Domestic Wastewater
Permit No. MTX000143

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

AUTHORIZATION TO DISCHARGE UNDER THE

MONTANA GROUND WATER POLLUTION CONTROL SYSTEM (MGWPCS)

In compliance with Montana Code Annotated (MCA) Section 75-5-101 *et seq.*, MCA, and the Administrative Rules of Montana (ARM) 17.30.1042, and ARM 17.30.1341, *et seq.*,

Saddleback Ridge Homeowners Association, Inc.

is authorized to discharge from the **Saddleback Ridge Water System located northwest of Laurel, Montana** to its sub-surface disposal system, to receiving waters: Class III ground water in accordance with discharge point(s), effluent limitations, monitoring requirements and other conditions set forth herein. Authorization for discharge is limited to those outfalls specifically listed in the permit.

This permit shall become effective **November 01, 2010.**

This permit and the authorization to discharge shall expire at midnight, **October 31, 2015.**

FOR THE MONTANA DEPARTMENT OF
ENVIRONMENTAL QUALITY

Jenny Chambers

Jenny Chambers
Bureau Chief, Water Protection Bureau
Permitting & Compliance Division

Issue Date: September 10, 2010

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I. EFFLUENT LIMITATION AND MONITORING REQUIREMENT

A. Definitions

1. **"7-day (and weekly) average,"** other than for fecal coliform bacteria is the arithmetic average of all samples collected during a consecutive 7-day period or calendar week, whichever is applicable. Geometric means shall be calculated for fecal coliform bacteria. The calendar week shall be used for purposes of reporting self-monitoring data.

2. **"30-day (and monthly) average,"** other than for fecal coliform bacteria is the arithmetic average of all samples collected during a consecutive 30-day period or calendar month, whichever is applicable. Geometric means shall be calculated for fecal coliform bacteria. The calendar month shall be used for purposes of reporting self-monitoring data.

3. **"Annual Average Load"** is the arithmetic mean of all 180-day or semi-annual average loads reported during the calendar year for a monitored parameter.

4. **"BOD_5"** is a measurement of the amount of oxygen utilized by the decomposition of organic material, over a five-day period of time in a wastewater sample; it is used as a measurement of the readily decomposable organic content of wastewater.

5. **"Bypass"** means the intentional diversion of waste streams from any portion of a treatment or storage facility.

6. **"Composite sample"** Sample composed of two or more discrete samples and shall be flow proportioned. The aggregate samples will reflect the average water quality covering the compositing or sample period. The composite sample shall, as a minimum, contain at least four (4) samples collected over the compositing period. Unless otherwise specified, the time between the collection of the first sample and the last sampled shall not be less than six (6) hours nor more that 24 hours. Acceptable methods for preparation of composite samples are as follows:

   a. Constant time internal between samples, sample volume proportional to flow rate at time of sampling;
   b. Constant time internal between samples, sample volume proportional to total flow (volume) since last sample. For the first sample, the flow rate at the time the sample was collected my be used;
   c. Constant sample volume, time interval between samples proportional to flow (i.e. , sample

taken every "X" gallons of flow); and ,

d. Continuous collections of sample, with sample collection rate proportional to flow rate.

7. **"Continuous"** is the measurement of effluent flow which occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance process changes, or other similar activities.

8. **"Department"** means the Montana Department of Environmental Quality.

9. **"Daily Discharge"** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the day.

10. **"Daily Maximum Limit"** means the maximum allowable discharge of a pollutant during a calendar day. Expressed as units of mass, the daily discharge is cumulative mass discharged over the course of the day. Expressed as a concentration, it is the arithmetic average of all measurements taken that day.

11. **"Grab"** sample, for monitoring requirements, is defined as a single "dip and take" sample collected at a representative point in the discharge stream or monitoring well.

12. **"Instantaneous"** measurement, for monitoring requirements, is defined as a single reading, observation, or measurement.

