

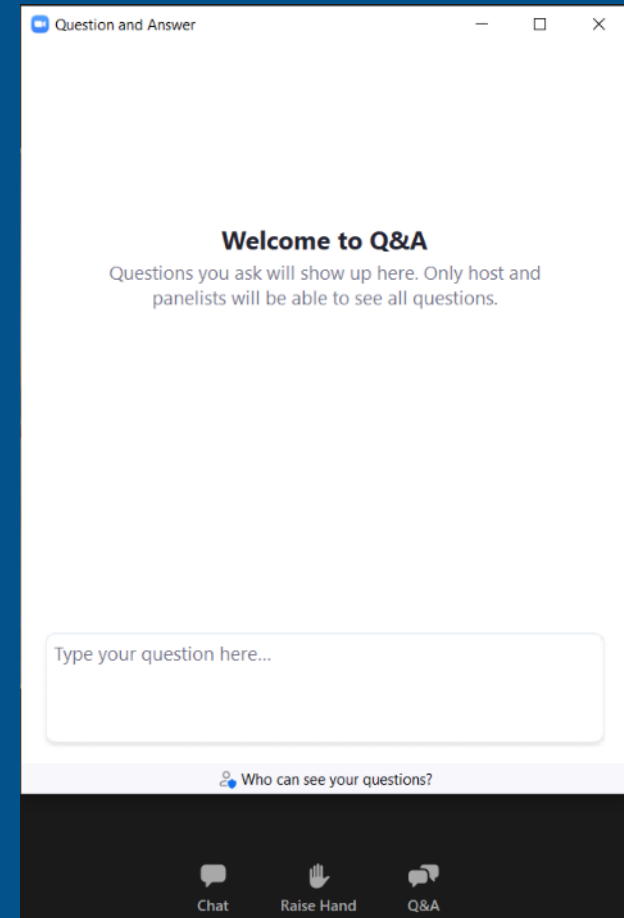


Nutrient Work Group

July 20, 2023

Welcome!

- This meeting is a webinar
- NWG members will be panelists
- Members of the public can raise their hand or use the Q&A feature to ask questions during the public comment portion of the meeting
- *9 raises your hand if you're on the phone
- State your name and affiliation before providing your comment



Unmute

Chat

Raise Hand

Q&A

Leave

Agenda

Meeting Goal: Discuss compliance options, how interim limits work in a compliance schedule, how the adaptive management program is a compliance schedule, and compliance options for the non-limiting nutrient.

Preliminaries

- Nutrient Work Group Roll Call

DEQ Updates

- Rulemaking timeline

CWA Compliance Options

- Meeting limit
- Compliance schedule
- Variance

Adaptive Management Program as a Compliance Schedule

Non-Limiting Nutrient

Public Comment & Close of Meeting

- Meeting Schedule
- Public Comment

Roll Call

Nutrient Work Group Members

Interest Group	Representative	Substitute
Point Source Discharger: Large Municipal Systems (>1 MGD)	Louis Engels	
Point Source Discharger: Middle-Sized Mechanical Systems (<1 MGD)	Shannon Holmes	
Point Source Discharger: Small Municipal Systems with Lagoons	Rika Lashley	
Point Source Discharger: Non-POTW	Alan Olson	
Municipalities	Kelly Lynch	
Mining	Matt Vincent	
Farming-Oriented Agriculture	Karli Johnson	
Livestock-Oriented Agriculture	Raylee Honeycutt	
Conservation Organization - Local	Kristin Gardner	
Conservation Organization – Regional	Sarah Zuzulock	
Conservation Organization – Statewide	David Brooks	
Environmental Advocacy Organization	Guy Alsentzer	
Water or Fishing-Based Recreation	Pete Cardinal	
Federal Land Management Agencies	Andy Efta	
Federal Regulatory Agencies	Tina Laidlaw	
State Land Management Agencies	Jeff Schmalenberg	
Water Quality Districts / County Planning Departments	Nick Banish	
Soil & Water Conservation Districts – West of the Continental Divide	Samantha Tappenbeck	
Soil & Water Conservation Districts – East of the Continental Divide	Dan Rostad	
Wastewater Engineering Firms	Scott Buecker	
Timber Industry	Julia Altemus	



DEQ Updates

DEQ Updates

- Rulemaking Timeline
 - Present to WPCAC in December
 - Publishing proposed rule in the MAR in January



CWA Compliance Options

CWA Compliance Options

If DEQ finds a facility has reasonable potential to cause or contribute to a water quality standards exceedance, DEQ must assign an effluent limit for that parameter.

