



Montana Department of  
**ENVIRONMENTAL QUALITY**

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2544

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

**RECEIVED**

DEC 23 2013

Stevie Bullock, Governor  
Tracy Stone Manning, Director  
**LEGISLATIVE ENVIRONMENTAL  
POLICY OFFICE**

**PUBLIC NOTICE NO. MT-13-33  
December 23, 2013**

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

APPLICANT INFORMATION

APPLICANT: Montana Sulphur and Chemical Company  
FACILITY NAME: Montana Sulphur and Chemical Company  
FACILITY LOCATION: 627 ExxonMobil Road, Billings  
RECEIVING WATER: Dry Creek  
PERMIT NUMBER: MT0000230

The Montana Chemical and Sulphur Company processes "acid gas" and "sour fuel gas" from the adjacent ExxonMobil refinery and returns processed fuel gas to the refinery. Chemical products and gases are produced from the gas treatment process. Noncontact cooling water is continuously discharged to Dry Creek. This permit regulates the discharge of noncontact cooling water and storm water to Dry 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 Department of Environmental Quality finds that the issuance of this proposed permit does not conflict with the order because it is not a new permit and the renewed permit will not increase the pollutant load to Dry Creek.

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December 23, 2013

Page 2 of 2

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS January 23, 2014.

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 January 23, 2014 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).

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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