DRAFT ENVIRONMENTAL ASSESSMENT

October 2025

Water Quality Division
Montana Department of Environmental Quality

PROJECT/SITE NAME: Anaconda-Deer Lodge County Wastewater Holding Ponds and IP Beds Facility	
APPLICANT/COMPANY NAME: Anaconda-Deer Lodge County	
PROPOSED PERMIT NUMBER: MTX000338	
LOCATION: Section 29, T5N, R10W, Anaconda-Deer Lodge County Latitude: 46.12924°, Longitude: -112.90081°	**COUNTY:** Deer Lodge
PROPERTY OWNERSHIP: State	

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1. OVERVIEW OF PROPOSED ACTION

1.1. AUTHORIZING ACTION

Under the Montana Environmental Policy Act (MEPA), Montana agencies are required to prepare an environmental review for state actions that may have an impact on the human environment. The Proposed Action is considered to be a state action that may have an impact on the human environment and, therefore, the Department of Environmental Quality (DEQ) must prepare an environmental review. This EA will examine the proposed action and alternatives to the proposed action and disclose potential impacts that may result from the proposed and alternative actions. DEQ will determine the need for additional environmental review based on consideration of the criteria set forth in Administrative Rules of Montana (ARM) 17.4.608.

1.2. DESCRIPTION OF DEQ REGULATORY OVERSIGHT

DEQ administers the Montana Water Quality Act, issuing Montana Ground Water Pollutant Control System (MGWPCS) discharge permits pursuant to Title 75, Chapter 5, part 4, Montana Code Annotated (MCA). Regulations governing MGWPCS permitting are codified at Administrative Rules of Montana (ARM) Title 17, Chapter 30, Sub-chapter 10.

1.3. PROPOSED ACTION

Anaconda-Deer Lodge County (permittee) has applied for a renewal Montana Ground Water Pollutant Control System (MGWPCS) permit for Anaconda-Deer Lodge County Wastewater Holding Ponds and IP Beds Facility (facility) under the Water Quality Act of Montana to discharge treated domestic wastewater to ground water. The facility is located on private land, in Anaconda, Montana. All information included in this EA is derived from the permit application, discussions with the applicant, analysis of aerial photography, topographic maps, and other research tools. See the Fact Sheet (MT DEQ, 2025) for more information.

Table 1. Summary of Proposed Action

Proposed Action	
General Overview	The proposed action is to issue a renewal individual MGWPCS permit. The permit contains effluent limitations, special conditions, best management practices, wastewater monitoring and reporting, and ground water monitoring and reporting requirements. The permit is issued under the authority of the Montana Water Quality Act. Design, construction, operation, and maintenance of the facility are regulated by DEQ's engineering programs and are not related to this permitting action. This permitting action is to regulate the discharge of pollutants to ground water by monitoring effluent and ground water quality for the five-year permit duration. See the Permit for the legally binding requirements and the Fact Sheet for the technical rationale behind permitting decisions.

Personnel Onsite	**Operation:** An operator for effluent and ground water sampling.
Location and Analysis Area	***Location****:* Latitude: 46.12924°, Longitude: -112.90081° ***Analysis Area****:* The area being analyzed as part of this environmental review includes the immediate project area (Figure 1), as well as neighboring lands surrounding the analysis area, as reasonably appropriate for the impacts being considered.
The applicant is required to comply with all applicable local, county, state, and federal requirements pertaining to the following resource areas.	
Air Quality	No air quality regulations apply for issuance of the MGWPCS permit.
Water Quality	The applicant proposes to renew MGWPCS permit coverage and comply with requirements for discharge to state waters.
Erosion Control and Sediment Transport	Erosion control and sediment transport regulations do not apply to a domestic wastewater treatment plant.
Solid Waste	No solid waste regulations apply for issuance of the MGWPCS permit.
Cultural Resources	Accessed Montana Cultural Resource Database on 10/2/2025. No historical sites present in project area. The permitting action will not affect cultural resources.
Hazardous Substances	Hazardous waste disposal is not allowed under the MGWPCS permit.

