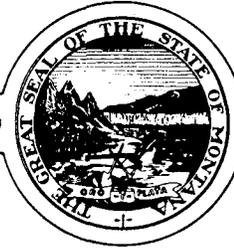


DEPARTMENT OF ENVIRONMENTAL QUALITY
PERMITTING & COMPLIANCE DIVISION

METCALF BUILDING
1520 E SIXTH AVE

MARC RACICOT, GOVERNOR



STATE OF MONTANA

(406) 444-4323
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PO BOX 200901
HELENA, MONTANA 59620-0901

PUBLIC NOTICE NO. MT-98-12
September 11, 1998

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PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue and/or renew water discharge permits under the authority of MCA 75-5-402 and ARM 17.30.1301 et seq. (Montana Pollutant Discharge Elimination System.)

ENVIRONMENTAL
QUALITY COUNCIL

It is the Department's intention to issue and/or renew (1) modification to a permit.

APPLICANT INFORMATION AND DEPARTMENT'S TENTATIVE DETERMINATIONS

APPLICANT NAME: ASARCO, Inc.
APPLICANT ADDRESS: P. O. Box 440, Wallace Idaho 83873
APPLICANT STATUS: Permit Modification
FACILITY LOCATION: Section 28, T15N, R6W, Near Lincoln, Lewis & Clark County, MT
PERMIT NUMBER: MT-0030031
EXPIRATION DATE: March 31, 2002
RECEIVING WATERS: Bear Trap Creek via Mike Horse Creek, Bear Trap Creek and Blackfoot River.

This modification is to change the interim effluent limitation for zinc as specified in the permit beginning October 1, 1998 through September 30, 2000. After onsite inspections and review of discharge data, the Department has determined that ASARCO has properly operated and maintained the experimental treatment system but as yet it is incapable of dependably meeting the current interim zinc limit contained in the permit. The Department agrees that more time is necessary for additional treatability studies to enable the removal of zinc to a level to meet the existing interim and final limits. To allow these treatability studies to continue the Department has decided to adjust the interim zinc limit to the current capability of the treatment system. This adjustment is allowable under ARM 17.30.1361(2)(o). The proposed new interim zinc limit will be equal to the mean zinc discharge value, plus two standard deviations, based on current treatment system discharge data. The final zinc limit will not be changed. This will ensure current compliance at a confidence level of 97.5%.

All other limitations in the permit will remain unchanged. The Department has added a limit for dissolved oxygen instream. This addition is in response to ASARCO's proposal to study the use of carbon enrichment to aid in the removal of zinc. Limitations will be in accordance with the water quality standards for dissolved oxygen defined in WQB-7.

Tentative determinations have been made by Department staff relative to effluent limitations and other conditions to be imposed on the permit. Mike Horse, Beartrap and Blackfoot River Drainage in the area of the discharge are classified "B-1" by the State's Water Quality Standards. Waters classified B-1 are suitable for drinking, culinary and food processing purposes, after conventional treatment; bathing, swimming and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl and furbearers; and agricultural and industrial water supply. The recommended date for expiration remains March 31, 2002.

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REGISTER OF INTERESTED PERSONS

Any person interested in a particular application, or group of applications, may submit their name, address, and telephone number to the Department for the purpose of being included on the mailing list for public notice of tentative permits. The list of names will be maintained as a means for contacting persons with an interest in MPDES permit actions.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS October 12, 1998 or within 30 days of date of posting, whichever is later. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, Montana, 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS October 12, 1998 or 30 days from posting date will be considered in the formulation of final determinations to be imposed on the permits.

If no objections are received within the specified comment period, the Department will issue final determinations within sixty days of the date of this notice. Additional information may be obtained upon request by calling (406) 444-3080, or by writing to the aforementioned address. The draft permit, environmental assessments, and related documents are available for review and reproduction at the aforementioned address.

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