



Montana Department of
ENVIRONMENTAL **Q**UALITY

Brian Schweitzer, Governor

P. O. Box 200901

Helena, MT 59620-0901

(406) 444-2544

Website: www.deq.mt.gov

PUBLIC NOTICE NO. MT-11-09

April 18, 2011

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); ARM 17.30.1001 *et seq.*, Montana Ground Water Pollution Control System (MGWPCS); 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: Summit Gas Resources, Inc.
1 E Algar Street, Suite 206
Sheridan, WY 82801

FACILITY NAME: Coal Creek Federal Development Unit Treatment Facility

FACILITY LOCATION: T8S, R41E, Section 7 NW1/4, Big Horn County, MT
N 45° 09'08.30" W 116° 45'42.11"
Decker, MT 59525

RECEIVING WATER: Outfall 001: Tongue River

PERMIT NUMBER: MT 0030660

The permittee proposes to continue its production of coal bed natural gas from Coal Creek Federal CBNG Development Unit below Tongue River Dam, on both sides of the Tongue River, in Bighorn County, MT, and to discharge treated produced water into Tongue River. The effluent is proposed to be treated using Ion Exchange (IX) technology. The permittee

requested, and the Department granted a mixing zone to temperature, fluoride, and sodium adsorption ratio (SAR), other parameters have to meet the permit limitations at the end of pipe. Effluent limitations for Outfall 001 were carried over from previous permit or newly developed based on non-degradation criteria to protect the Tongue River. Effluent compliance and supplemental monitoring for Outfall 001, and instream monitoring of the receiving water for selected parameters are required. A mixing zone 25 feet downstream of the outfall, and 90 feet in width was granted to temperature, fluoride, and sodium adsorption ratio (SAR).

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 treated effluent will maintain all pollutants to meet nondegradation criteria, and the Tongue River at this segment was not listed on 303(d) list and no TMDL is required.

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APPLICANT INFORMATION

APPLICANT NAME:	Colstrip Energy Limited Partnership (CELP)
FACILITY NAME	CELP Ash Monofill
FACILITY LOCATION:	South ½, SE/4 of Section 29, Township 3 North, Range 41 East in Rosebud County
RECEIVING WATER:	Class II ground water
PERMIT NUMBER:	MTX000052

The permit renewal authorizes CELP to dispose of bottom ash and fly ash from the Rosebud Power Plant. The power plant is a residual coal-fired, 35 to 37 megawatt steam electric power generation facility, which burns refuse coal from Western Energy's mines at Colstrip. The ash disposal sites (i.e., ash monofills) are designed, constructed, and permitted solely to take ash from the Rosebud Power Plant. The ash monofills and the adjacent power plant facility are located approximately 7 miles north-northwest of Colstrip on the west side of Highway 39. Dry ash is conveyed to the disposal area(s) via truck. The ash is then hydrated with industrial wastewater from the plant to prevent fugitive dust emissions and to consolidate and solidify the dry ash. The ash monofills and the adjacent power plant facility are located approximately 7 miles north-northwest of Colstrip on the west side of Highway 39.

The original permit, issued in 1989 was for the disposal area directly west of the power plant in the N/2 of Section 32, T3N-R41E in Rosebud County at N 45° 58' 36.3" latitude and W -106° 39' 34.2" longitude (i.e., Outfall 001 in the permit renewal). The design capacity for this ash monofill was estimated to be over 865,000 cubic yards. This disposal site was closed and seeded in 2005 and reclaimed in December 2006, according to Part U. #s 4 and 5 of the permit. The total reclaimed monofill area is approximately 32 acres. The permit renewal will require limited ground water monitoring be maintained at this closed, inactive disposal area.

A modification to the permit renewal issued in 1995, which included the currently active ash disposal area, located northwest of the power plant in the S/2, SE/4 of Section 29, T3N-R41E in Rosebud County at N 45° 58' 46.1" latitude and W -106° 39' 47.8" longitude (i.e., Outfall 002 in the permit renewal). The design capacity for this 33 acre disposal area is estimated at 2.2 million cubic yards of ash. In the permit renewal, shallow ground water monitoring will be required at this disposal site using three existing topographically downgradient shallow monitoring wells. A new monitoring well is required to be installed hydraulically upgradient from the active disposal area (Outfall 002), as a special condition in the permit renewal.

Ground water beneath the monofills is essentially to "Class II" ground water according to the Montana Ground Water Quality Standards, Beneficial Use Classifications. No ground water mixing zone was requested by the permittee. Bottom ash and fly ash have been sampled annually prior to disposal since plant operation began. Annual ash analysis will be maintained in the permit renewal. Shallow ground water monitoring has been required at the site prior to ash disposal (1988 to 1989) and shall be retained in the permit renewal.

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APPLICANT INFORMATION

APPLICANT: 4-Dot Meadows County Water and Sewer District
P.O. Box 648
Manhattan, MT 59741

FACILITY NAME: 4-Dot Meadows Subdivision Wastewater Treatment System

FACILITY LOCATION: 16355 Frontage Road, Belgrade MT
Section 28 and 29, Township 01 North, Range 04 East
45° 48' 41" North Latitude and 111° 14' 38" West Longitude

RECEIVING WATER: Outfall 001: Class I Ground Water

PERMIT NUMBER: MTX000108

The Department has made a tentative decision to modify the existing Montana Ground Water Pollution Control System (MGWPCS) permit issued to 4-Dot Meadows County Water and Sewer District for the 4-Dot Meadows Subdivision (Phase 1 and 2) Wastewater Treatment System. The Department is proposing to modify the existing MGWPCS permit by correcting a typographical error, and to also change the format of the permit to an updated version.

In accordance with ARM 17.30.1365(4)(b), only those conditions to be modified may be reopened and subject to public comment. All other conditions of the existing permit remain in effect. Therefore, the Department is accepting comment on the exclusion of Section I.F. (Specific Ground Water Limits), and Section V.A. (Corrective Action) from the draft modified permit. These sections were originally included within the previous permit which was issued on January 1, 2011.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS May 18, 2011. 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 May 18, 2011 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 Noelle Uncles or Barb Sharpe 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 and 17.30.1024).

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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DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER PROTECTION BUREAU
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HELENA MT 59620-0901

TODD EVERTS
LEGISLATIVE ENVIRONMENTAL POLICY OFFICE
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