

**Response to Comments  
Disinfected Water and Hydrostatic Testing General Permit  
MPDES Permit MTG770000**

On June 15, 2020, the Montana Department of Environmental Quality (DEQ) issued Public Notice MT-20-08, stating DEQ’s intent to issue a Montana Pollutant Discharge Elimination System (MPDES) Disinfected Water and Hydrostatic Testing General Permit. The public notice required that all substantive comments be received or postmarked by July 15, 2020 to be considered in formulation of the final determination and issuance of the permit.

This Response to Comments document includes a summary of all significant comments on the draft permit and fact sheet received during the public comment period and DEQ’s response to those comments. The Response to Comments document is an addendum to, and supersedes, relevant portions of the Fact Sheet to the extent those changes are outlined below.

The table below identifies those individuals who submitted comments.

<b>Persons Submitting Significant Comments on the Fact Sheet and Draft MPDES Disinfected Water and Hydrostatic Testing General Permit MTG770000</b>	
<b>Number</b>	<b>Commenter</b>
<b>1</b>	Shane LaCasse, ESandH Manger for CHS, Inc. Laurel Refinery

**Response to Comments on the Fact Sheet and Draft MPDES General Permit MTG770000:**

**Commenter 1. Shane LaCasse, CHS Inc. Laurel Refinery**

**Comment 1:** The draft permit specifies monitoring of effluent flow. There is no specific guidance given on how the flow rate is to be measured and what accuracy is expected. Will an estimate be sufficient? For example, after hydrotesting a storage tank it may be drained at an estimated rate of 250 gpm, but that value may be plus/minus 50 gpm in the course of a day. Consequently, we propose that the permit should include wording such as “The effluent flow shall be estimated using available data and methods (e.g. calculations based on equipment volume).”

**Response:** DEQ understands that discharges from activities covered under this general permit are intermittent and short-term. Dischargers are required to monitor flow in a manner that is representative and try to get within ten percent of the facility’s actual flow, using best available methods, calculations and data. DEQ does not believe the language needs to be changed and is willing to work with permittees to help them show they are in compliance with the monitoring requirement. No changes have been made to the permit in response to this comment.

**Comment 2:** The Oil & Grease Maximum Daily limit is proposed to be set at 40% of the standard. The basis for this proposal isn’t clearly stated. We believe that the Maximum Daily Limit should be set at the standard of 10 mg/L. Given hydrostatic and disinfected water discharges are by nature usually short term and relatively low volume, setting the limit at 10 mg/L would not be expected to result in long term impairment of a receiving water. Also, the

stated intent of the 4 mg/L would typically be more indicative of a long term (i.e., monthly) average.

**Response:** The proposed oil and grease limit is based on the nondegradation policy set forth in the Montana Water Quality Act, which prohibits degradation of state waters. Nondegradation limits are typically less the applicable water quality standard and apply to any new activity, regardless of the duration or frequency of the activity. DEQ has determined that setting the oil and grease limit to 40% of the standard ensures the parameter will not have a measurable effect on existing or anticipated uses, or cause measurable change in aquatic or ecological integrity, of receiving waters covered under this general permit. No changes were made in response to this comment.

**Comment 3:** The Benzene Maximum Daily Limit is proposed to be set at 0 ug/L. The value “0” is, in essence, not real as it cannot be achieved by treatment processes or even analytically. The fact the RRV is set at 0.6 ug/L essentially establishes this fact. Consequently, in order to establish a measurable standard we propose the Limit be set to 0.6 ug/L. Note that this value is almost ten times lower than the Human Health Standard and so should be sufficient to ensure no degradation of water quality occurs. Once again, the typical hydrostatic discharge event is by nature a short term event.

**Response:** The proposed benzene limit is based on the nondegradation policy set forth in the Montana Water Quality Act, which prohibits degradation of state waters. Nondegradation limits are typically less the applicable water quality standard and apply to any new activity, regardless of the duration or frequency of the activity. As a carcinogenic, nondegradation criterion requires this parameter to be less than or equal to the concentration of benzene in the receiving water, which is assumed to be zero. DEQ acknowledges that technology commonly available for analysis can only detect benzene to 0.6 ug/L, as established by the Required Reporting Value (RRV). Analytical results less than or equal to the RRV of 0.6 ug/L are considered in compliance with the limit, as stated in the monitoring requirements. No changes were made in response to this comment.

**In formulating the final permit, DEQ made the following changes:**

The word “electronic” has been added in section II.B. *Self-Monitoring and Reporting Requirements* to read as follows:

*“All dischargers must submit electronic NetDMR results for each month by the 28<sup>th</sup> of the following month, beginning with the first month of authorization.”*

Additionally, the footnotes in both the *Effluent Limits* and *Self-Monitoring and Reporting Requirements* tables were modified as follows:

- Footnote (1) in Table 2 now reads, “*All parameters must be reported as daily maximum except pH, which should be reported as daily maximum and daily minimum if more than one sample is collected.*”

- A footnote was added to Tables 1 and 2 excluding disinfected water discharges associated with short-term hydrant flushing activities from total suspended solids limits and monitoring, these are short term activities with chlorine being the primary pollutant of concern.