



**Montana Department of
ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

RECEIVED

PUBLIC NOTICE NO. MT-06-10
May 22, 2006

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PURPOSE OF PUBLIC NOTICE

**LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE**

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); 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.

APPLICANT INFORMATION

APPLICANT NAME: Hinsdale Water and Sewer District
P.O. Box 55
Hinsdale, MT 59241

FACILITY NAME: Hinsdale Water and Sewer District

FACILITY LOCATION: T 31N, R 36E, Section 31, Valley County

RECEIVING WATER: Milk River

PERMIT NUMBER: MT0020656

This permit is a reissuance of a Montana Pollutant Discharge Elimination System (MPDES) permit for a domestic sewage treatment facility. The facility was recently upgraded and discharges continuously to the Milk River. The community uses a small mechanical plant to treat domestic wastewater and treated effluent is disinfected using UV disinfection prior to discharge. The permit will apply year round pathogen limits, as measured by *Escherichia coli* (*E. coli*).

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 this is not a new or increase source.

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APPLICANT: Town of Winifred
P.O. Box 181
Winifred, MT 59489

FACILITY NAME: Town of Winifred

FACILITY LOCATION: T 21N, R 18E, Section 26, Fergus County

RECEIVING WATER: Outfall 001: Unnamed tributary to Dog Creek

PERMIT NUMBER: MT0031453

This is a new permit for an existing facility. The Town operates a single cell lagoon that discharges continuously. The facility does not disinfect prior to discharge. The discharge is to an unnamed tributary to Dog Creek.

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 this is a permit to an existing facility. Having the facility permitted will regulate the pollutant load to the unnamed tributary. The reach of Dog Creek that the unnamed tributary flows into has not been listed on the 303(d) list of impaired streams.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS June 20, 2006. 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 June 20, 2006 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 Dianne McKittrick at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a

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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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