



## Water Protection Bureau Permitting Guide: Sand and Gravel Operations



*Published October 2021*

### ***About this guide...***

This pamphlet provides guidance to Sand and Gravel operators regarding permitting requirements under the Montana Pollutant Discharge Elimination System (MPDES) program. The MPDES program protects water quality across the state by regulating point source discharges of pollutants.

Provided below are a few terms and definitions that will help you while using this guide:

**Point Source:** A discernable, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, or vessel, from which pollutants are or may be discharged.

**Pollution:** Contamination or other alteration of the physical, chemical, or biological, properties of state waters.

**Process Wastewater:** Any water that, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate, finished product, byproduct, or waste product.

**SIC Code:** Standard Industrial Classification code that is used in determining the need for storm water permit coverage.

**State Waters:** Any body of water, irrigation system, or drainage system, either surface or underground.

**Storm Water:** Storm water runoff, snow melt runoff, surface runoff, and drainage.

## MPDES Permits Applicable to Sand and Gravel Operations in Montana



### **General Permit for Discharges Associated with Sand and Gravel Operations**

Sand and gravel operations that discharge wash water, transport water, scrubber water, pit dewatering water, or other process wastewater to state surface waters are required to obtain MPDES permit coverage.

To obtain sand and gravel general permit coverage, submit a Notice of Intent (NOI) Form and required fee to the Water Protection Bureau. For additional information, including the NOI and fee schedule, please visit:

<http://deq.mt.gov/Water/Assistance>

DEQ reviews the application, then issues an authorization under the sand and gravel general permit to the operator, if appropriate. Once authorized, operators must comply with all conditions of the general permit including effluent limits, monitoring and reporting requirements.

## Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity (MSGP)



The MSGP, or industrial storm water permit, applies to a wide variety of industrial, mining, and oil and gas facilities. The requirement for coverage under this permit is based on the industrial sector of the facility and the potential to discharge storm water to state waters.

Types of facilities requiring coverage under this permit include construction sand and gravel, industrial sand, crushed stone, dimension stone, nonmetallic mineral mining and services, clay materials mining, concrete products, and asphalt paving materials.

To obtain permit coverage, submit a Notice of Intent Form (NOI), Storm Water Pollution Prevention Plan (SWPPP), and appropriate fee to the Water Protection Bureau. For additional information, including the NOI Form and fee schedule, please visit:

<http://deq.mt.gov/Water/Assistance>

DEQ reviews the application and SWPPP, then issues an authorization under the general permit to the operator, if appropriate. Operators must implement best management practices (BMPs) and a SWPPP to manage potential pollutants within their operation. Inspections and discharge monitoring are required to verify that BMPs are working and that pollutants are being minimized in discharges.

## Frequently Asked Questions

*My facility has never discharged storm water, do I need to be covered under a storm water permit?*

Yes, a facility's SIC code is the primary basis for requiring permit coverage. Facilities which use BMPs to prevent the discharge of storm water require permit coverage under the MSGP. The BMPs must be installed, maintained, and operated in accordance with the MSGP. DEQ may determine that facilities have the potential to discharge to a state water based on the proximity of the facility to the state water. For questions on permit coverage requirements, contact the WPB for a site-specific determination.

*My facility is being operated temporarily and in support of a construction project, what kind of storm water permit do I need?*

If your facility is operated solely as a support activity for a construction project, it may be eligible for coverage under the Construction Storm Water General Permit. Contact the WPB for assistance in determining your permitting options.

*My facility plans on dewatering one pit and discharging into a separate previously mined pit. Do I need a sand and gravel discharge permit?*

Possibly, pits within the boundary of the active mining operations are not considered state waters and therefore MPDES permit coverage is not required. Historic pits not part of active mining may be considered state waters. If there is a question on discharging to state water, contact DEQ's Water Protection Bureau.

*My facility collects its material wash water in a pit or retention pond on-site which is not designed to discharge, do I need a sand and gravel discharge permit?*

No, onsite evaporation or treatment pits with no potential to discharge to state waters do not need a Sand and Gravel permit.



## Contact Information



Montana Department of Environmental Quality  
1520 East Sixth Avenue  
PO Box 200901  
Helena, MT 59620-0901  
[www.deq.mt.gov](http://www.deq.mt.gov)

**Permitting and Compliance**  
Water Protection Bureau (406) 444-5546

### Compliance Field Office Contacts

**Billings Office**  
Dan Freeland (406) 256-7655

**Bozeman Office**  
Christopher Romankiewicz (406) 475-2138

**Missoula Office**  
Daniel Congdon (406) 431-9577