

Form 2E – General Instructions

Who Must Complete Form 2E?

You must complete Form 2E if you answered “Yes” to Section A Item 2.e. on Form 1—that is, if you are a new or existing facility (including manufacturing, commercial, mining, and silvicultural facilities) that discharges only nonprocess wastewater.

Where to File Your Completed Form

Submit Form 2E, Form 1, any supplemental forms, and applicable fees to:

Montana Department of Environmental Quality
Water Protection Bureau
PO Box 200901
Helena, MT 59620-0901

When to File Your Completed Form

Form 2E must be submitted at least 180 days before your present MPDES permit expires or at least 180 days before startup if you are a new facility, unless DEQ has granted permission for a later date.

Fees

The Montana Water Quality Act requires that DEQ collect fees sufficient to cover the cost of issuing permits as well as the administrative costs associated with these activities. DEQ collects both application and annual fees. Fees vary depending upon the complexity, type, and strength of wastewater and the number of discharge points, as set forth in ARM 17.30.201. *DEQ will not process this application until all requested information is supplied, the application is complete, and the appropriate fees are paid.* Fee information is available on DEQ’s website at www.deq.mt.gov or by contacting the Water Protection Bureau at (406) 444-5546.

Public Availability of Submitted Information

DEQ will make information from MPDES permit application forms available to the public for inspection and copying upon request. You may not claim any information on Form 2E (or related attachments) as confidential. You may make a claim of confidentiality for any information submitted that

goes beyond the information required by Form 2E. If you do not assert a claim of confidentiality at the time you submit your information, DEQ may make the information available to the public without further notice to you. DEQ will handle claims of confidentiality in accordance with the Agency’s business confidentiality regulations at ARM 17.30.1321 and 75-5-105, MCA.

Completion of Forms

Print or type in the specified areas only. If you do not have enough space on the form to answer a question, you may continue on additional sheets, as necessary, using a format consistent with the form.

Provide your MPDES permit number at the top of each page of Form 2E and any attachments. If your facility is new (i.e., not yet constructed), write or type “New Facility” in the space provided for the permit number. If you do not know your permit number, contact DEQ.

Do not leave any response areas blank unless the form directs you to skip them. If the form directs you to respond to an item that does not apply to your facility or activity, enter “NA” for “not applicable” to show that you considered the item and determined a response was not necessary. The MPDES permitting authority can consider your application incomplete if you do not provide an answer for all questions on Form 2E and the applicable attached forms.

DEQ will consider your application complete when it and supplementary material are received and completed according to satisfaction. The MPDES permitting authority will judge the completeness of any application independently of the status of any other permit application or permit for the same facility or activity.

Definitions

Key terms used in the various MPDES application forms are included in the “Glossary” attachment. See ARM 17.30.1304 or 75-5-103, MCA.

Follow-up Requirements for New Dischargers

No later than 24 months after commencement of discharge from the proposed facility, you must complete and submit Section 4 of this form. At that time, you must test and report actual rather than estimated data for the pollutants or parameters listed, unless waived by the MPDES permitting authority.

Form 2E Line By Line Instructions

Section 1. Outfall Location

Item 1.1. Provide information on each of the facility's outfalls in the table including the latitude and longitude to the nearest 15 seconds. Latitude and longitude coordinates may be obtained in a variety of ways, including use of hand held devices (e.g., a GPS enabled smartphone), internet mapping tools (e.g., <https://nris.msl.mt.gov/> or <https://nris.msl.mt.gov/>), geographic information systems (e.g., ArcView), or paper maps from trusted sources (e.g., U.S. Geological Survey or USGS). The location of each outfall (i.e., where the coordinates are collected) shall be the point where the discharge is released into a water of the United States. If you need further guidance in responding to Item 1.1, refer to <http://www.epa.gov/geospatial/latitudelongitude-data-standard>.

Section 2. Discharge Date

Item 2.1. Indicate whether you are a new or an existing discharger. If you are an existing discharger, skip to Section 3 after completing this item.

Item 2.2. Indicate the date on which the facility will or is estimated to commence discharge.

Section 3. Waste Types

Item 3.1. Indicate the general type(s) of wastes being discharged or to be discharged, depending on whether you are an existing or new discharger. If you

mark the response "Other Nonprocess Wastewater," specify the nature of your discharge.

Item 3.2. Indicate if the facility uses cooling water additives. If yes, continue. If no, skip to Section 4.

