

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**Environmental Assessment**

**Water Protection Bureau**

**Name of Project:** City of Livingston WWTP

**Location of Project:** 330 Bennett Street

**City/Town:** Livingston

**County:** Park

**Type of Project:** POTW MPDES Renewal

**Description of Project:**

The City of Livingston wastewater treatment plant (WWTP) is a major publicly owned treatment works (POTW) originally constructed in 1960 with one primary clarifier, two anaerobic digesters, and sludge drying beds. In 1980, the WWTP was upgraded with 12 rotating biological contactors (RBCs), 2 secondary clarifiers, and a chlorine contact basin. In 2000, grit removal and ultraviolet (UV) disinfection systems were added. The facility has an average design flow 2 million gallons per day for a design population of 10,500. The city plans to upgrade the aged facility.

The Montana Department of Environmental Quality (DEQ) received a renewal application from the city for renewal of the WWTP discharge permit MPDES No. MT0020435 on May 5, 2014. DEQ deemed the application complete in a letter to the permittee dated July 24, 2014, and proposed to renew the applicant's permit including new effluent limitations.

**Agency Action and Applicable Regulations:**

The proposed action is to renew the MPDES permit for another five-year cycle.

ARM Title 17, Chapter 30, Subchapter 2 – Water Quality Permit Application and Annual Fees.

ARM Title 17, Chapter 30, Subchapter 5 – Mixing Zones in Surface and Ground Water.

ARM Title 17, Chapter 30, Subchapter 6 – Surface Water Quality Standards.

ARM Title 17, Chapter 30, Subchapter 7 – Nondegradation of Water Quality.

ARM Title 17, Chapter 30, Subchapter 12 – MPDES Effluent Limitations and Standards,  
Standards of Performance, and Treatment Requirements

ARM Title 17, Chapter 30, Subchapter 13 – MPDES Permits

Montana Water Quality Act, MCA 75-5-101 *et. seq.*

**Summary of Issues:**

The facility will need to comply with new effluent limitations for total ammonia within five years. The facility will also need to review the sources and potential control of total recoverable copper, and provide a summary report within five years.

## Affected Environment & Impacts of the Proposed Project:

Y = Impacts may occur.

N = Not present or No Impact will likely occur.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?	[N] No impact will likely occur.
2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	[N] No impact will likely occur. Retained and new effluent limitations will protect designated and existing uses of the Yellowstone River.
3. AIR QUALITY: Will pollutants or particulates be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N] Not present.
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N] Not present or no impact will likely occur.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N] No impact will likely occur. Effluent limitations will protect aquatic/wildlife uses.
6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	[N] No impact will likely occur. No known T&E species present.
7. SAGE GROUSE EXECUTIVE ORDER: Is the project proposed in core, general or connectivity sage grouse habitat, as designated by the Sage Grouse Habitat Conservation Program (Program) at: <a href="http://dnrc.mt.gov/divisions/cardd/sage-grouse/">http://dnrc.mt.gov/divisions/cardd/sage-grouse/</a> ? If yes, did the applicant attach documentation from the Program showing compliance with Executive Order 12-2015 and the Program's recommendations? If so, attach the documentation to the EA and address the Program's recommendations in the permit. If project is in core, general or connectivity habitat and the applicant did not document consultation with the Program, refer the applicant to the Sage Grouse Habitat Conservation Program.	[N] DEQ has verified the facility is not within core, general, or connectivity sage grouse habitat.
8. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] No impact will likely occur. No known historical or archaeological sites present.
9. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	[N] No impact will likely occur.

<b>IMPACTS ON THE PHYSICAL ENVIRONMENT</b>	
10. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Will new or upgraded powerline or other energy source be needed)	[N] No impact will likely occur.
11. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N] Not present. No other nearby activities that would affect the project are known.

<b>IMPACTS ON THE HUMAN ENVIRONMENT</b>	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
12. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] No impact will likely occur.
13. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] No impact will likely occur.
14. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N] No impact will likely occur. Upgrade of the facility will temporarily increase contractor work at the facility.
15. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[Y] Upgrades to the facility may cause increase in taxes.
16. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	[N] No impact will likely occur. Short-term construction traffic increase may occur during upgrades.
17. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] No impact will likely occur. No zoning changes are likely to be required nor are other impacts to local plans expected.
18. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N] Not present.
19. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N] No impact will likely occur.
20. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] No impact will likely occur.
21. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] No impact will likely occur.
22. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] Not present.

<b>IMPACTS ON THE HUMAN ENVIRONMENT</b>	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
23(a). PRIVATE PROPERTY IMPACTS: Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.	[N] Not present.
23(b). PRIVATE PROPERTY IMPACTS: Is the agency proposing to deny the application or condition the approval in a way that restricts the use of the regulated person's private property? If not, no further analysis is required.	[N] Not present.
23(c). PRIVATE PROPERTY IMPACTS: If the answer to 21(b) is affirmative, does the agency have legal discretion to impose or not impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required. If so, the agency must determine if there are alternatives that would reduce, minimize or eliminate the restriction on the use of private property, and analyze such alternatives. The agency must disclose the potential costs of identified restrictions.	[N] Not present.

24. Description of and Impacts of other Alternatives Considered:

Permit denial would cause extreme hardship on the municipality and render it unable to continue sewer service to resident and businesses.

25. Summary of Magnitude and Significance of Potential Impacts:

The City of Livingston may have to consider increases in rates for sewer service to pay for upgrades to the WWTP to meet effluent limitations.

26. Cumulative Effects:

None.

27. Preferred Action Alternative and Rationale:

The preferred action is to reissue the MPDES permit. This action is preferred because the permit program provides the regulatory mechanism for protecting water quality by enforcing the terms of the MPDES permit.

**Recommendation for Further Environmental Analysis:**

EIS     More Detailed EA     No Further Analysis

Rationale for Recommendation: An EIS is not required under the Montana Environmental Policy Act (MEPA) because the project lacks significant adverse effects to the human and physical environment.

28. Public Involvement:

A 30-day public comment period will be held.

29. Persons and agencies consulted in the preparation of this analysis:

Dan Freeland, Inspector, DEQ Technical and Financial Assistance Bureau

**EA Checklist Prepared By:**

Matthew Kent, February 19, 2016 (updated by Christine Weaver July 2016)

**Approved By:**

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Jon Kenning, Chief  
Water Protection Bureau

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Date