



**Montana Department of
ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

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

PUBLIC NOTICE NO. MT-06-17
July 19, 2006

PURPOSE OF PUBLIC NOTICE

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: Barretts Mineral, Inc.
8625 Highway 91 South
Dillon, MT 59725

FACILITY NAME: Treasure Mine

FACILITY LOCATION: Sections 14 and 15, Township 7 South, Range 6
West, Madison County

RECEIVING WATER: Left Fork Stone Creek

PERMIT NUMBER: MT0029891

RECEIVED

JUL 19 2006

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

The Treasure Mine is an open-pit talc mine located in the Left Fork Stone Creek drainage in the Ruby Mountain Range approximately 15 miles east of Dillon, MT. The mine has been operating since the late 1950s utilizing conventional hard rock mining methods. The proposed permit imposes technology-based and water quality-based permit limits to protect beneficial uses of Left Fork Stone Creek. Effluent monitoring, in stream water quality monitoring are identified in the permit.

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 permitted discharge does not represent a new or increased source of pollutants under the MPDES program.

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APPLICANT NAME: County Water and Sewer District of Rocker
122030 Nissler Road
Rocker, MT 59701

FACILITY NAME: Rocker Wastewater Treatment Plant

FACILITY LOCATION: 122030 Nissler Road

RECEIVING WATER: Silver Bow Creek

PERMIT NUMBER: MT0027430

This is for the renewal of MPDES permit number MT0027430 for the County Sewer and Water District of Rocker minor WWTP and regulates continuous discharge to Silver Bow Creek from the 0.035 mgd package plant mechanical facility (upgraded to 0.050 mgd with this renewal). Permit limitations reflect application of load limitations based on reconciliation of the nondegradation and mass-based calculations. Nutrient limits are proposed. A special condition requiring definition of the mixing zone length is included.

On September 21, 2000, a US 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 under the lawsuit *Friends of the Wild Swan vs. US EPA et al*, CV 97-35-M-DWM, District of Montana, Missoula Division.

The renewal of this permit does not conflict with Judge Molloy's order because the permitted discharge does not represent a new or increased source of pollutants under the MPDES program.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS August 17, 2006. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or

Public Notice No.: MT-06-17

July 19, 2006

Page 3 of 3

postmarked PRIOR TO CLOSE OF BUSINESS August 17, 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 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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