

# DEPARTMENT OF ENVIRONMENTAL QUALITY

## Environmental Assessment

Water Quality Division  
Water Protection Bureau

**Name of Project:** Disinfected Water and Hydrostatic Testing General Permit (General Permit MTG770000)

**Type of Project:** The General Permit covers discharges of disinfected water from the flushing of fire hydrants, draining of water storage towers or tanks, and the emptying of public or private swimming pools. These sources typically must be treated for total residual chlorine before discharge. Additionally, the permit covers discharges of water used to test the hydrostatic properties of new or existing pipes, tanks, vessels, boilers, and other similar equipment to ensure there will be no discharge of residual petroleum-containing wastes. Equipment previously containing liquid petroleum products is required to be physically cleaned before testing. Pollutants associated with hydrostatic testing of used equipment may include oil and grease, total suspended solids, and petroleum-related compounds such as BTEX (benzene, toluene, ethylbenzene, and total xylenes). Discharges from both types of activities are usually intermittent and short-term.

**Location of Project:** Statewide (Except A-1, A-Closed waterbodies, and Indian Reservations)

**Description of Project:** Reissuance of the statewide General Permit. The renewed permit will establish effluent limits and monitoring and reporting requirements for discharges at disinfected water and hydrostatic testing sites. Owners or operators of proposed projects must apply for authorization and receive written approval from the Department to be covered under the General Permit. Effluent limitations in the permit will ensure compliance with water quality standards.

**Agency Action and Applicable Regulations:** The proposed action is to reissue the General Permit. The actions in this EA will fall under:

- Montana Water Quality Act 75-5-101, *et seq.*
- Administrative Rules of Montana (ARM) Chapter 17:
  - Subchapter 2 – Fees
  - Subchapter 5 - Mixing Zones in Surface and Ground Water
  - Subchapter 6 - Montana Surface Water Quality Standards and Procedures
  - Subchapter 7 - Nondegradation of Water Quality
  - Subchapter 12 and 13 - Montana Pollutant Discharge Elimination System

**Summary of Issues:** None

**Benefits and Purpose of Action:** Treated wastewater discharged at disinfected water and hydrostatic testing sites that meet effluent limits in the General Permit will protect water quality and beneficial uses of state waters.

**Affected Environment & Impacts of the Proposed Project:**

Y = Impacts may occur

N = Not present or No Impact will likely occur.

<b>Impacts on the Physical Environment</b>	
<b>Resource</b>	<b>[Y/N] Potential Impacts and Mitigation Measures</b>
<b>1. Geology and Soil Quality, Stability and Moisture:</b> Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?	[N] Flow must be monitored and must not cause erosion to streambeds or banks. If necessary, flow dissipation devices or rip rap must be installed to reduce/control erosion.
<b>2. Water Quality, Quantity and Distribution:</b> Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	[N] Discharges authorized under this General Permit must be treated to effluent limits, which are set at nondegradation values to protect water quality.
<b>3. Air Quality:</b> Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones?	[N] Coverage under this permit does not relieve the permittee from applicable air quality standard requirements. However, no significant impacts on other environmental resources have been identified.
<b>4. Vegetation Cover, Quantity and Quality:</b> Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N] The General Permit requires consultation with the Montana Natural Heritage Program before authorization to insure there will be no significant impacts on vegetative communities.
<b>5. Terrestrial, Avian and Aquatic Life and Habitats:</b> Is there substantial use of the area by important wildlife, birds or fish?	[N] The General Permit requires consultation with the Montana Natural Heritage Program before authorization to insure no significant impact on wildlife. Additionally, discharges must meet water quality standards that will protect aquatic life in the receiving water.
<b>6. Unique, Endangered, Fragile or Limited Environmental Resources:</b> Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	[N] The General Permit requires consultation with the Montana Natural Heritage Program before authorization to insure there will be no significant impacts on threatened or endangered species. Additionally, DEQ may deny requests to discharge into an area of unique ecological or recreational significance.
<b>7. Sage Grouse Executive Order No. 12-2015</b>	[N] Projects within designated sage grouse habitat will be addressed through the Montana Sage Grouse Habitat Conservation Program. The program has a role of consultation, recommendation, and facilitation, and has no authority to approve or deny a project. Certain limitations or conditions may apply to a project within designated sage grouse habitat. Any recommendations or mitigations determined by the program are provided to the project proponent in a consultation letter. The resulting consultation letter is required with the submitted Notice of Intent form to DEQ before authorization can occur.
<b>8. Historical and Archaeological Sites:</b> Are any historical, archaeological or paleontological resources present?	[N] The General Permit requires consultation with the Montana State Historical Preservation Office before authorization to insure there will be no significant impacts on historical or archaeological sites.
<b>9. Aesthetics:</b> Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	[N] Disinfected water and hydrostatic testing projects can be located in populated areas and noise may be associated with these types of activities, but only for short periods of time. No significant impacts are expected.
<b>10. Demands on Environmental Resources of Land, Water, Air or Energy:</b> Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Will new or upgraded powerline or other energy source be needed)	[N] No significant impacts are anticipated for these types of projects in regard to limited resources or energy needs.
<b>11. Impacts on Other Environmental Resources:</b> Are there other activities nearby that will affect the project?	[N] No significant impacts on other environmental resources have been identified.