Cumulative Impact Considerations	
Past Actions	MGWPCS permit coverage was first issued in 2014 and renewed in 2019 under permit number MTX000231. Permit MTX000231 expired on May 31, 2024. Anaconda-Deer Lodge County submitted a new application for MGWCS coverage on May 15, 2025, which DEQ determined complete on September 16, 2025. The ambient nitrate levels in the shallow receiving aquifer measured by the permittee during the previous permit cycle was 0.5 mg/L.
Present Actions	The permitting action will regulate the discharge of domestic in nature residential-strength wastewater discharged to Class I ground waters.
Related Future Actions	There are no other applications under consideration for the analysis area. Future actions within the analysis area must meet the minimum set back requirements per DEQ's Public Water, Subdivision, and State Revolving Fund programs.

1.4. PURPOSE, NEED, AND BENEFITS

DEQ's purpose in conducting this environmental review is to act upon Anaconda-Deer Lodge County 's application for a permit to discharge treated wastewater to ground water. DEQ's action on the permit

application is governed by § 75-5-101, et seq., Montana Code Annotated (MCA) and the Administrative Rules of Montana (ARM) Title 17, Chapter 30, Sub-chapters 2, 5, 7, and 10.

The applicant's purpose and need, as expressed to DEQ in seeking this action, is to discharge treated wastewater from holding ponds and IP beds (Outfall 001) into Class I ground water. Effluent limitations and monitoring provisions to ensure compliance with surface water quality standards, including the protection of beneficial uses, are included in the proposed MGWPCS permit renewal.

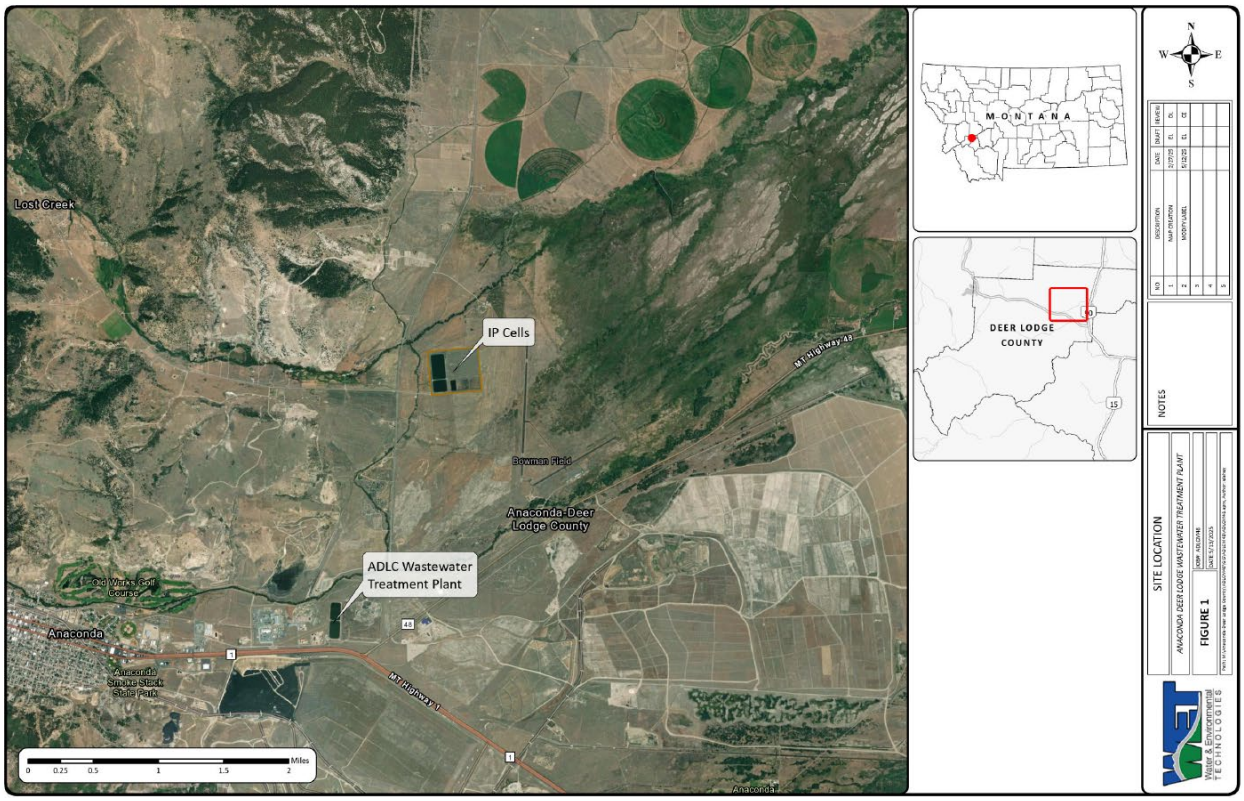

Figure 1. Location of the Anaconda-Deer Lodge County Wastewater Holding Ponds and IP Beds Facility

