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Montana Department of
ENVIRONMENTAL QUALITY

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE
Steve Bullock, Governor
Tracy Stone-Manning, Director

P. O. Box 200901 Helena, MT 59620-0901 (406) 444-2544 Website: www.deq.mt.gov

PUBLIC NOTICE NO. MT-14-10
April 28, 2014

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, statement of basis, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT: Imerys Talc America, Inc.
280 Johnny Ridge Road
P.O. Box 130
Cameron, MT 59720

FACILITY NAME: Yellowstone Mine

FACILITY LOCATION: Madison County;
T9S, R1W, Sec. 3, 4, 5, and 9
T8S, R1W, Sec. 32, 33, and 34
Lat. 45°5'24"N, Long. 111°42'0"W

RECEIVING WATER: Outfall 001: Johnny Gulch
Outfall 002: Ruby Creek Irrigation Ditch (RCID)
Outfall 003: RCID

PERMIT NUMBER: MT0028584

This is a renewal of the MPDES permit for the Yellowstone Mine owned by Imerys Talc America, Incorporated. The facility proposes to discharge industrial wastewater associated with an open-pit talc mine to Johnny Gulch and RCID. The mine pit has been constructed adjacent to the pre-mining drainage of Johnny Gulch, and a waste rock pile has been placed in the drainage-way with an engineered rock drain at its base.

Outfall 001 is located at the upper end of the mine and discharges to Johnny Gulch upstream of the rock drain/waste rock pile. Wastewater from active mining operations in the South 40 Pit was formerly pumped to Outfall 001; currently there is no pumping or piping from the pit to Outfall 001, and no discharge has occurred since 1993. This permit action maintains effluent limits for total suspended solids (TSS) and oil and grease (O&G) and additional monitoring for flow.

Outfall 002 and Outfall 003 are located below a series of storm water retention ponds that have been built in Johnny Gulch downstream of where it re-emerges from the waste rock pile. A head gate diverts wastewater to either Outfall 002 or Outfall 003, and this permit allows discharge from one only outfall at a time. Because the outfalls discharge wastewater from the same source, all permit requirements are identical. Discharge from Outfalls 002 and 003 is only allowed for precipitation or snow melt greater than the 10-year, 24-hour event (1.9 inches), and a storm water pollution prevention plan (SWPPP) is required. There is a numeric limit for O&G, and additional monitoring for flow, pH, nitrogen, phosphorus, and TSS. The outfalls have not discharged since they were permitted, Outfall 002 in 2006, and Outfall 003 in 2009.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et al., CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because it is not a new permit and does not allow any increase in the pollutant to the receiving water.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS May 29, 2014. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS May 29, 2014 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail David Dunbar or Barb Sharpe at WPBPublicNotices@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

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The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER PROTECTION BUREAU
PO BOX 200901
HELENA MT 59620-0901

JOE KOLMAN
LEGISLATIVE ENVIRONMENTAL POLICY OFFICE
RM 171 STATE CAPITOL BUILDING
INTERAGENCY MAIL