

Form 1 – General Instructions

Who Must Apply for an MPDES/MGWPCS Permit?

Except as provided in 75-5-401(5), MCA, the Montana Water Quality Act (MWQA) prohibits any of the following activities without a valid permit from the Montana Department of Environmental Quality (DEQ):

- 1) Construct, modify or operate a disposal system that discharges to any state waters;
- 2) Construct or use any outlet for the discharge of sewage, industrial wastes that discharges into any state waters or;
- 3) Discharge sewage, industrial or other wastes into any state waters.

State waters as defined in 75-5-103, MCA, include any body of water, either on the surface or underground (ground water) and includes irrigation systems, drainage systems, ephemeral and intermittent drainage ways. Treatment works used to collect, treat, transport, or impound pollutants are not state waters.

Who Must Complete Form 1? All applicants, other than those operating publicly owned treatment works (POTWs) must submit Form 1. If you operate one of the following facilities, you must submit Form 1: concentrated animal feeding operations and aquatic animal production facilities; manufacturing, commercial, mining, and silvicultural operations; or other industrial facilities. Attach all other applicable forms described in these instructions.

Where to File Your Completed Form

Return this form, 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 1 must be submitted at least 180 days before your present MPDES permit expires or, if you are a new discharger, at least 180 days before the date on which the discharge is to commence, 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 of the requested information is supplied, the application is complete, and the appropriate fees are paid. Fee information is available on DEQ's website: 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 1 (or related attachments) as confidential. You may make a claim of confidentiality for any information that you submit that goes beyond the information required by Form 1. 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/MGWPCS permit number at the top of each page of Form 1 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 for your facility. DEQ could consider your application incomplete if you do not provide an answer for all questions on Form 1 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 and 75-5-103, MCA.

Form 1 – Line-by-Line Instructions

Section A. Permit Number and Additional Forms

1. Permit Number

If you are an existing facility, provide your MPDES or MGWPCS permit number. If you do not know your permit number, contact the MPDES or MGWPCS permitting program. If your facility is new, leave this area blank and DEQ will assign a permit number.

2. Montana Pollutant Discharge Elimination System (MPDES): Applicants proposing to discharge to surface water

Complete this section to determine which additional forms must be submitted to DEQ.

- a.** If your facility is a publicly owned treatment works (POTW), you do not need to submit Form 1. Stop and complete Form 2A instead.
- b - f.** If you answer 'yes' to any of these questions, you must submit both Form 1 and the supplemental form listed in the parentheses following the question.

Application forms for individual MPDES permits include the following:

- Form 1. General Information
- Form 2. Forms Based on Facility or Activity Type:
 - 2A. New and Existing Publicly Owned Treatment Works
 - 2B. Concentrated Animal Feeding Operations and Concentrated Aquatic Animal Production Facilities
 - 2C. Existing Manufacturing, Commercial, Mining, and Silvicultural Operations
 - 2D. New Manufacturing, Commercial, Mining, and Silvicultural Operations That Have Not Yet Commenced Discharge of Process Wastewater
 - 2E. Manufacturing, Commercial, Mining, and Silvicultural Facilities Which Discharge Only Nonprocess Wastewater. This includes Water Treatment Plants and facilities that discharge only noncontact cooling water.
 - 2F. Stormwater Discharges Associated with Industrial Activity

3. Montana Ground Water Pollution Control System (MGWPCS): Applicants proposing to discharge to ground water

Complete this section to determine which additional forms must be submitted to DEQ.

- a - b.** If you answer 'yes' to either of these questions, you must submit Form 1 and the supplemental form listed in the parentheses following the question.

- Application forms for MGWPCS permits include:***
- GW-1. Domestic Wastewater Groundwater
 - GW-2. Industrial & Other Wastewater Groundwater

Section B. Facility Information

Facility Name. Give the facility's official or legal name. Do not use a colloquial name. The facility name means the building, structure (manufacturing, commercial or residential), process, source, or physical site, from which pollutants or wastes are, or will be, collected, generated, stored, treated (treatment works) or discharged (disposal system). The facility may be public or privately owned property, such as, a manufacturing plant, municipal wastewater treatment plant, animal feeding operation or community drain field.