1.5. OTHER GOVERNMENTAL AGENCIES AND PROGRAMS WITH JURISDICTION

The proposed action would be located on public land. All applicable local, state, and federal rules must be adhered to, which may also include other local, state, federal, or tribal agency jurisdiction. Other governmental agencies which may have overlapped, or additional jurisdiction include but may not be limited to: Montana Department of Natural Resources, Montana Department of Fish Wildlife and Parks, United States Forest Service, U.S. Fish and Wildlife Service, U.S Army Corps of Engineers, and Deer Lodge County.

2. EVALUATION OF AFFECTED ENVIRONMENT AND IMPACT BY RESOURCE

The impact analysis will identify and evaluate direct, secondary, and cumulative impacts to the physical environment and human population in the area to be affected by the project. *Direct impacts* occur at the

same time and place as the action that causes the impact. *Secondary impacts* are a further impact to the human environment that may be stimulated, induced by, or otherwise result from a direct impact of the action. (ARM 17.4.603(18)) Where impacts would occur, the impacts will be described in this analysis.

Cumulative impacts are the collective impacts on the human environment within the borders of Montana of the Proposed Action when considered in conjunction with other past and present actions related to the Proposed Action by location and generic type. Related future actions must also be considered when these actions are under concurrent consideration by any state agency through pre-impact statement studies, separate impact statement evaluation, or permit processing procedures. The projects identified in Table 1 were analyzed as part of the cumulative impacts assessment for each resource.

The intensity of the impacts is measured using the following:

- **No impact**: There would be no change from current conditions.
- **Negligible**: An adverse or beneficial effect would occur but would be at the lowest levels of detection.
- **Minor**: The effect would be noticeable but would be relatively small and would not affect the function or integrity of the resource.
- **Moderate**: The effect would be easily identifiable and would change the function or integrity of the resource.
- **Major**: The effect would alter the resource.

2.1. 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?

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2025). **No impact.**

Secondary Impacts

Secondary impacts to geology and soil quality, stability and moisture are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to geology and soil quality, stability and moisture are not expected with this permitting action. **No impact.**

2.2. WATER QUALITY, QUANTITY, AND DISTRIBUTION

Are any surface or groundwater resources present in the analysis area? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels or degradation of water quality?

Direct Impacts

See the Fact Sheet (DEQ, 2025) for information regarding the receiving water classification,

beneficial uses, water quality standards, and water quality based effluent limit development.

In order to maintain beneficial uses of the aquifer, DEQ performed an analysis on the potential impacts that this project may have on the aquifer. The resulting projections indicate that the nitrate levels downgradient of the drainfield should meet water quality standards and that all beneficial uses will be maintained.

The facility covered under this permit must show evidence of treatment capable of meeting the established effluent limitation which was derived from ground water quality standards and significance criteria. This effluent limitation, along with special conditions and standard conditions of the permit has been developed to maintain the beneficial uses of all state ground waters including drinking water. Facilities must be able to meet this restrictive effluent limitation prior to discharge.

A ground water monitoring network was updated in 2019 as part of the Permittee's requirement to study site-specific hydrogeology at the facility. This network should be maintained to provide ongoing monitoring of the health of the aquifer as part of the MGWPCS permit. All reported data is available to the public.

All discharge disposal structures must meet the minimum set back requirements which includes surface water, flood plains, ditches and springs. The applicant is encouraged to contact and consult with the Public Water, Subdivision and State Revolving Fund programs at DEQ.

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2025). **Minor impact.**

Secondary Impacts

The wastewater discharge authorized by this permitting action may elevate pollutant levels above previous ambient conditions. However, as long as the facility operates within the bounds of their MGWPCS permit, no pollution will occur per Montana's Nondegradation Policy (MCA 75-5-303, ARM 17.30 Subchapter 7).

