



ADMINISTRATIVE RULES OF MONTANA



17.40.302 DEFINITIONS

In this subchapter, the following terms have the meanings indicated below, certain of which are supplemental to the definitions contained in 75-5-103 and 75-5-1102, MCA, and sections 601 through 607 of the Federal Water Pollution Control Act, 33 USC 1251 through 1387, as amended. Terms used herein without definition have the meanings given them in the Act or the federal Act.

- (1) "Act" means the Water Pollution Control State Revolving Fund Act, Title 75, chapter 5, part 11, MCA.
- (2) "Department" means the Montana department of environmental quality established by 2-15-3501, MCA.
- (3) "Department of natural resources and conservation" means the Montana department of natural resources and conservation established by 2-15-3301, MCA.
- (4) "Eligible water pollution control projects" means projects that meet the requirements of the federal Act and are approved by the department, including certain wastewater collection and treatment system projects, sewage system projects, storm sewer or storm drainage projects, solid waste management projects, and other nonpoint source projects.
- (5) "EPA" means the United States environmental protection agency.
- (6) "Federal act" means the federal Act as defined in 75-5-1102, MCA.
- (7) "Intended use plan" or "IUP" means the document prepared annually by the department that identifies uses of the funds in the program and describes how those uses support the goals of the program.
- (8) "Municipality" means municipality as defined in 75-5-1102, MCA.
- (9) "Nonpoint source" means a source of pollutants that originate from diffuse runoff, seepage, drainage, or infiltration.
- (10) "Nonpoint source management plan" means the most recent report submitted by the department to EPA pursuant to 33 USC 1329.
- (11) "Nonpoint source project" means a project that has been approved in the nonpoint source management plan and that is eligible and has qualified for financing under the program pursuant to the federal Act, the Act, these rules, and applicable department of natural resources and conservation rules, and may include, without limitation, the following:
 - (a) solid waste management systems;

- (b) manure storage facilities;
 - (c) mitigation banks;
 - (d) urban storm water runoff;
 - (e) ground water protection;
 - (f) animal feed operations;
 - (g) no-till farm equipment;
 - (h) wetlands restoration and preservation;
 - (i) stream bank restoration;
 - (j) submerged aquatic vegetation;
 - (k) construction runoff; and
 - (l) conservation easements.
- (12) "Project priority list" means the list of projects expected to receive financial assistance under the program, ranked in accordance with a priority system developed under 33 USC 1296.
- (13) "Private person" means a private person as defined in 75-5-1102, MCA.
- (14) "Professional engineer" means an engineer licensed or otherwise authorized to practice engineering in Montana pursuant to Title 37, chapter 67, MCA.
- (15) "Program" means the water pollution control state revolving fund program established by the Act.
- (16) "Project" has the same meaning as in 75-5-1102, MCA.
- (17) "Revolving fund" means the revolving fund as defined in 75-5-1102, MCA.
- (18) "Sewage system" means any device for collection or conveyance of sewage or industrial wastes to an ultimate disposal point.
- (19) "Solid waste management system" has the same meaning as in 75-10-203, MCA, except that, for the purposes of this subchapter, the term includes activities of and components and improvements to a solid waste management system including, but not limited to, the acquisition of land, installation of liners, monitoring of wells, construction and closure of landfills or composting facilities, and all necessary and related equipment.
- (20) "Treatment works" has the same meaning as in 33 USC 1292.
- (21) "Wastewater" means sewage, sewage sludge, industrial waste, other wastes, or any combination thereof.
- (22) "Wastewater system" means a public sewage system or other system that collects, transports, treats or disposes of wastewater.

Authorizing statute(s): 75-5-1105, MCA

Implementing statute(s): 75-5-1102, MCA

History: NEW, 1990 MAR p. 1468, Eff. 7/27/90; TRANS, from DHES, 1996 MAR p. 1499; AMD, 2003 MAR p. 232, Eff. 2/14/03.