This permit includes new technology-based effluent limits and where appropriate, more stringent water quality-based effluent limits. In addition, this permit includes interim and final effluent limits so M&W can determine if additional effluent treatment is necessary. Monitoring of the effluent is required prior to the discharge into the unnamed tributary of Alder Gulch.

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. DEQ finds that the issuance of this proposed permit does not conflict with the order because it is not a new or increased source.

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APPLICANT INFORMATION

APPLICANT NAME: City of Harlem

P.O. Box 579  
Harlem, MT 59526

FACILITY NAME: City of Harlem Water Treatment Plant  
FACILITY LOCATION: Township 32N, Range 23E, Section 30, Blaine County  
RECEIVING WATER: Milk River  
PERMIT NUMBER: MT0000931

This is a reissuance of a Montana Pollutant Discharge Elimination System (MPDES) permit for a municipal surface water treatment facility. The permittee backwashes filters used in its treatment of Milk River water for domestic consumption. The backwash wastewater could be discharged back into the Milk River. The only wastewater discharge reported from this facility for over 35 years was for two months during the facility upgrade in 2009.

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. DEQ finds that the issuance of this proposed permit does not conflict with the order because this is not a new or increased source.

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APPLICANT INFORMATION

APPLICANT NAME: Bostwick Properties, Inc.  
1045 Reeves Road E, Suite E  
Bozeman, MT 59718  
FACILITY NAME: Lazy J South  
FACILITY LOCATION: Southwest ¼, Southeast ¼, Section 5, Township 7  
South, Range 4 East, Gallatin County  
RECEIVING WATER: Outfall 001: Class I Ground Water  
PERMIT NUMBER: MTX000172

This is a renewal of an existing permit for the Lazy J South. A community wastewater treatment system is used to treat the wastewater from up to 70 lots. The facility drainfield discharges into Class I ground water via a single outfall (Outfall 001).

Raw wastes enter the septic tanks of each lot where primary treatment removes most of the settleable and floatable solids. The effluent from the septic tanks is pumped into a low pressure collection system and routed into the recirculating tanks.

There are two (2) recirculating tanks with a total capacity of 35,000 gallons. The effluent is pumped from the recirculating tanks into an Orenco AdvanTex™ treatment system consisting of nine AX 100 recirculating trickle filter pods. After treatment on the fixed-film media in the pods, the effluent is collected via a PVC drain pipe and gravity flows through a splitter valve that directs the effluent into either the recirculation tank for additional treatment or into the dose tank for discharge into the drainfields.

The dose tank has capacity of 10,000 gallons. The effluent is pressure-dosed, at 2,500 gallons per dose, into the subsurface drainfield. The drainfield discharges into Class I ground water.

#### PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS October 31, 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 October 31, 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 David Dunbar or Barb Sharpe at [WPBPublicNotices@mt.gov](mailto: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 and 17.30.1024).

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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