



ADMINISTRATIVE RULES OF MONTANA



17.30.1360 TRANSFER OF PERMITS

- (1) Except as provided in (2) , a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under ARM 17.30.1361(2) (b)) , or a minor modification made (under ARM 17.30.1362(4)) , to identify the new permittee and incorporate such other requirements as may be necessary under the Act.
- (2) As an alternative to transfers under (1) , any MPDES permit may be automatically transferred to a new permittee if:
 - (a) the current permittee notifies the department at least 30 days in advance of the proposed transfer date in (b) ;
 - (b) the notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
 - (c) the department does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this rule may also be a minor modification under ARM 17.30.1362. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in (b) .

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

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

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