See the Fact Sheet (DEQ, 2025) for information regarding the receiving water classification, beneficial uses, water quality standards, and water quality based effluent limit development.

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2025). **Minor impact.**

Cumulative Impacts

DEQ considered cumulative environmental impacts of the facility and found no significant adverse effects on water quality, the human environment, and the physical environment. The DEQ analysis included the cumulative impact from other past and present actions.

All major discharge permitting actions, including the current action and any future actions, will include any substantive information derived from public input relating to potential impacts on the human environment and on water quality. All future actions related to this current action will be addressed by DEQ through additional discharge permitting process procedures. Any actions that are outside the purview of the discharge permit may not be addressed by DEQ until the next permitting action takes place.

To protect beneficial uses, there shall be no increase of a pollutant to a level that renders the waters harmful, detrimental, or injurious. Therefore, no wastewaters may be discharged such that the wastewater either alone or in combination with other wastes will violate or can reasonably be expected to violate any standard.

The allowable discharge will be derived from a mass-balance equation that determines the assimilative capacity of the receiving aquifer. This factors in the cumulative impacts of all existing upgradient discharges in the receiving aquifer.

Testing of the aquifer was completed to determine the existing impacts of all upgradient discharge sources. The resulting ambient nitrogen levels were used to determine the assimilative capacity to ensure limitations were achieved that factors in these existing sources.

A ground water monitoring network has been established that will provide for long-term monitoring of the aquifer. The monitoring and data reporting will provide for continual oversight of the health of the aquifer including the impacts of any upgradient dischargers. The data will also be used to update permit conditions and cumulative effect analyses for all future major modification or renewal permitting actions. These actions will be made available to the public for comment.

Long-term monitoring and reporting, continual analysis, maintenance of permit conditions, and public notice and comment is a benefit to having a system that is covered under a pollution control system permit. If the Permittee does not comply with the terms and conditions of the permit, DEQ has enforcement authority to ensure a return to compliance.

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2025). **Minor impact.**

2.3. AIR QUALITY

Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?

Direct Impacts

This facility is pre-existing and direct impacts to air quality are not expected with this permitting action.

No significant impacts were identified by DEQ after an in-depth review of the Application,

Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2025). **Negligible impact**.

Secondary Impacts

Secondary impacts to air quality are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to air quality are not expected with this permitting action. **No impact.**

2.4. VEGETATION COVER, QUANTITY, AND QUALITY

Will any vegetative communities be significantly impacted? Are any rare plants or cover types present?

Based on a search of the Natural Heritage Database, there are no plant species listed as either S1 (at high risk), S2 (at risk), LE (listed endangered), or LT (listed threatened) within the immediate vicinity of the proposed facility. (http://fieldguide.mt.gov/statusCodes.aspx#msrc:rank).

The Natural Heritage site report map of the species is provided below (Figure 2).

Direct Impacts

The facility is already built. No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS (Montana Ground Water Pollution Control System) permit action (DEQ, 2025). **Negligible impact**.

Secondary Impacts

Secondary impacts to vegetation cover, quantity, and quality are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to vegetation cover, quantity, and quality are not expected with this permitting action. **No impact.**

2.5. TERRESTRIAL, AVIAN, AND AQUATIC LIFE AND HABITATS

Is there substantial use of the area by important wildlife, birds, or fish? Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern? Impacts related to the Montana Sage Grouse Executive Order?

Based on a search of the Natural Heritage Database, there is one species, Westslope Cutthroat Trout (*Oncorhynchus lewisi)* listed as S2 (at risk) in the vicinity of the proposed facility. (http://fieldguide.mt.gov/statusCodes.aspx#msrc:rank; Figure 2).

All discharge disposal structures must meet the minimum set back requirements which include surface water, flood plains, ditches and springs. The applicant is encouraged to contact and consult with the Public Water, Subdivision and State Revolving Fund programs at DEQ:
http://deq.mt.gov/Water/SurfaceWater/DesignApprovals

Site and habitat inventories for the applicable species were recommended in consultation with the Montana Natural Heritage Program. The applicant is encouraged to contact and consult with this program or other Natural Resource Information Programs available at the Montana State Library: http://nris.msl.mt.gov/

Direct Impacts

The facility is already built. No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS permit action (DEQ, 2025). **Negligible impact.**

Secondary Impacts

Secondary impacts to terrestrial, avian, and aquatic life and habitats are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to terrestrial, avian, and aquatic life and habitats are not expected with this permitting action. **No impact.**

Figure 2. Natural Heritage Site Report Map

2.6. HISTORY, CULTURE, AND ARCHAEOLOGICAL UNIQUENESS

Are there any historical, archaeological or paleontological resources present? Will the action cause a shift in some unique quality of the area?

