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OCT 21 2022

Ravalli County Commissioners

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**PUBLIC NOTICE NO. MT-22-18
October 17, 2022**

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to terminate discharge permits to the facilities listed in this notice. These permits were issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. Copies of the termination fact sheet and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website <https://deq.mt.gov/public/index>

PERMITTEE INFORMATION

PERMITTEE: **RC Resources, Inc.**

FACILITY NAME: **Rock Creek Mine**

FACILITY LOCATION: **Township 27N, Range 32W, Sections 26, 27, 34, and 35;
Township 26N, Range 32W, Sections 3, 10, 15, 22, 23, 27,
28, 29, 32, and 33
Latitude: 48° 01' 39" N, Longitude: 115° 42' 15" W**

COUNTY: **Sanders**

RECEIVING WATER: **Rock Creek, Miller Gulch, Unnamed Tributary to West
Fork Rock Creek**

PERMIT NUMBER: **MT0030287**

On September 27, 2022, RC Resources rescinded the renewal application for MPDES permit MT0030287 and requested that DEQ allow the permit to expire. RC Resources stated that none of the permitted outfalls have been constructed and a discharge has not been reported for the Rock Creek Mine. Therefore, DEQ proposes to terminate the permit pursuant to ARM 17.30.1363(1)(d), finding that there has been a permanent elimination in the potential to discharge.

PERMITTEE INFORMATION

PERMITTEE: **RC Resources, Inc.**

FACILITY NAME: **Rock Creek Mine – Road Projects**

FACILITY LOCATION: **48.062778 N, 115.698333 W
Noxon, MT 59893**

COUNTY: **Sanders**

RECEIVING WATER: **Rock Creek, Miller Gulch, Unnamed Tributaries to Rock
Creek**

PERMIT NUMBER: **MT0031763**

On December 13, 2021, DEQ public noticed a draft permit for comment. DEQ did not take any action on the draft permit. On September 27, 2022, RC Resources rescinded the renewal application for MPDES permit MT0031763 and requested that DEQ allow the permit to expire. RC Resources stated that none of the permitted outfalls have been constructed and a discharge has not been reported for the Rock Creek Mine – Road Projects. Therefore, DEQ proposes to terminate the permit pursuant to ARM 17.30.1363(1)(d), finding that there has been a permanent elimination in the potential to discharge.

PERMITTEE INFORMATION

PERMITTEE: **Montana-Dakota Utilities Co.**

FACILITY NAME: **Lewis & Clark Station**

FACILITY LOCATION: **35023 Highway 23
Sidney, Montana 59270**

COUNTY: **Richland**

RECEIVING WATER: **Yellowstone River, Irrigation Return Ditch D-12**

PERMIT NUMBER: **MT0000302**

On September 28, 2022, Montana-Dakota Utilities Co. requested termination of MPDES permit MT0000302. Montana-Dakota Utilities Co. stated that coal operations, cooling towers and wastewater discharges ceased in 2021. All outfalls covered by MPDES Permit MT0000302 have been closed at the

site. Therefore, DEQ proposes to terminate the permit pursuant to ARM 17.30.1363(1)(d), finding that there has been a permanent elimination in the potential to discharge.

PUBLIC COMMENT

Public comments are invited and **must be received by 11:59 p.m. on NOVEMBER 18, 2022.** Comments may be directed to the DEQ Water Quality Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. **All comments received or postmarked by 11:59 p.m. on NOVEMBER 18, 2022,** will be considered in the formulation of final determinations to be imposed on the permit. If you wish to comment electronically, you may e-mail DEQWPBPublicComments@mt.gov

During the public comment period provided by the notice, the Department 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 (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-5546 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

PUBLIC NOTICE NO. MT-22-18
October 17, 2022

STATE OF TEXAS
COUNTY OF [illegible]

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