

# Proposed Changes to MPDES Program Rules - 2020

(Montana Pollutant Discharge Elimination System)

*On February 7, 2020 DEQ will propose to the Board of Environmental Review to revise and update the following portions of the MPDES Program Rules:*

## **Changes to Application Requirements for all Applicants other than Publicly Owned Treatment Works**

- Provide North American Industry Classification System (NAICS) Codes - ARM 17.30.1322(6)(c)
- Provide operator electronic mail address - ARM 17.30.1322(6)(d)
- Indicate whether cooling water is used - ARM 17.30.1322(6)(i)
- Indicate intent to request a variance - ARM 17.30.1322(6)(j)

## **Change to Application Requirements for Existing Manufacturing, Commercial Mining, and Silvicultural Dischargers**

- Allow dischargers to use existing data in the application process - ARM 17.30.1322(7)(g)(x)

## **Changes to Application Requirements for New and Existing Publicly Owned Treatment Works**

- Provide electronic mail address of applicant - ARM 17.30.1322(12)(a)(ii)
- Provide electronic mail address of discharge transporter - ARM 17.30.1322(12)(a)(viii)(D)(II)
- Provide electronic mail address of discharge receiver - ARM 17.30.1322(12)(a)(viii)(D)(III)
- Indicate intent to request a variance - ARM 17.30.1322(12)(a)(ix)
- New POTWs must submit initial sampling data within 24 months - ARM 17.30.1322(12)(d)
- New POTWs must submit WET testing results within 24 months - ARM 17.30.1322(12)(e)
- Provide the number of non-significant categorical industrial users (NSCIUs) in addition to significant industrial users (SIUs) - ARM 17.30.1322(12)(f)(i)
- Provide electronic mail address of operation and maintenance contractor - ARM 17.30.1322(12)(i)

## **Two New Definitions Clarifying Pesticide General Permit**

- “pesticide discharges from pesticide application” - ARM 17.30.1304 (51)
- “pesticide residue” - ARM 17.30.1304 (52)

## **Change to Public Notice Requirements**

- Allow public notices to be published on the Department's website - ARM 17.30.1372(5)(e)

## **Remove Outdated Provisions**

- Remove outdated provision from 1986 - ARM 17.30.1203(2)(b)
- Remove outdated federal reference - ARM 17.30.1350(1)(a)

## **Editorial Changes**

- Remove erroneous subsection references - ARM 17.30.1202(30), 1340(1,2,4)
- Renumber to accommodate for two new definitions - ARM 17.30.1304(51)-(81)
- Update DEQ contact phone number - ARM 17.30.1322(1)(a)
- Clarify the 24-month reporting requirement for new applicants - ARM 17.30.1322(10)(e)(vii)
- Remove redundant incorporation by reference - ARM 17.30.1340(10)
- Correct reference to the federal Clean Water Act - ARM 17.30.1341(4)(a)(vi)
- Change implementation reference to Montana rule - ARM 17.30.1345(5)(b)
- Remove reference to inapplicable rule - ARM 17.30.1350(1), 1361(3)(b)
- Remove outdated incorporation by reference - ARM 17.30.1350(3)
- Remove reference to a repealed rule - ARM 17.30.1331(6), 1340(10), 1342(15), 1344(2), 1345(12), 1346(6), 1354(4)