Mailing Address. Give the complete mailing address of the office to which DEQ should send correspondence. This is often not the address used to designate the location of the facility or activity.

Location. Provide the location of this facility and the most accurate geographic information. The latitude and longitude must be accurate to either 4 decimal places if reporting in decimal degrees or to the nearest second if reporting in degree minute seconds format. Geographic information may be obtained at <https://nris.msl.mt.gov>. Also provide the county name.

Is the facility located on Indian land? If the answer is yes, seek permit coverage from EPA, not DEQ.

Section C. Existing or Pending Permits, Certifications, or Approvals

Check the appropriate boxes and provide the permit numbers for all relevant federal, state, and local environmental permits or construction approvals received or applied for under any of the programs listed. If your facility has more than one currently effective permit under a particular permit program, list the additional permit numbers on the application form or on a separate sheet of paper.

Section D. Business Description

1. Nature of Business: Provide a brief description of the nature of the business (e.g., products produced or services provided).

2.NAICS Codes: List, in descending order of significance up to four 4-digit North American Industrial Classification System (NAICS) codes which best describe your facility in terms of the principal products or services it produces or provides. Also, provide a brief description in the space provided. You can find NAICS code numbers and descriptions in the North American Industrial Classification System Manual. It is available online at <https://www.census.gov/naics/>.

Form 1 – Line-by-Line Instructions Continued

3. SIC Codes: List, in descending order of significance up to four 4-digit standard industrial classification (SIC) codes which best describe your facility in terms of the principal products or services it produces or provides. Also, provide a brief description in the space provided. You can find SIC code numbers and descriptions in the 1987 Standard Industrial Classification Manual. An online version of the manual is available at http://www.osha.gov/pls/imis/sic_manual.html.

Section E. Cooling Water Intake Structures: Indicate whether the facility uses cooling water. If yes, identify the source of the cooling water.

Section F. Map Attachment

Provide a topographic map or maps of the area extending at least one mile beyond the property boundaries of the facility which clearly show the following:

1. the legal boundaries of the facility;
2. each of your existing and proposed intake and discharge structures;
3. all hazardous waste management facilities;
4. each well where you inject fluids underground;
5. all wells, springs, other surface water bodies in the area; and
6. all drinking water wells within ¼ mile of the facility which are identified in the public record or otherwise known to you.

If an intake or discharge structure, hazardous waste disposal site, or injection well associated with the facility is located more than one mile from the plant, include it on the map, if possible. If not, attach additional sheets describing the location of the structure, disposal site, or well; and identify the US Geological Survey (or other) map corresponding to the location. Maps and well locations may be obtained at <https://nris.msl.mt.gov/>.

A map development tool is available at <http://nationalmap.gov/>. If you create a map from this site, use the traditional 7.5-minute quadrangle format. If none is available, use a USGS 15 minute series map.

Section G. Variance Request:

If known at the time of application, indicate whether you intend to request or renew any of the variances at ARM 17.30.1322(13). If yes, specify which ARM 17.30.1322(13) variance you intend to request.

Section H. Facility Contact:

Give the first and last name, title, work telephone number, and electronic mailing address of a person who is thoroughly familiar with the operation of the facility and with the facts reported in this application and who can be contacted by the Department for additional information if necessary.

Section I. Owner/Operator Information

Give the legal name of the person, firm, public organization, or other entity that operates the facility described in this application. This may or may not be the same as the facility's name. The operator of the facility is the legal entity that controls the facility's operation rather than the plant or site manager. Do not use a colloquial name. The permit will be issued to the entity identified in this section (Section I). The owner/operator is the entity which is responsible for compliance with the permit, statute and applicable regulations.

Section J. Certification Statement. This form must be signed and certified by the appropriate official as given in Section 6 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:

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.

For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or

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.

END.