



ADMINISTRATIVE RULES OF MONTANA



17.30.1030 GENERAL PERMIT CONDITIONS

All issued MGWPCS permits must contain general conditions including but not limited to, the following:

- (1) All discharges of pollutants into state ground waters authorized by an MGWPCS permit must be consistent with the conditions of the permit; any sewerage system, treatment works or disposal system expansions, production increases or process modifications which may result in new or increased discharges of pollutants into state ground waters in violation of permit conditions must be reported to the department. After review of this information, the department will determine whether submission of a new or modified MGWPCS permit application is necessary.
- (2) The discharge of pollutants to state ground waters more frequently than or at a level in excess of that identified and authorized by an MGWPCS permit is a violation of the conditions of the permit.
- (3) An MGWPCS permit may be modified, suspended, or revoked in whole or in part during its term under provisions of 75-5-403 and 75-5-404 , MCA, for cause including, but not limited to, any of the following:
 - (a) violation of any conditions of the permit;
 - (b) obtaining an MGWPCS permit by misrepresentation or failure to disclose fully all relevant facts;
 - (c) a change in any condition or a violation of ground water standards or degradation of high quality ground waters caused by the discharge that requires either a temporary or permanent reduction or elimination of the authorized discharge; or
 - (d) a failure or refusal by the permittee to comply with the requirements of 75-5-602 , MCA.
- (4) The department shall notify the permittee of any tentative determination that a permit should be modified pursuant to this section. The department shall provide a period of not less than 30 days following such notification during which time the permittee may submit its views regarding the tentative determination, which shall be considered in the formation of a final determination. The permittee may appeal any permit modification to the board of environmental review pursuant to 75-5-403 , MCA.

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

Implementing statute(s): 75-5-401, 75-5-403, 75-5-404, MCA

History: NEW, 1982 MAR p. 1937, Eff. 10/29/82; TRANS, from DHES, 1996 MAR p. 1499.