<b>Impacts on the Human Environment</b>	
<b>Resource</b>	<b>[Y/N] Potential Impacts and Mitigation Measures</b>
<b>12. Human Health and Safety:</b> Will this project add to health and safety risks in the area?	[N] No significant impacts are anticipated.
<b>13. Industrial, Commercial and Agricultural Activities and Production:</b> Will the project add to or alter these activities?	[N] No significant impacts are anticipated.
<b>14. Quantity and Distribution of Employment:</b> Will the project create, move or eliminate jobs? If so, estimated number.	[N] No significant impacts are anticipated.
<b>15. Local and State Tax Base and Tax Revenues:</b> Will the project create or eliminate tax revenue?	[N] No significant impacts are anticipated.
<b>16. Demand for Government Services:</b> Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	[N] No significant impacts are anticipated.
<b>17. Locally Adopted Environmental Plans and Goals:</b> Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] Permittees and contractors are required to comply with local ordinances. No significant impacts are anticipated.
<b>18. Access to and quality of Recreational and Wilderness Activities:</b> Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N] The General Permit does not exempt permittees from any local, state, or federal regulations regarding public access or right of way, or any state or federal wilderness recreation area rules. No significant impacts are anticipated.
<b>19. Density and Distribution of Population and Housing:</b> Will the project add to the population and require additional housing?	[N] No significant impacts are anticipated.
<b>20. Social Structures and Mores:</b> Is some disruption of native or traditional lifestyles or communities possible?	[N] No significant impacts are anticipated.
<b>21. Cultural Uniqueness and Diversity:</b> Will the action cause a shift in some unique quality of the area?	[N] No significant impacts are anticipated.
<b>22. Other Appropriate Social and Economic Circumstances:</b>	[N] No significant impacts are anticipated.
<b>23(a). Private Property Impacts:</b> 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.	[NA]
<b>23(b). Private Property Impacts:</b> Is the agency proposing to deny the application or condition the approval in a way that restricts the use of the regulated person's private property? If not, no further analysis is required.	[NA]

Impacts on the Human Environment	
Resource	[Y/N] Potential Impacts and Mitigation Measures
<p><b>23(c). Private Property Impacts:</b> If the answer to 21(b) is affirmative, 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 alternatives. The agency must disclose the potential costs of identified restrictions.</p>	[NA]

- 23. **Description of and Impacts of other Alternatives Considered:** None
- 24. **Summary of Magnitude and Significance of Potential Impacts:** Pollutants of concern are limited to nondegradation values to protect aquatic life, human health, and quality of state surface waters. No significant impacts are anticipated.
- 25. **Cumulative Effects:** None foreseen.
- 26. **Preferred Action Alternative and Rationale:** Reissue the General Permit because it provides the regulatory mechanism for protecting water quality by enforcing the Montana Water Quality Act and rules.

**Recommendation for Further Environmental Analysis:**

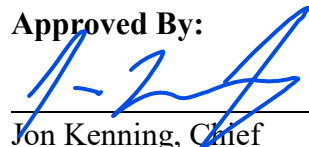
EIS     More Detailed EA     No Further Analysis

**Rationale for Recommendation:** There will be no significant adverse impacts on the physical, biological, or social portion of the human and natural environment.

- 27. **Public Involvement:** A public comment period and public hearing was held for the proposed General Permit, including this EA.
- 28. **Persons and agencies consulted in the preparation of this analysis:** None

**EA Checklist Prepared By:** Haley Sir, April 2020

**Approved By:**

  
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 Jon Kenning, Chief  
 Water Protection Bureau

\_\_\_\_\_ November 12, 2020 \_\_\_\_\_  
 Date