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-12-48
October 12, 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, statement of basis, 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 NAME:	Donald G. Abbey c/o Glacier Construction Partners LLC P.O. Box 10 Rollins, MT 59931
FACILITY NAME:	Abbey Main House
FACILITY LOCATION:	T25N, R20W, Section 28 Lake County
RECEIVING WATER:	Flathead Lake
PERMIT NUMBER:	MT0030651

This permit is a reissuance of a Montana Pollutant Discharge Elimination System (MPDES) permit for a discharge of non-contact cooling water from a heat pump/heat exchanger system that serves a private residence and boat house on Shelter Island. Water is pumped from Flathead Lake at a depth of about 26 feet and located about 100 feet from the southeast shore of Shelter Island. The lake water is pumped through a heat pump/heat exchanger system and is returned to Flathead Lake at a depth of about 53 feet and located about 130 feet from the southeast shore of Shelter Island. No chemicals are added to the water. The only pollutant added or removed from the use of Flathead Lake water is temperature. The parameter pH is expected to vary slightly with effluent temperature. No treatment is provided. This permit and

Statement of Basis will be submitted to the EPA for approval.

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 to Flathead Lake is non-significant.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS **November 14, 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 **November 14, 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.

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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