



## ADMINISTRATIVE RULES OF MONTANA



### 17.30.1379 STAYS OF CONTESTED PERMIT CONDITIONS

- (1) If a request to the department for review of an MPDES permit is granted, the effect of the contested permit conditions must be stayed and may not be subject to judicial review pending final action by the department. If the permit involves a new source, new discharger, or a recommencing discharger, the applicant shall be without a permit for the proposed new facility, source, or discharger pending final action by the department.
- (2) Uncontested conditions which are not severable from those contested must be stayed together with the contested conditions. Stayed provisions of permits for existing facilities and sources must be identified by the department. All other provisions of the permit for the existing facility or source must remain fully effective and enforceable.

**Authorizing statute(s):** 75-5-201, 75-5-401, MCA

**Implementing statute(s):** 75-5-401, MCA

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**History:** NEW, 1989 MAR p. 2060, Eff. 12/8/89; TRANS, from DHES, 1996 MAR p. 1499.