Item 3.3. List the cooling water additives being used (or to be used) and specify the composition of the additives, if such information is available to you. You can generally find composition information on product labels or from manufacturers' data sheets.

Section 4. Effluent Characteristics

Items 4.1 and Table A. These items require you to collect and report data for the parameters and pollutants listed in Section 4 and Table A. The instructions are distinct for applicants with existing discharges versus applicants that are new.

Item 4.1. Indicate whether you have completed monitoring for all parameters in the table under Item 4.2 and attached it to the application package. If you answer "No" because you have requested a waiver from your NPDES authority, skip to Section 5. If "Yes," provide data as requested in Table A.

Important note:

Read the "General Instructions for Reporting, Sampling, and Analysis" before completing Section 4 and Table A.

General Instructions for Reporting, Sampling, and Analysis

Important note: Read these instructions before completing Section 4 and Table A of Form 2E

General Items

Complete the applicable tables for each outfall at your facility. **Be sure to note the MPDES permit number and applicable outfall number at the top of each page** of the tables and any associated attachments.

You may report some or all of the required data by attaching separate sheets of paper instead of completing Section 4 and Table A for each of your outfalls so long as the sheets contain all of the required information and are similar in format to Section 4.

Reporting of Effluent Data

All information reported must be based on data collected through analysis conducted using 40 CFR Part 136 methods. In addition, this data must comply with quality assurance/quality control (QA/QC) requirements of 40 CFR Part 136 and other appropriate QA/QC requirements for standard methods for analytes not addressed by 40 CFR Part 136. Grab samples must be used for pH,

temperature, total residual chlorine, oil and grease, and fecal coliform. For all other pollutants, 24-hour composite samples must be used. For a composite sample, only one analysis of the composite of aliquots is required. The applicant need not submit data which has been previously reported to the Department on discharge monitoring reports (DMRs) as required by an MPDES permit. Any further questions on sampling or analysis should be directed to DEQ.

Clearly specify the units of measure on Table A for each parameter/pollutant analyzed. Values must be reported as concentration (mg/L or µg/L).

Existing Dischargers

You must provide at least one analysis for each parameter or pollutant in Table A. You may report quantitative data that you have collected over the past 365 days if they are representative of your current operations.

General Instructions for Reporting, Sampling, and Analysis Continued

If you have sampling and analysis questions, direct them to your MPDES permitting authority. DEQ may request that you do additional testing, if appropriate, on a case-by-case basis under CWA Section 308

New Dischargers

You must provide maximum daily and average daily discharge *estimates* for the parameters or pollutants listed in Table A, unless specifically indicated on the form. Note that if you have the results of *actual* analyses for the listed parameters or pollutants, you are required to report those results rather than submit estimates.

Report or estimate all parameter or pollutant levels as concentration except for flow, pH, and temperature. Indicate the source of all estimates in the appropriate column in the Section 4 table using the engineering study codes below. Note that you are required to conduct follow-up testing and reporting no later than 24 months once your facility commences discharge.

Engineering Report Codes

Actual data from pilot plants	1
Estimates from other engineering reports	2
Data from other similar plants	3
Best professional estimates.....	4
Others	<i>specify on the form</i>

Base your determination of whether a pollutant will be present in your discharge on your knowledge of the proposed facility's use of maintenance chemicals and any analyses of your effluent or of any similar effluent. You may also provide the estimates based on available in-house or contractor engineering reports or any other studies performed on the proposed facility.

Pollutants Solely in Intake Water

If you expect a pollutant to be present solely because of its presence in your intake water, you must still provide an estimate or analytical result in Section 4; however, you should indicate in Section 7.1 that you believe the pollutant or parameter to be present only due to its presence in your source water. See the instructions under Item 7.1.

Testing Waivers

To request a waiver from reporting any of these pollutants or parameters, the applicant (whether new or existing) may submit to the Department a written request specifying which pollutants or parameters should be waived and the reasons for requesting a waiver. This request should be submitted to the permitting authority before or with the permit application. DEQ may waive the requirements for

information about any pollutant or parameter if it determines that less stringent reporting requirements are adequate to support issuance of the permit.

Sampling

The collection of samples for the reported analyses should be supervised by a person experienced in performing sampling of industrial wastewater. You may contact your MPDES permitting authority for detailed guidance on sampling techniques and for answers to specific questions. Any specific requirements in the applicable analytical methods—for example, sample containers, sample preservation, holding times, and the collection of duplicate samples—must be followed.

