



ADMINISTRATIVE RULES OF MONTANA



17.30.1346 DURATION OF PERMITS

- (1) MPDES permits are effective for a fixed term not to exceed five years.
- (2) Except as provided in ARM 17.30.1313, the term of a permit may not be extended by modification beyond the maximum duration specified in this rule.
- (3) The department may issue any permit for a duration that is less than the full allowable term under this rule.
- (4) A permit may be issued to expire on or after the statutory deadline set forth in section 301(b) (2)(A), (C), and (E) of the federal Clean Water Act (July 1, 1984), if the permit includes effluent limitations to meet the requirements of sections 301(b) (2)(A), (C), (D), (E), and (F) of the federal Clean Water Act, whether or not applicable effluent limitations guidelines have been promulgated or approved.
- (5) A determination that a particular discharger falls within a given industrial category for purposes of setting a permit expiration date under (4) is not conclusive as to the discharger's inclusion in that industrial category for any other purposes, and does not prejudice any rights to challenge or change that inclusion at the time that a permit based on that determination is formulated.
- (6) The department adopts and incorporates by reference sections 301(b)(2) (A), (C), (E), and (F) of the federal Clean Water Act, 33 USC 1251, et seq., which set forth deadlines for achieving effluent limitations and treatment of toxic pollutants.

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; AMD, 2020 MAR p. 1879, Eff. 10/24/20; AMD, 2024 MAR p. 257, Eff. 2/10/24.