



ADMINISTRATIVE RULES OF MONTANA



17.30.1364 APPLICATION PROCESSING PROCEDURES

- (1)
 - (a) Any person who requires a permit under the MPDES program shall complete, sign, and submit to the department an application for each permit required under ARM 17.30.1301. Application procedures for authorizations under MPDES general permits are set forth at ARM 17.30.1341.
 - (b) The department may not begin the processing of a permit until the applicant has fully complied with the application requirements for that permit. See ARM 17.30.1322.
 - (c) Permit applications must comply with the signature and certification requirements of ARM 17.30.1323.
- (2) The department shall review for completeness every application for a permit. Each application for a permit submitted by a new source or new discharger should be reviewed for completeness by the department within 30 days of its receipt. Each application for a permit submitted by an existing source should be reviewed for completeness within 60 days of receipt. If the application is incomplete, the department shall advise the applicant of the information necessary to make the application complete. When the application is for an existing source, the department shall specify in the notice of deficiency a date for submitting the necessary information. After the application is complete, the department may request additional information from an applicant but only when necessary to clarify, modify, or supplement previously submitted material. Requests for such additional information do not render an application incomplete.
- (3) If an applicant fails or refuses to correct deficiencies in the application, the permit may be denied and appropriate enforcement actions may be taken by the department.
- (4) If the department decides that a site visit is necessary for any reason in conjunction with the processing of an application, it shall notify the applicant and schedule a date.
- (5) The effective date of an application is the date on which the department determines that the application is complete as provided in (3) .
- (6) For each application from a major MPDES new source or major MPDES new discharger, the department shall, no later than the effective date of the application, prepare and mail to the applicant a project decision schedule. The schedule must specify target dates by which the department intends to:
 - (a) prepare a draft permit;
 - (b) give public notice;

- (c) complete the public comment period, including any public hearing; and
- (d) issue a final permit.

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.