It is not anticipated that this project would cause a shift in any unique quality of the area. A general recommendation by the Montana State Historic Preservation Office (MSHPO) states that in the event that cultural materials are inadvertently discovered, the permittee should contact the MSHPO office for investigation.

Direct Impacts

This is an existing facility. No additional disturbance is planned for the existing MGWPCS project areas; therefore, no impacts to history, culture, or archaeological uniqueness are expected.

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS permit action (DEQ, 2025). **No impact.**

Secondary Impacts

Secondary impacts to history, culture, and archaeological uniqueness are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to history, culture, and archaeological uniqueness are not expected with this permitting action. **No impact.**

2.7. 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? Are there other activities nearby that will affect the project?

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current MGWPCS permit action (DEQ, 2025). **No impact.**

Secondary Impacts

Secondary impacts to demands on environmental resources of land, water, air, or energy are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to demands on environmental resources of land, water, air, or energy are not expected with this permitting action. **No impact.**

2.8. HUMAN HEALTH AND SAFETY

Will this project add to health and safety risks in the area?

The applicant would be required to adhere to all applicable state and federal safety laws. The Occupational Safety and Health Administration (OSHA) has developed rules and guidelines to reduce

the risks associated with this type of labor. Few, if any, members of the public would be in immediate proximity to the project during construction or operations.

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current permit action (DEQ, 2025). **No impact.**

Secondary Impacts

Secondary impacts to health and human safety are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to health and human safety are not expected with this permitting action. **No impact.**

2.9. SOCIOECONOMICS

Included in this section are the following: industrial, commercial and agricultural activities and production; quantity and distribution of employment; local and state tax base and tax revenues; demand for government services; locally adopted environmental plans and goals; access to and quality of recreational and wilderness activities; density and distribution of population and housing; social structures and mores; and other appropriate social and economic circumstances.

Will the project add to or alter industrial or agricultural activities? Will the project create, move or eliminate jobs? If so, estimated number. Will the project create or eliminate tax revenue? Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed? Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect? Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract? Will the project add to the population and require additional housing? Is some disruption of native or traditional lifestyles or communities possible?

The project would occur on private land. The wastewater treatment plant is to be maintained long-term and will have negligible impacts to population. The project area would be subject to any plans or rules set forth by Deer Lodge County. The facility is built on land that may have been historically used for agricultural purposes. The operation and maintenance of the wastewater treatment system may also result in permanent jobs. There may be minimal traffic for the operation and maintenance of the wastewater treatment system. Wastewater treatment systems may be owned and operated by local communities or sewer districts. These systems are a vital tool in protection of public and environmental health. It is not anticipated that this project would disrupt native or traditional lifestyles or communities.

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current permit action (DEQ, 2025). **No impact.**

Secondary Impacts

Secondary impacts to socioeconomics are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to socioeconomics are not expected with this permitting action. **No impact.**

2.10. 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. Does the proposed regulatory action restrict the use of the regulated person's private property? If not, no further analysis is required. 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 alternative.

The proposed project would take place on private land owned by the applicant. DEQ's approval of MGWPCS permit would affect the applicant's real property. DEQ has determined, however, that the permit conditions are reasonably necessary to ensure compliance with applicable requirements under the Water Quality Act. Therefore, DEQ's approval of the MGWPCS permit would not have private property-taking or damaging implications.

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative Determination documents for the current permit action (DEQ, 2025). **No impact.**

Secondary Impacts

Secondary impacts to private property are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to private property are not expected with this permitting action. **No impact.**

2.11. GREENHOUSE GAS ASSESSMENT

DEQ has determined the proposed action of issuing a MGWPCS permit for this existing facility would not have a substantive change to the greenhouse gas composition of the Montana environment. Due to the marginal amount of greenhouse gas emissions produced by the Proposed Action, DEQ has used its discretion as allowed by Section 1 of Senate Bill 221, passed in Legislative Session 2025, to forego further analysis for this resource area.

