Introduction

Permitting in Montana is published by the Environmental Quality Council (EQC) as a tool to assist lawmakers and the public in understanding three environmental permitting processes that have recently generated much discussion. This brochure is intended as a simple, visual guide to the three processes, outlining the responsibilities of the applicant, the regulatory agency (the Department of Environmental Quality (DEQ)), and the public in each.

The DEQ is developing a similar visual overview for all of its major program processes. The DEQ's effort is far more detailed and a good place for permit applicants to begin their research. The DEQ's overview is available at http://deq.mt.gov.

Meanwhile, another EQC publication, *The Montana Index of Environmental Permits*, provides a complete list of the permits and licenses needed to conduct activities that may affect the state's environment. The EQC also provides *A Guide to the Montana Environmental Policy Act* (MEPA) -- an easy to understand overview of the MEPA process. The permit index and the MEPA guide are available through the Legislative Environmental Policy Office or on the web at http://leg.mt.gov/css/Publications/environmental/default.asp.

FAQs About Permitting in Montana

When do I need an environmental permit? Permits specify measures that must be taken to allow for the construction and operation of a project. Permits are meant to ensure that a proposed project is not a hazard to the health and welfare of Montanans. While no one would intentionally build a project that is harmful, there are standards -- established in law -- to protect Montana's landscape and people. If a project impacts air, land, or water, a permit is probably necessary. The type of permit will depend on the type and size of the project, as well as the type and quantity of emissions or discharge from the project.

How do I know if my project triggers a review under the Montana Environmental Policy Act? If your project requires a permit from a state agency and the project may impact the human environment (including biological, physical, social, economic, cultural, and aesthetic impacts), a MEPA review is required. MEPA is a public, interdisciplinary process to identify those impacts, consider their significance, and identify possible mitigation or alternatives.

How long will it take to get my permit? Timelines vary from permit to permit, as the flowcharts in this brochure illustrate. Some permits are processed in a matter of days or weeks, while others can take many months. A complete application is typically the first step to ensuring that an application for a permit is processed as quickly as possible. For complex projects, early communication with the DEQ typically helps in preparing a complete application.

Does the state monitor compliance with permit requirements? Yes. For example, DEQ staff conducts facility inspections and reviews reports to determine compliance with permit conditions and other applicable laws and regulations. If violations are discovered, in many cases, DEQ staff can provide technical assistance to bring the facility back into compliance. Staff also can prepare an enforcement request for further action by the DEQ.

What kind of permit do I need?

These are the kinds of permits you would generally need for the following activities. This list is for reference purposes only. For more detailed information, contact the DEQ Permitting and Compliance Division at 406-444-4323.

Activity	Air	Waste Water	Storm Water	Solid Waste	Public Drinking Water	Hazardous Waste	UST	Asbestos
Asbestos Abatement								*
Asphalt Plant	*	*	*		*			
Concrete Plant	*	*	*		*	*		
Construction Site		*	*		*	*		*
Dry Cleaner		*			*	*		
Feedlot		*			*			
Gas Station			*		*	*	*	
Golf Course					*			
Grain Elevator	*				*			
Incinerator	*	*	*	*	*	*		
Landfill	*		*	*	*	*		*
Mining	*	*	*		*	*		
Paper Mill	*	*	*	*	*	*		
Petroleum Storage	*		*			*	*	
Power Plant	*	*	*		*	*		
Sand/Gravel	*		*					
Restaurant					*			
Scrap Tire Handling			*	*				
Wood Products Management	*	*	*	*		*		
Wind Farm								

Who can help me with the process?

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***Published by the Legislative Environmental Quality Council, 2010, as a reference. For legal purposes, always refer to statute and rule.**

Permitting in Montana

A reference guide to three environmental permits

Opencut Mining

Air Quality

Wastewater

2010

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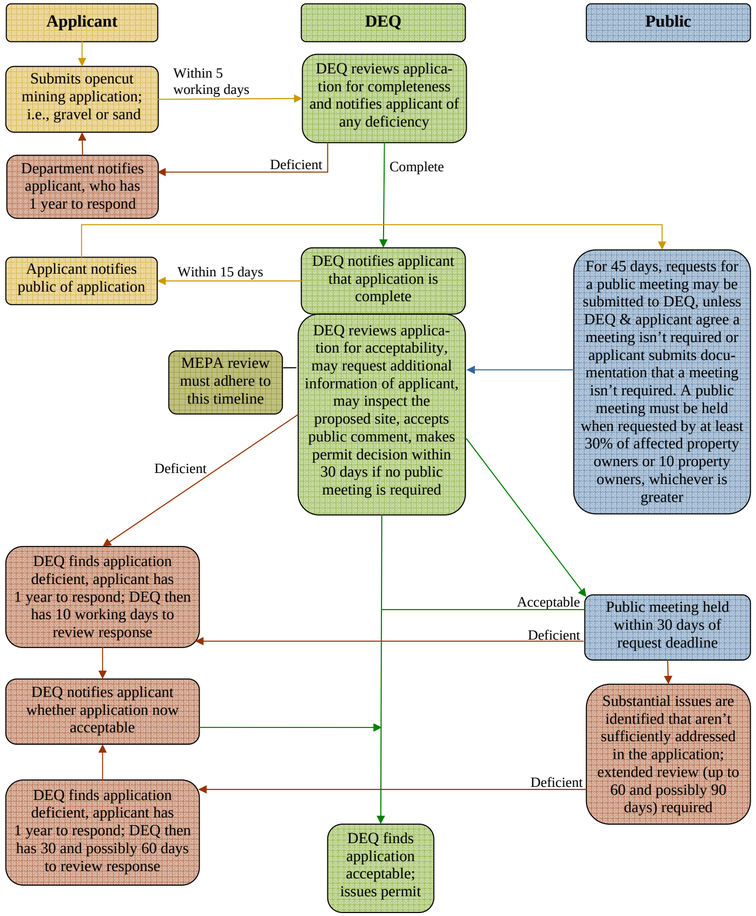
Ph: 406-444-3742, Fax: 406-444-3971
On the web: http://leg.mt.gov/eqc