13. **"Load limits"** are mass-based discharge limits expressed in units such as lb/day

14. **"Mixing zone"** is a limited area of a surface water body or aquifer where initial dilution of a discharge takes place and where water quality changes may occur. Also recognized as an area where certain water quality standards may be exceeded.

15. **"Nondegradation"** means the prevention of a significant change in water quality that lowers the quality of high-quality water for one or more parameters. Also, the prohibition of any increase in discharge that exceeds the limits established under or determined from a permit or approval issued by the Department prior to April 29, 1993.

16. **"Semi-Annual Average"** means the arithmetic average of all samples collected during a consecutive 180-day period or 6 calendar months, whichever is applicable.

17. **"Severe property damage"** means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

18. **"TMDL"** means the total maximum daily load of a parameter, representing the estimated assimilative capacity for a water body before other designated uses are adversely affected. Mathematically, it is the sum of waste load allocations for point sources, load allocations for non-point and natural background sources, and a margin of safety.

19. **"TSS"** means total suspended solids, which is a measure of the filterable solids present in a sample, as determined by the method specified in 40 CFR part 136.

B. Description of the Discharge Point

The authorization to discharge provided under this permit is limited to the outfall that is specifically designated below as the discharge location. Discharges at any location not authorized under an MGWPCS permit is a violation of the Montana Water Quality Act and could subject the person(s) responsible for such discharge to penalties under the Act. Knowingly discharging from an unauthorized location or failing to report an unauthorized discharge within a reasonable time from first learning of an unauthorized discharge could subject such person to criminal penalties as provided under Section 75-5-632 of the Montana Water Quality Act.

Outfall Serial Number	Description of Discharge Point
001	The discharge is from a drinking water treatment system to infiltration pit associated with outfall 001, discharging industrial wastewater at a maximum rate of 25,000 gpd. Outfall 001 is located at °41' 12" North Latitude and 108° 48' 28" West Longitude situated in the southeast 1/4 of Section 6, Township 02 South, Range 24 East. The drainfield is designated as outfall 001.

C. Specific Effluent Limitations

Effective immediately and lasting through the term of the permit, the quality of effluent discharged by the facility shall, as a minimum, meet the limitations set forth in Table 1.

Table 1: Final Numeric Effluent Limits – Outfall 001.	
Parameter	**Daily Maximum Limit**
Nitrate + Nitrite (as N)	10.0 mg/L
Specific Conductivity	7,000 µS/cm

D. Self-Monitoring Requirements

1. As a minimum, upon the effective date of this permit, the constituents in Table 2 shall be monitored at the frequency and with the type of measurement indicated; samples or measurements shall be representative of the volume and nature of the monitored discharge.
   a. Effluent monitoring shall be composite samples and be collected at the sampling location which is representative of wastewater discharged to the infiltration pit. Sample collection will begin with the first complete monitoring period following the date of issuance.

2. The permittee must collect composite samples at the frequency listed in Table 2.
   a. Effluent composite samples shall be analyzed for individual parameters as listed in Table 2. The permittee will report a daily maximum and a 30-day average for effluent flow rate, Nitrate+Nitrite, and Specific Conductance parameters. The permittee will report a daily maximum and a 90-day average for dissolved Cadmium, and dissolved Selenium parameters. The permittee will report a 90-day average concentration for all additional parameters listed in Table 2.
   b. The permittee shall report the monitoring data to the Department at a quarterly frequency.

3. All analytical methods must be 40 CFR 136 approved methods unless otherwise approved by the Department. If no EPA methodology exists, the Permittee shall use a method previously approved by the Department. Each analysis must meet the Required Reporting Values listed in DEQ-7. Practical Quantification Limits are not acceptable substitutions for Required Reporting Values.