Direct Impacts

No significant impacts were identified by DEQ after an in-depth review of the Application, Research, and other Government Agency References in development of the Tentative

Determination documents for the current permit action (DEQ, 2025). **Negligible impact.**

Secondary Impacts

Secondary impacts to greenhouse gas are not expected with this permitting action. **No impact.**

Cumulative Impacts

Cumulative impacts to greenhouse gas are not expected with this permitting action. **No impact.**

3. DESCRIPTION OF ALTERNATIVES

No Action Alternative: In addition to the proposed action, DEQ also considered a "no action" alternative. The "no action" alternative would deny the approval of the MGWPCS permit. The applicant would lack the authority to conduct the proposed activity. Any potential impacts that would result from the proposed action would not occur. The no action alternative forms the baseline from which the impacts of the proposed action can be measured.

If the applicant demonstrates compliance with all applicable rules and regulations required for approval, the “no action” alternative would not be appropriate.

Other Reasonable Alternative(s): None.

4. CONSULTATION

DEQ engaged in internal and external efforts to identify substantive issues and/or concerns related to the proposed project. Internal scoping consisted of internal review of the environmental assessment document by DEQ staff. External scoping efforts also included queries with the permittee’s application materials and the following websites:

- U.S. EPA Center for Corporate Climate Leadership, Scopes 1, 2 and 3 Emissions Inventorying and Guidance
- U.S. EPA Center for Corporate Climate Leadership, Simplified GHG Emissions Calculator
- Jefferson River Watershed Council
- Montana Bureau of Mines and Geology
- Montana Natural Heritage Program
- Montana Sage Grouse Habitat Conservation Program
- Montana State Historic Preservation Office (SHPO)
- U.S. Bureau of Land Management
- U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey
- U.S. Environmental Protection Agency
- U.S. Forest Service, Prevention of Significant Deterioration (PSD) Program
- U.S. Geological Survey

5. SIGNIFICANCE OF POTENTIAL IMPACTS AND NEED FOR

FURTHER ANALYSIS

When determining whether the preparation of an environmental impact statement is needed, DEQ is required to consider the seven significance criteria set forth in ARM 17.4.608, which are as follows:

- The severity, duration, geographic extent, and frequency of the occurrence of the impact;
- The probability that the impact will occur if the proposed action occurs; or conversely, reasonable assurance in keeping with the potential severity of an impact that the impact will not occur;
- Growth-inducing or growth-inhibiting aspects of the impact, including the relationship or contribution of the impact to cumulative impacts;
- The quantity and quality of each environmental resource or value that would be affected, including the uniqueness and fragility of those resources and values;
- The importance to the state and to society of each environmental resource or value that would be affected;
- Any precedent that would be set as a result of an impact of the proposed action that would commit the department to future actions with significant impacts or a decision in principle about such future actions; and
- Potential conflict with local, state, or federal laws, requirements, or formal plans.

Impacts were assessed with the assumption that the facility will comply with the terms and conditions of the permit. Violations of the permit could lead to significant adverse impacts to state waters. Violations of the permit are not an effect of the agency action since the permit itself forbids such activities. However, the Department has taken steps to ensure that violations do not occur. The Department provides technical assistance to permittees for operation and maintenance, and also in understanding and implementing the requirements of the permit. The Department also conducts periodic inspections of permitted facilities, and identifies potential problems with design or management practices. If violations of the permit do occur, the Department will take appropriate action under the Montana Water Quality Act. Enforcement sanctions for violations of the permit include injunctions, civil and administrative penalties, and cleanup orders.

The preferred action is to issue the new individual MGWPCS discharge permit. This action is preferred because the permit provides a regulatory mechanism for protecting ground water quality by applying effluent limits and monitoring requirements to the discharged wastewater.

An EIS is not required under MEPA because the project lacks significant adverse effects to the human and physical environment based on above listed criteria.

As described above, DEQ's decision to issue MGWPCS Permit No. MTX000338 authorizes discharge of water to Class I ground water. The discharge is subject to permit conditions that would protect beneficial uses and prevent significant changes in water quality. Environmental impacts resulting from issuance of the MGWPCS permit are localized and would be managed through permit conditions. At the time of this analysis, there are no known conflicts with local, state, or federal laws, requirements, or plans.