The time when you sample should be representative of your normal operation, to the extent feasible, with all processes that contribute wastewater in normal operation, and with your treatment system operating properly with no system upsets. Collect samples from the center of the flow channel, where turbulence is at a maximum, at a site specified in your present MPDES permit, or at any site adequate for the collection of a representative sample.

Analysis

Except as specified below, all samples must be collected, preserved, and analyzed in accordance with approved sufficiently sensitive analytical methods listed in 40 CFR Part 136.

A method is "sufficiently sensitive" when:

- The method minimum level (ML) is at or below the level of the applicable water quality criterion for the measured pollutant or pollutant parameter.
- The method ML is above the water quality criterion, but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge.
- The method has the lowest ML of the analytical methods approved under 40 CFR 136 or required under 40 CFR chapter I, subchapter N or O for the measured pollutant or pollutant parameter.

The minimum level of quantitation means the lowest level at which the entire analytical system gives a recognizable signal and acceptable calibration point for the analyte, as determined by the procedure set forth in 40 CFR 136. In most cases the ML is equivalent to the Required Reporting Value (RRV) unless otherwise specified in the permit (ARM 17.30.702(22)). Laboratory analytical results reported as less than detection must achieve the RRVs in the most current Circular DEQ-7.

General Instructions for Reporting, Sampling, and Analysis Continued

Consistent with 40 CFR 136, you may provide matrix- or sample-specific MLs rather than the published levels. Further, where you can demonstrate, despite a good faith effort to use a method that would otherwise meet the definition of “sufficiently sensitive,” the analytical results are not consistent with the (QA)/(QC) specifications for that method, DEQ may determine the method is not performing adequately and the MPDES permitting authority should select a different method from the remaining EPA-approved methods that is sufficiently sensitive consistent with 40 CFR 122.21(e)(3)(i).

When there is no analytical method that has been approved under 40 CFR 136; required under 40 CFR chapter I, subchapter N, and is not otherwise required by DEQ, you may use any suitable method but shall provide a description of the method. When selecting a suitable method, other factors such as precision, accuracy, or resolution, may be considered when assessing the performance of the method [(40 CFR 122.21(e)(3)(ii)].

Form 2E Line By Line Instructions Continued

Section 5. Flow

Item 5.1. Indicate whether any of the discharges that you described in Sections 1 and 3 (except for stormwater runoff, leaks, or spills) are intermittent or seasonal. If no, skip to Section 6. If yes, describe the average frequency of flow and duration of any intermittent or seasonal discharge (except for stormwater runoff, leaks, or spills) in gallons or million gallons per day (gpd or mgd), whichever is appropriate. The frequency of flow is the number of days or months per year there is an intermittent discharge. Duration is the number of days or hours per discharge. For new dischargers, report your best estimate.

Section 6. Treatment System

Item 6.1. Briefly describe any treatment system(s) used (or to be used for new dischargers), indicating whether the treatment system is physical, chemical, biological, sludge and disposal, or other. Also give the particular type(s) of process(es) used (or to be used). For example, if a physical treatment system is used (or will be used), specify the processes applied (or to be applied), such as grit removal, ammonia stripping, dialysis, etc.

Section 7. Other Information

Item 7.1. OPTIONAL ITEM. Report any additional information or data (such as sampling results) that you believe DEQ should consider when establishing permit limitations. If you wish to demonstrate your eligibility for a “net” effluent limitation (i.e., an effluent limitation adjusted to provide credit for the pollutant(s) present in your intake water) add a short statement as to why you believe you are eligible. See also 40 CFR 122.45(g). DEQ will contact you with further instructions.

Section 8. Certification Statement

Item 8.1. This form must be signed and certified by the appropriate official as given in Section 8 and ARM 17.30.1323. The Montana Water Quality Act provides for penalties of not more than \$25,000 or imprisonment for not more than 6 months, or both, for any person that knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the ACT, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under the Act. 75-5-633, MCA.

This application must be signed as follows:

- A. For a corporation, by a responsible corporate officer. A responsible corporate officer means:
1. a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or
 2. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- B. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- C. For a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official. A principal executive officer of a federal agency includes:
1. The chief executive officer of the agency, or
 2. a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.