4. The Total Nitrogen (TN) mg/L sums the NO_3+NO_2 (mg/L), Ammonia (mg/L) and organic nitrogen concentrations.

Table 2: Effluent Monitoring – Outfall 001

Parameter	Units	Sample Type(1)	Sampling Frequency	RRV(2)
Effluent Flow Rate	gpd	Continuous	Continuous	NA
Specific Conductance @ 25°C	µS/cm	Instantaneous	Monthly	NA
pH	standard units (s.u.)	Instantaneous	Monthly	0.1
Nitrate + Nitrite (as N)	mg/L	Composite	Monthly	0.01
Sulfate	mg/L	Composite	Quarterly	NA
Total Dissolved Solids (TDS)	mg/L	Composite	Quarterly	NA
Cadmium, Dissolved	mg/L	Composite	Quarterly	0.00008
Selenium, Dissolved	mg/L	Composite	Quarterly	0.001

Footnotes:
NA =Not Applicable
(1) See definitions in Part I of the permit for explanation of terms.
(2) The Required Reporting Value.

E. Special Conditions

1. A flow meter shall be installed and maintained following the treatment units (i.e. reverse osmosis system), prior to the distribution into the infiltration pit. The flow meter must measure the total daily flow and the instantaneous daily maximum flow.

II. MONITORING RECORDING AND REPORTING REQUIREMENTS

A. Representative Sampling.

Effluent samples taken in compliance with the monitoring requirements established under Part I shall be collected from the last settling tank prior to discharge to the infiltration pit. Samples shall be representative of the volume and nature of the monitored medium.

B. Monitoring Procedures.

Monitoring must be conducted according to test procedures approved under Part 136, Title 40 of the Code of Federal Regulations, unless other test procedures have been specified in this permit. All flow-measuring and flow-recording devices used in obtaining data submitted in self-monitoring reports must indicate values within 10 percent of the actual flow being measured.

C. Penalties for Tampering.

The Montana Water Quality Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $25,000, or by imprisonment for not more than six months, or by both.

D. Reporting of Monitoring Results.

Self-monitoring reports shall be submitted to the Department quarterly. Monitoring results obtained during the previous reporting period shall be summarized and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period. Following the issuance of this permit, if no discharge occurs during the reporting period, "no discharge" shall be reported. Legible copies of these, and all other reports required herein, shall be signed and certified in accordance with the Signatory Requirements (Part IV, Section G) and submitted to the Department at the following address:

Montana Department of Environmental Quality
Water Protection Bureau
1520 East 6th Avenue
P.O. Box 200901
Helena, Montana 59620-0901
Phone: (406) 444-3080

All reports, notifications and inquires regarding compliance with this permit shall be submitted to the Department at the above address.

E. Compliance Schedules.

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 14 days following each schedule date unless otherwise stated.

F. Additional Monitoring by the Permittee.

If the permittee monitors any pollutant more frequently than required by this permit, using approved analytical methods as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report. Such increased frequency shall also be indicated.

G. Records Contents.

Records of monitoring information shall include:

1. The dates, exact place, and time of sampling or measurements;

2. The initials or name(s) of the individual(s) who performed the sampling or measurements;

3. The date(s) analyses were performed;

4. The time analyses were initiated;

5. The initials or name(s) of individual(s) who performed the analyses;

6. References and written procedures, when available, for the analytical techniques or methods used; and,

7. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results.

H. Retention of Records.

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the Department at any time. Data collected on site, copies of monitoring reports, and a copy of this MGWPCS permit must be maintained on site during the duration of activity at the permitted location.

I. Twenty-four Hour Notice of Noncompliance Reporting.

The permittee shall report serious incidents of noncompliance as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of the circumstances. The report shall be made to the Water Protection Bureau at (406) 444-3080 or the Office of Disaster and Emergency Services at (406) 841-3911. The following examples are considered serious incidents:

1. Any noncompliance which may seriously endanger health or the environment;

2. Any unanticipated bypass that exceeds any effluent limitation in the permit (See Part III.G of this permit, "Bypass of Treatment Facilities".);

3. Any upset which exceeds any effluent limitation in the permit (See Part III.H of this permit, "Upset Conditions".).

4. A written submission shall also be provided within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:

   a. A description of the noncompliance and its cause;

   b. The period of noncompliance, including exact dates and times;

   c. The estimated time noncompliance is expected to continue if it has not been corrected; and,

   d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

5. The Department may waive the written report on a case-by-case basis if the oral report has been received within 24 hours by the Water Protection Bureau, by phone, at (406) 444-3080.