6. PUBLIC INVOLVEMENT

Draft EA: Legal notice information for water quality discharge permits is listed at the following website: http://deq.mt.gov/Public/notices/wqnotices. Public comments on this proposal are invited any time prior to close of business on **December 18, 2025**. Comments may be directed to DEQWPBPublicComments@mt.gov or to

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

All comments received or postmarked prior to the close of the public comment period will be considered in the formulation of the final permit. DEQ will respond to all substantive comments pertinent to this permitting action and may issue a final decision within thirty days of the close of the public comment period.

All persons, including the applicant, who believe any condition of the draft permit is inappropriate, or that DEQ's tentative decision to deny an application, terminate a permit, or prepare a draft permit is inappropriate, shall raise all reasonably ascertainable issues and submit all reasonably available arguments supporting their position by the close of the public comment period (including any public hearing). All public comments received for this draft permit will be included in the administrative record and will be available for public viewing during normal business hours.

Copies of the public notice are mailed to the applicant, state and federal agencies, and interested persons who have expressed interest in being notified of permit actions. A copy of the distribution list is available in the administrative record for this draft permit. Electronic copies of the public notice, draft permit, fact sheet, and draft environmental assessment are available at the following website: http://deq.mt.gov/Public/notices/wqnotices.

Any person interested in being placed on the mailing list for information regarding this permit may contact the DEQ Water Protection Bureau at (406) 444-5546 or email DEQWPBPublicComments@mt.gov. All inquiries will need to reference the permit number (MTX000338), and include the following information: name, address, and phone number.

During the public comment period provided by the notice, DEQ 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.

Environmental Assessment and Significance Determination Prepared By:

M. Peziol, Water Quality Permit Writer

Environmental Assessment Reviewed By:

Erik Englebert, Supervisor
Tatiana Davila, Bureau Chief

Approved By:

SIGNATURE _____ _____

Name, Title Date

Department of Environmental Quality

7. REFERENCES

2021 BLM Specialist Report on Annual Greenhouse Gas Emissions and Climate Trends, 2021 BLM Specialist Report - GHG Emissions and Climate Trends

EPA. Climate Change Indicator: Greenhouse Gases. Climate Change Indicators: Greenhouse Gases | US EPA

EPA Center for Corporate Climate Leadership, Scopes 1, 2 and 3 Emissions Inventorying and Guidance | US EPA.

Montana Natural Heritage Program

Montana State Historic Preservation Office

40 CFR § 136. Guidelines Establishing Test Procedures for the Analysis of Pollutants. 2011.

Administrative Rules of Montana, Title 17, Chapter 30, Water Quality:

- Subchapter 2 _ Water Quality Permit Fees.
- Subchapter 5 – Mixing Zones in Surface and Ground Water.
- Subchapter 7 – Nondegradation of Water Quality.
- Subchapter 10 – Montana Ground Water Pollution Control System.
- Subchapter 13 – Montana Pollutant Discharge Elimination System.

Department of Environmental Quality. 2014 and 2019. Administrative Records for the Montana Ground Water Pollution Control System (MGWPCS) Permit: MTX000231.

Department of Environmental Quality. 2025. Administrative Records for the Montana Ground Water Pollution Control System (MGWPCS) Permit: MTX000338.

Department of Environmental Quality, Water Quality Circulars:

- Circular DEQ-2 – Design Standards for Wastewater Facilities.
- Circular DEQ-4 – Montana Standards for On-Site Subsurface Sewage Treatment Systems.
- Circular DEQ-7 – Montana Numeric Water Quality Standards, Required Reporting Values, and Trigger Values.

Montana Code Annotated, Title 75, Chapter 5, *Montana Water Quality Act*, 2011.

Montana Sage Grouse Habitat Conservation Program. April 17, 2025. Sage Grouse Mitigation Plan Review, West Silver Star Project 6986. Hosted by the Montana Department of Natural Resources and Conservation.

Ohio Environmental Protection Agency, Technical Guidance Manual for Ground Water Investigations. 2007. http://www.epa.ohio.gov/ddagw/gw_support.

U.S. Environmental Protection Agency, Effluent Limitation Guidelines, http://water.epa.gov/scitech/wastetech/guide/, 2013.

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