



ADMINISTRATIVE RULES OF MONTANA



17.50.1009 LOCATION RESTRICTIONS

- (1) The owner or operator of a landfill facility shall comply with the following general locational requirements:
 - (a) a sufficient amount of land must be available to satisfy the approved design, operation, and capacity of any solid waste management system, including adequate separation of wastes from underlying ground water or adjacent surface water;
 - (b) local roads must be capable of providing access in all weather conditions and local bridges must be capable of supporting vehicles with maximum rated loads;
 - (c) the facility must be located in a manner that does not allow the discharge of pollutants in excess of state standards for the protection of state waters, public water supply systems, or private water supply systems. The department may, if necessary to protect human health or the environment, impose additional conditions on a facility in or near sensitive hydrogeological environments including, but not limited to, sole-source aquifers, wellhead protection areas, or gravel pits;
 - (d) drainage structures must be installed to control surface water run-off from waste management areas and prevent surface water run-on into waste management areas;
 - (e) the facility must be located to allow for closure, post-closure care, and planned uses of the land after the post-closure period;
 - (f) the facility must manage solid waste, gas, and leachate pursuant to subchapters 4 and 5 and subchapters 10 through 14;
 - (g) the facility or practices may not cause or contribute to the taking of any endangered or threatened species of plants, fish, or wildlife;
 - (h) a Class III landfill may not restrict the flow of the 100-year flood, reduce the temporary water storage capacity of the floodplain, or result in washout of solid waste so as to pose a hazard to human health, wildlife, or land or water resources; and
 - (i) the facility or solid waste management activity may not result in the destruction or adverse modification of the critical habitat of endangered or threatened species, as identified in 50 CFR Part 17.

Authorizing statute(s): 75-10-204, MCA

Implementing statute(s): 75-10-204, MCA



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History: NEW, 2010 MAR p. 317, Eff. 2/12/10.