6. Reports shall be submitted to the addresses in Part II.D of this permit, "Reporting of Monitoring Results".

J. Other Noncompliance Reporting.

Instances of noncompliance not required to be reported within 24 hours shall be reported at the time that monitoring reports for Part II.D of this permit are submitted. The reports shall contain the information listed in Part II.I.4 of this permit.

K. Inspection and Entry.

The permittee shall allow the head of the Department or the Director or an authorized representative thereof, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,

4. Sample or monitor at reasonable times, for the purpose of assuring permits compliance, any substances or parameters at any location.

III. COMPLIANCE RESPONSIBILITIES

A. Duty to Comply.

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give the Department and the Director advance notice of any planned changes at the permitted facility or of an activity which may result in permit noncompliance.

B. Penalties for Violations of Permit Conditions.

The Montana Water Quality Act provides that any person who violates a permit condition of the Act is subject to civil or criminal penalties not to exceed $25,000 per day or one year in prison, or both, for the first conviction, and $50,000 per day of violation or by imprisonment for not more than two years, or both, for subsequent convictions. MCA 75-5-611(a) also provides for administrative penalties not to exceed $10,000 for each day of violation and up to a maximum not to exceed $100,000 for any related series of violations. Except as provided in permit conditions on Part III.G of this permit, "Bypass of Treatment Facilities" and Part III.H of this permit, "Upset Conditions", nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.

C. Need to Halt or Reduce Activity not a Defense.

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

D. Duty to Mitigate.

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit, which has a reasonable likelihood of adversely affecting human health or the environment.

E. Proper Operation and Maintenance.

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems, which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. However, the permittee shall operate, as a minimum, one complete set of each main line unit treatment process whether or not this process is needed to achieve permit effluent compliance.

F. Removed Substances.

Collected screenings, grit, solids, sludges, or other pollutants removed in the course of treatment shall be disposed of in such a manner so as to prevent any pollutant from entering any waters of the state or creating a health hazard. Sludge shall not be directly blended with or enter either the final plant discharge and/or waters of the United States. Any sludges removed from the facility shall be disposed of in accordance with 40 CFR 503, 258 or other applicable rule. EPA and MDEQ shall be notified at least 180 days prior to such disposal taking place.

G. Bypass of Treatment Facilities:

1. Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts III.G.2 and III.G.3 of this permit.

2. Notice:

   a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten (10) days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required under Part II.I of this permit, "Twenty-four Hour Reporting".

3. Prohibition of Bypass.

a. Bypass is prohibited and the Department may take enforcement action against a permittee for a bypass, unless:

(1) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,

(3) The permittee submitted notices as required under Part III.G.2 of this permit.

b. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the three conditions listed above in Part III.G.3.a of this permit.

H. Upset Conditions

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with permit effluent limitations if the requirements of Part III.H.2 of this permit are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review (i.e., Permittees will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with permit effluent limitations).

2. Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;

c. The permittee submitted notice of the upset as required under Part II.I of this permit, "Twenty-four Hour Notice of Noncompliance Reporting"; and,

d. The permittee complied with any remedial measures required under Part III.D of this permit, "Duty to Mitigate".

3. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

IV. GENERAL REQUIREMENTS

A. Planned Changes

The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

1. The alteration or addition could significantly change the nature or increase the quantity of pollutant discharged. This notification applies to pollutants which are not subject to effluent limitations in the permit; or,

2. There are any planned substantial changes to the existing sewage sludge management practices of storage and disposal. The permittee shall give the Department notice of any planned changes at least 180 days prior to their implementation.

B. Anticipated Noncompliance

The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.

C. Permit Actions.

This permit may be revoked, modified and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

D. Duty to Reapply.

If the permittee wishes to continue an activity regulated by this permit after the expiration date of

this permit, the permittee must apply for and obtain a new permit. The application must be submitted at least 180 days before the expiration date of this permit.

