



MONTANA

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ARM 17.36 Subchapter 3 various effective dates
Circular DEQ 4 2004 Edition

<http://www.deq.mt.gov/wqinfo/Sub/Index.asp>

Montana Regulations were last updated in 2004. As of June 1, 2006 revisions were being made to Montana regulations, and should be available in late 2006.

For certain technologies, the State of Montana requires performance based standards. These technologies include: Recirculating trickling filters (RTFs), RSFs, ISFs – these are assigned a nutrient reduction factor and have to have some level of monitoring. The RTF's needs maintenance contracts in addition to the monitoring. For a technology not listed within the state code to be used, please refer Chapter 22 in DEQ-4, which covers experimental systems.

Onsite wastewater regulations are administered locally through county health departments through septic permits. Wastewater regulations are administered at the state level for subdivisions – parcels less than 20 acres, condominiums, mobile home and recreational vehicle parks. All rules apply statewide and may become more stringent on the local level without the state's approval.

Technologies are specified in Circular DEQ 4. DEQ does have performance-based standards to classify treatment system as meeting level 2 nitrogen removal. Level 2 nitrogen removal enables reduction in drainfield size and an increase in allowable nitrogen in groundwater mixing zones. State Code allows for drainfield area/size reductions based on loading and treatment. Pressure dosing, chambers, and sand filters are considered for drainfield reduction (see DEQ-4, filters, chambers, etc.).

No regularly scheduled training programs exist in the State of Montana. However, DEQ Subdivision Program conducts workshops for subdivision review if requested by local health departments.

Workshops may include discussion of wastewater treatment systems. For information regarding this program contact:

Mr. Eugene Pizzini, President
Montana Environmental Health Association
(406) 444-3425

Montana Code requires user agreements and Operation and Management (O&M) plans for shared and multiple user systems. The State will be adding a requirement for O&M to DEQ-4 for some systems. Non-municipal “public” wastewater treatment systems (public is defined by 15 or more connections or 25 or more people) are managed by Water and Wastewater Districts, water user’s association or homeowner’s associations. Perpetual maintenance on mechanical systems that have surface discharge is required in Montana. Owners/operators must provide an operation and maintenance manual for approval of the system by DEQ.

Montana has a site evaluation process required by rule for new subdivision lots that includes soils descriptions, depth to seasonal water, depth to bedrock, slope, setbacks issues etc. All the counties have their own site evaluation criteria but they would follow the same basic format. Montana is moving away from percolation tests and getting only into soils based sizing. They are struggling with the standardization of soils information. Look for us to get into soils certification soon. Periodic inspections are required by the state for investigating the performance and operation of some systems. Installers, designers, consultants, or the county health department must perform any inspection requested by a homeowner. Some counties require inspectors to be certified. County health departments and private contractors or consultants conduct site evaluations before onsite systems are installed or approved.

Permits are issued for on-site systems at the local level unless that system discharges 5,000 gallons per day or more, then a Montana NPDES permit is required. Permits are issued for new construction, repair of an existing system, and upgrade or modification of systems. Agencies, however, do not keep track of permits issued. There are some variances in permits issued for alternative/experimental systems. These permits depend on county function, from county to county, requiring variances in county health regulations. Percolation and soil characterization are required as part of the site evaluation. The State will consider third party certification other than NSF International testing for approval of alternative/experimental systems; requirements for approval of these systems are defined in Circular DEQ 4. For more information on permits, please contact Mr. Kilbreath at the address listed above.

The only financial assistance programs available of any kind are economic development funds that must be applied for locally. There have been no changes in the State Revolving Funds (SRF) to assist individual homeowners in the repair of a failing or malfunctioning system, replacement of failing or malfunctioning system, or new construction of onsite wastewater treatment systems.

Information about ongoing onsite wastewater demonstration, research, or testing projects may be obtained from the contact information above.