



ADMINISTRATIVE RULES OF MONTANA



17.30.1022 EXCLUSIONS FROM PERMIT REQUIREMENTS

- (1) In addition to the permit exclusions identified in 75-5-401, MCA, the following activities or operations are not subject to the permit requirements of this subchapter:
 - (a) motor vehicle wrecking facilities and county motor vehicle graveyards licensed pursuant to Title 75, chapter 10, MCA;
 - (b) sources that obtain an MPDES permit pursuant to ARM Title 17, chapter 30, subchapter 13;
 - (c) public sewage systems that were reviewed and approved by the department prior to May 1, 1998, under Title 75, chapter 6, and ARM 17.38.101. However, this exclusion does not apply to systems with a design capacity greater than 5000 gallons per day, if the operator of the system requests a modification after May 1, 1998, or if the department determines that operation of the system has caused a violation of a statute or rule administered by the department after May 1, 1998;
 - (d) public sewage systems that are reviewed and approved by the department after March 1, 2024, under Title 75, chapter 6, MCA, and ARM 17.38.101 under a common design plan or serving a common development that in the aggregate discharge less than one pound of total nitrogen per day;
 - (e) multi-family sewage disposal systems reviewed and approved by the department under Title 76, chapter 4, MCA, and multi-family sewage disposal systems reviewed and approved by a local government under Title 76, chapter 3, MCA, after May 1, 1998;
 - (f) multi-family sewage disposal systems reviewed and approved by the Department of Public Health and Human Services under Title 50, chapters 50, 51, and 52, MCA, and multi-family sewage disposal systems reviewed and approved by local boards of health under Title 50, chapter 2, MCA, after May 1, 1998;
 - (g) public sewage systems that apply reclaimed wastewater at agronomic rates to land as a method of disposal and that have been reviewed and approved by the department under Title 75, chapter 6, MCA, and ARM 17.38.101;
 - (h) public sewage systems that discharge unrestricted reclaimed wastewater and that have been reviewed and approved under Title 75, chapter 6, MCA, and ARM 17.38.101. Discharges of unrestricted reclaimed wastewater excluded under this rule remain subject to the monitoring and reporting requirements imposed as a condition of approval under ARM 17.38.101(8)(c).

- (2) Aggregate total nitrogen load for the permit exclusion in (1)(d) is calculated by adding each contributing load from the public sewage systems reviewed and approved by the department under a common design plan or that serve a common development.
- (3) Notwithstanding the exclusions set forth in (1), all sources are subject to the provisions of ARM 17.30.1001 through 17.30.1011, and 17.30.1045. Furthermore, any excluded source which the department determines may be causing or is likely to cause violations of ground water quality standards may be required to submit monitoring information pursuant to 75-5-602, MCA.

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

Implementing statute(s): 75-5-401, 75-5-602, MCA

History: NEW, 1982 MAR p. 1937, Eff. 10/29/82; TRANS, from DHES, and AMD, 1996 MAR p. 1499, Eff. 6/7/96; AMD, 1997 MAR p. 402, Eff. 2/25/97; AMD, 1998 MAR p. 1164, Eff. 5/1/98; AMD, 2012 MAR p. 2067, Eff. 10/12/12; AMD, 2024 MAR p. 262, Eff. 2/10/24.