E. Duty to Provide Information.

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for revoking, modifying and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by this permit.

F. Other Information.

When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Department, it shall promptly submit such facts or information with a narrative explanation of the circumstances of the omission or incorrect submittal and why they weren't supplied earlier.

G. Signatory Requirements.

All applications, reports or information submitted to the Department shall be signed and certified.

1. All permit applications shall be signed by either a principal executive officer or ranking elected official.

2. All reports required by the permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is considered a duly authorized representative only if:

   a. The authorization is made in writing by a person described above and submitted to the Department; and,

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

3. Changes to authorization. If an authorization under Part IV.G.2 of this permit is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part IV.G.2 of this permit must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.

4. Certification. Any person signing a document under this section shall make the following certification:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. Penalties for Falsification of Reports.

The Montana Water Quality Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than $25,000 per violation, or by imprisonment for not more than six months per violation, or by both.

I. Availability of Reports.

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Department. As required by the Clean Water Act, permit applications, permits and effluent data shall not be considered confidential.

J. Oil and Hazardous Substance Liability.

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

K. Property or Water Rights.

The issuance of this permit does not convey any property or water rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

L. Severability.

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

M. Transfers.

This permit may be transferred to a new permittee if:

1. The current permittee notifies the Department at least 30 days in advance of the proposed transfer date;

2. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them;

3. The Department does not notify the existing permittee and the proposed new permittee of intent to revoke or modify and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part IV.M.2 of this permit; and

4. Required annual and application and transfer fees have been paid.

N. Fees.

The permittee is required to submit payment of an annual fee as set forth in ARM 17.30.201. If the permittee fails to pay the annual fee within 90 days after the due date for the payment, the Department may:

1. Impose an additional assessment consisting of 20% of the fee plus interest on the required fee computed at the rate established under 15-1-216(4), MCA, or

2. Suspend the processing of the application for a permit or authorization or, if the nonpayment involves an annual permit fee, suspend the permit, certificate or authorization for which the fee is required. The Department may lift suspension at any time up to one year after the suspension occurs if the holder has paid all outstanding fees, including all penalties, assessments and interest imposed under this sub-section. Suspensions are limited to one year, after which the permit will be terminated.

O. Reopener Provisions:

This permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations (and compliance schedule, if necessary), or other appropriate requirements if one or more of the following events occurs:

1. Water Quality Standards: The water quality standards of the receiving water(s) to which the permittee discharges are modified in such a manner as to require different effluent limits than contained in this permit.

2. Water Quality Standards are Exceeded: If it is found that water quality standards in the receiving waters, excluding mixing zones as designated by ARM 17.30.501-17.30-518, are exceeded for parameters included in the permit, the department may modify the effluent limits or water management plan.

3. TMDL or Wasteload Allocation: TMDL requirements or a wasteload allocation is developed and approved by the Department and/or EPA for incorporation in this permit.

4. Water Quality Management Plan: A revision to the current water quality management plan is approved and adopted which calls for different effluent limitations than contained in this permit.

5. Toxic Pollutants: A toxic standard or prohibition is established under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation for such pollutant in this permit.

P. Biosolids:

Sewage sludge (which is not landfilled in accordance with solid waste regulation at 40 CFR Part 258) must meet all applicable requirements for disposing of sludge through land application or surface disposal site at 40 CFR Part 503. The regulations are administered by the U.S. Environmental Protection Agency.

For land application, the regulations require demonstration of an approvable land application site; compliance with pollutant limits for metals and fecal coliform; treatment for pathogens; treatment for vector attraction reduction; agronomic application rates; site restriction on public access, animal grazing, and crop harvesting; monitoring; recording keeping; and reporting.

For surface disposal, the regulations require an approvable surface disposal site; compliance with pollutant limits for metals; protection of groundwater from nitrate contamination; treatment for pathogens; treatment for vector attraction reduction; monitoring; recordkeeping; and reporting.

Implement other measures as determined by the Department, which may include invoking the permit condition set forth in Part IV. O., "Reopener Provision".