

Proposed Rulemaking

Montana Ground Water Pollution Control System
ARM 17.30.10

WPCAC December 13, 2023

MAR17-433 rulemaking

Proposed changes to ARM 17.30.10

1. Clarify that permitting threshold is based on whole development
2. Revise the permit exclusion threshold from 5K gpd to 1 lb/day TN
3. Update and modernize public notice procedures
4. Administrative cleanup

Public comment is open now on DEQ site

- Comment period closes tomorrow, December 14

1. Close the loophole

- Example 57 home subdivision, three 4,750 gpd drainfields
- Permit NOT required because each *system* is <5,000 gpd



x19

Conventional septic (50 mg/L): 1.99 lbs/day TN

+



x19

Conventional septic (50 mg/L): 1.99 lbs/day TN

+

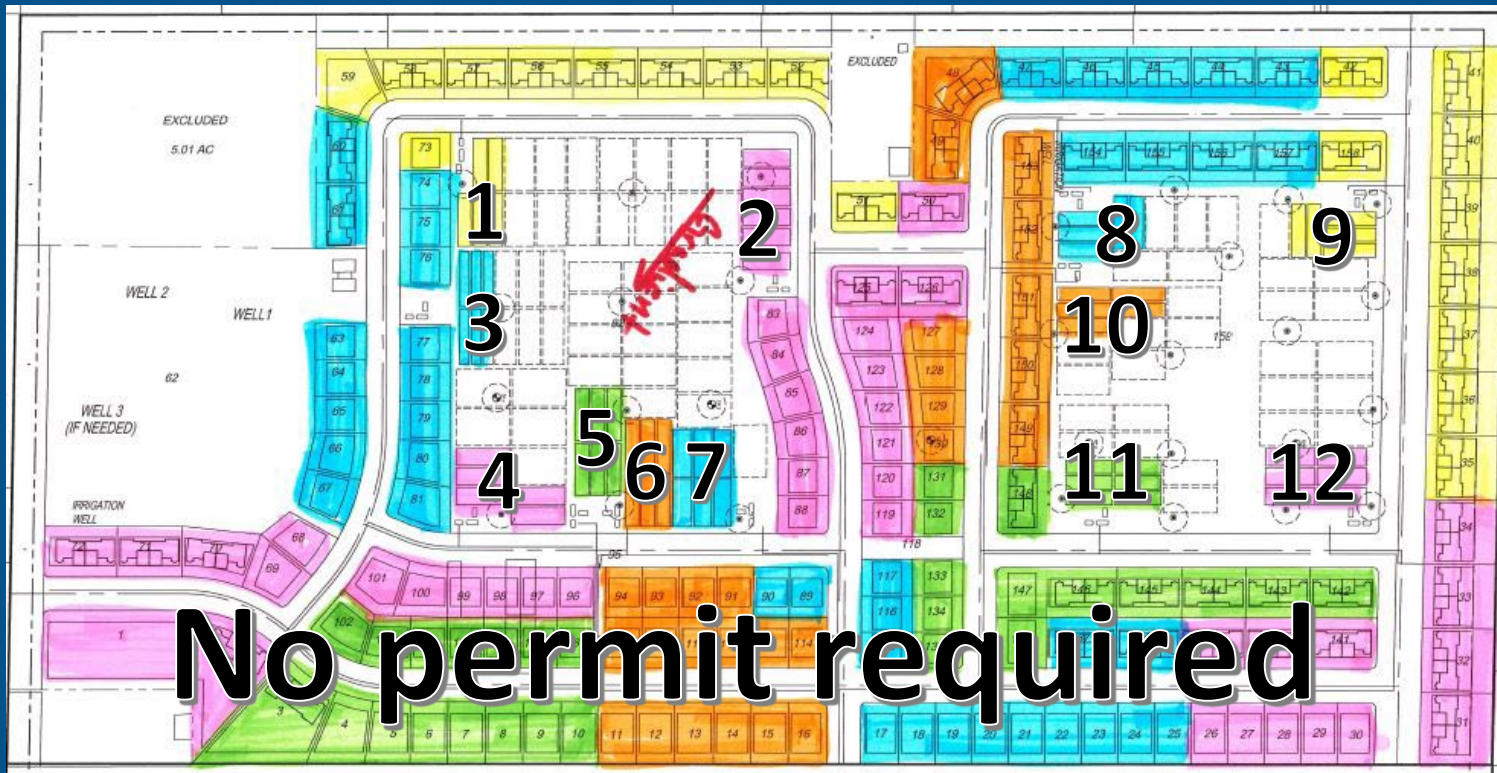


x19

Conventional septic (50 mg/L): 1.99 lbs/day TN

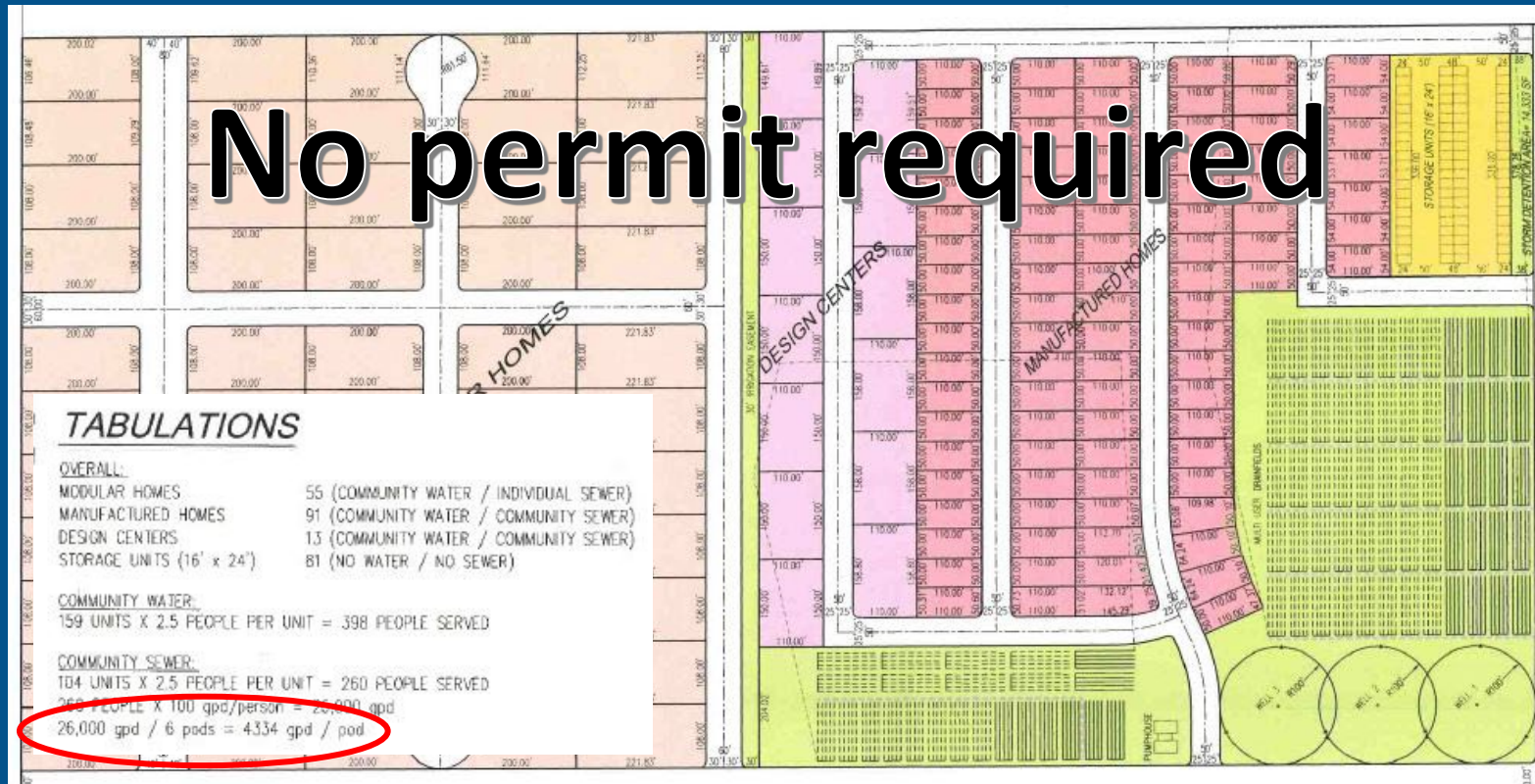
14,250 gpd & 6 lbs/day TN

1. Without cumulative clarifier



12 public systems of <5,000 gallons per day:
~55K gpd, 23 lbs/day TN

1. Without cumulative clarifier



26,000 gpd wastewater need met by 6 public systems of 4,334 gpd: 10.9 lbs/day TN

2. Revised permitting threshold

Change from 5,000 gallons to 1 pound total nitrogen per day

Based on nitrogen load, not flow volume

