



**PUBLIC NOTICE NO. MT-25-02  
FEBRUARY 3, 2025**

**PURPOSE OF PUBLIC NOTICE**

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, fact sheet, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website <https://deq.mt.gov/public/index>

**APPLICANT INFORMATION**

**APPLICANT:** Westmoreland Absaloka Mining, LLC

**FACILITY NAME:** Absaloka Mine

**FACILITY LOCATION:** 529 Sarpy Basin Road  
Hardin, Montana 59034

**RECEIVING WATER:** Unnamed Ephemeral Tributary to Sarpy Creek  
Unnamed Ephemeral Tributary to Middle Fork Sarpy Creek  
Unnamed Ephemeral Tributary to East Fork Sarpy Creek

**PERMIT NUMBER:** MT0021229

DEQ proposes to renew Montana Pollutant Discharge Elimination System (MPDES) permit MT0021229 for the Westmoreland Resources, Inc., Absaloka Mine. The Absaloka Mine is an approximately 7,100-acre surface coal mine. The facility discharges treated mine drainage to the following receiving waters: unnamed ephemeral tributary to Sarpy Creek, unnamed ephemeral tributary to Middle Fork Sarpy Creek, and unnamed ephemeral tributary to East Fork Sarpy Creek. Outfalls in active mining areas are associated with sediment ponds designed to contain the runoff from a 10-year, 24-hour rainfall event. Influent flow to sediment ponds in an area of active mining consists of mine drainage and storm water runoff. Outfalls associated with reclamation areas are regulated either as "post mining areas" subject to numeric effluent limitations or by Western Alkaline Standards where outfalls receive

drainage exclusively from contributing watersheds that have been released from Phase II SMCRA bonding and meet the definition of Western Alkaline Coal Mining. Outfalls subject to Western Alkaline standards are maintained per an approved Sediment Control Plan.

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**APPLICANT INFORMATION:**

**APPLICANT:** CH SP Acquisition LLC d/b/a Spanish Peaks Mountain Club (Spanish Peaks)  
25 Town Center Avenue  
Big Sky, MT 59716

**FACILITY NAME:** Spanish Peaks Mountain Club Snowmaking

**FACILITY LOCATION:** Spirit Mountain, Andesite Mountain,  
Spanish Peaks Base Area  
Madison and Gallatin County

**RECEIVING WATER:** North and South Unnamed Tributaries to Middle Fork West Fork Gallatin River

**PERMIT NUMBER:** MT0032174

CH SP Acquisition LLC d/b/a Spanish Peaks Mountain Club (Spanish Peaks) has applied for an MPDES permit to discharge treated domestic wastewater as artificial snow on ski runs of the Spanish Peaks Mountain Club on Spirit Mountain, Andesite Mountain, and the Spanish Peaks base area. The source of the treated wastewater is the Big Sky County Water and Sewer District wastewater treatment facility. Spanish Peaks proposes to discharge up to 44 million gallons of treated wastewater as artificial snow in two phases: 23 million gallons per year (MGY) in Phase 1 and an additional 21 MGY in Phase 2. Snowmaking will occur primarily during the early portion of the ski season. Natural snow will accumulate on top of and mix with the artificial snow. The wastewater will be disinfected to standards required for wastewater reuse. The permit includes additional effluent limitations to protect human health and the environment and the beneficial uses of the receiving waterbodies. The permit also requires significant surface water and snowmelt monitoring during the spring snowmelt and runoff season. Surface water and snowmelt monitoring must be conducted, and the results reported to DEQ every year of the permit term.

A nondegradation analysis was performed in development of the proposed permit and appropriate requirements have been included in the proposed permit to prevent significant changes in the receiving water quality.

**PUBLIC COMMENT**

Public comments are invited and **must be received by 11:59 p.m. on MARCH 6, 2025.** Comments may be directed to the DEQ Water Quality Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. **All comments received or postmarked by 11:59 p.m. on MARCH 6, 2025,** will be considered in the formulation of final determinations to be imposed on the permit. If you wish to comment electronically, you may e-mail [DEQWPBPublicComments@mt.gov](mailto:DEQWPBPublicComments@mt.gov)

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-5546 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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