The limit must be met as soon as possible. If this cannot be done immediately, the Clean Water Act provides several tools allowing dischargers time to make the necessary changes.

- Water quality standards variance
 - individual variance
 - multi-discharger variance
- Compliance schedule with interim limits
 - Time for facility upgrades (short-term)
 - **Time for implementing an adaptive management plan (longer term)**
- Meet the limit: permittee may achieve nutrient limits by existing O & M, capital improvements, land application, seasonal discharge, etc. Permittee will keep limit and continue monitoring.

Interim Permit Limits Under an Adaptive Management Plan

- Interim permit limits provide compliance targets that are measurable steps towards achieving the final effluent limit as soon as possible.
- Interim permit limits will be case-specific for each facility.
- If a facility has an existing limit, it will be maintained or capped at current performance if applicable.
- If a facility doesn't have a nutrient limit (and has RP), it will be capped at the current performance.
- Analysis of site-specific instream response variable data will develop a better description of the final effluent limit, and possibly of future interim limits.

AMP as a Compliance Schedule

- Must have final limits. This is initially based on the ecoregional range until site-specific response variable data is developed. This data will determine compliance with the narrative nutrient criteria.
- What the MPDES Compliance Schedule potentially could look like:
 - Interim Limits (previous discussion)
 - Time required to reach final limits
 - Final Limits (>1 permit cycle)
- Annual reporting requirement/
Optimization of wastewater treatment
- Develop and implement monitoring plan
- Evaluate causal and response variables (3-5 years out)
- Additional components of an AMP may be added to the compliance schedule as appropriate.

Non-Limiting Nutrient

What's happening with Nitrogen while Phosphorous is being prioritized?

- Existing TN will be maintained or capped at current performance if applicable.
- Nitrogen could be addressed under either a variance or a compliance schedule.



Upcoming Meetings

Upcoming Meeting Schedule

Already Scheduled:

- Wednesday August 16, 9 - 11 a.m.
- Thursday September 14, 9 - 11 a.m.

Proposed Dates:

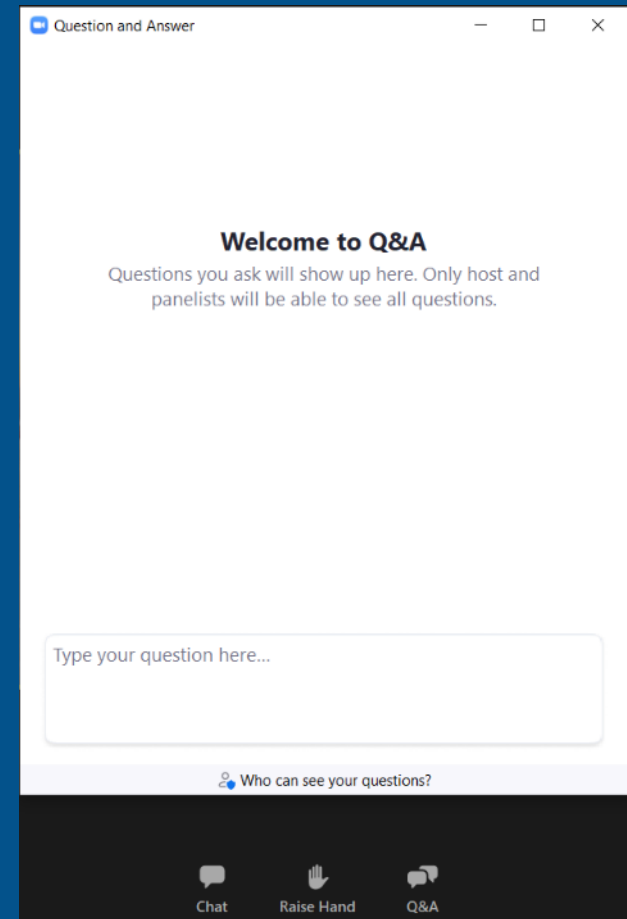
- Thursday, October 12, 9 – 11 a.m.
- Tuesday, November 14, 9 – 11 a.m.



Public Comment

Questions/ Comments

- Raise hand (*9 if on the phone) or type questions into the Q&A
- DEQ will unmute you if you wish to provide your comment orally
- If calling by phone, press*6 to unmute
- State your name and affiliation before providing your comment



Unmute

Chat

Raise Hand

Q&A

Leave

Thanks for Joining Us

Contact:

Kyle Milke

kyle.milke@mt.gov

To submit comments or questions



<https://deq.mt.gov/water/Councils>