- More accurately addresses the parameter of concern

NO CHANGE:

Only applies to public sewage systems

- Multi-family and individual systems are not subject to permits

Only applies to domestic wastewater

- There is no threshold for sources of industrial wastewater

Domestic



Industrial



2. Translating the threshold

For a Level 2 system, the only change is how the threshold is expressed

 @ 5,000 gpd

Conventional septic (50 mg/L): 2.1 lbs/day TN

 @ 5,000 gpd

Level 2 system (24 mg/L): 1.0 lbs/day TN

 @ 5,000 gpd

Advanced N removal (7.5 mg/L): 0.31 lbs/day TN

2. Proposed threshold

- Example public system serving 19 homes
- 4,750 gallons per day
- Permit MAY BE required



x19

Conventional septic (50 mg/L): 1.99 lbs/day TN



x19

Level 2 system (24 mg/L): 0.95 lbs/day TN



x19

Advanced N removal (7.5 mg/L): 0.30 lbs/day TN

Other Revisions

3. Update public notice procedures

- Remove 30-day wait for public hearings
- Modernize public notice process
- Revise notified agencies (~~Federal~~)

4. Administrative cleanup

- Additional definitions for clarity
- Provide for administrative continuance and obligation to raise issues (mirroring MPDES)



Questions?

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Comment by 5:00 PM tomorrow!