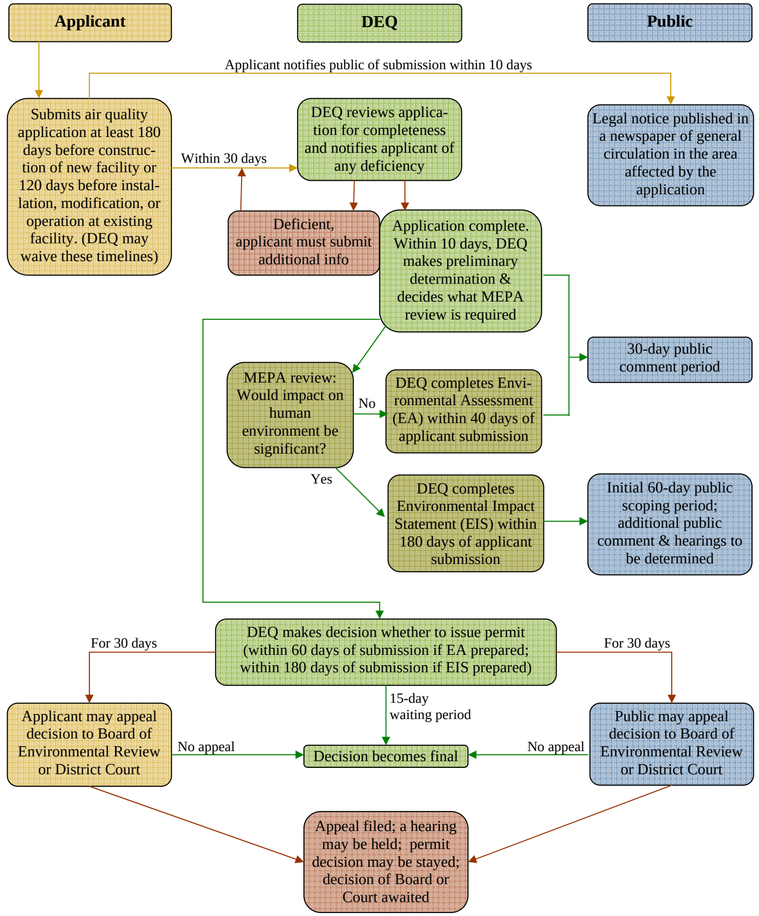
Opencut Mining Permitting Process*

Required for projects removing 10,000+ cubic yards of materials and overburden.



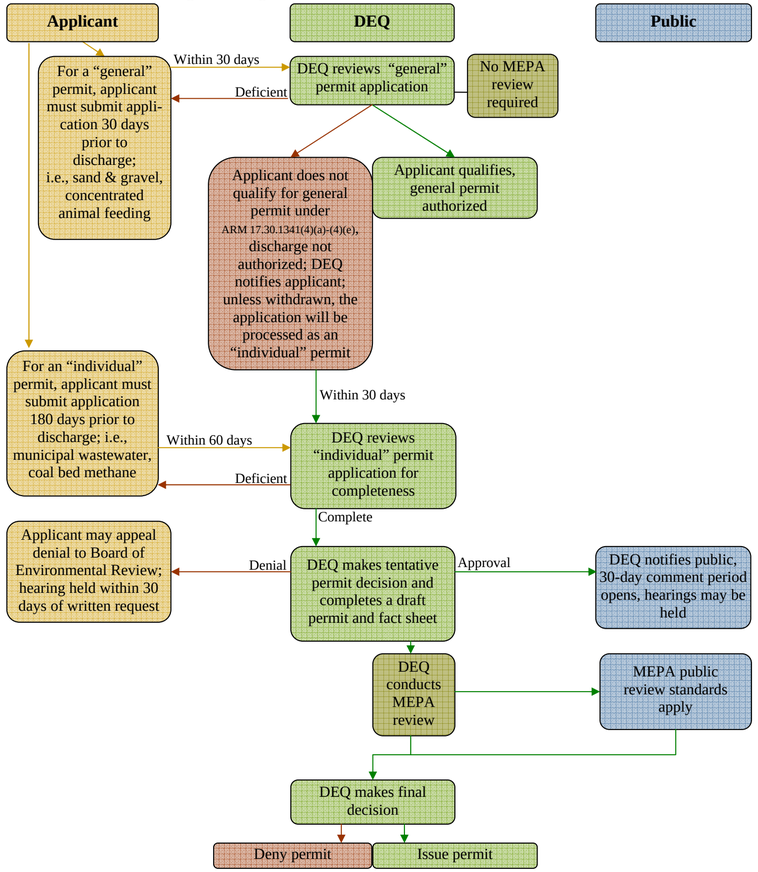
Air Quality Permitting Process*

The process outlined below applies to a large energy development project, including but not limited to a power plant, a refinery, or a special fuels project. Other types of projects may require a different air quality permitting process to be followed.



Wastewater Permitting Process*

Otherwise known as the Montana Pollution Discharge Elimination System (MPDES) permitting process, this permit is required to construct, modify, or operate a disposal system or to construct or use any outlet for discharge of sewage, industrial, or other wastes into state surface water.



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Mining	*	*	*		*	*		
Paper Mill	*	*	*	*	*	*		
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