

Suction Dredge General Permit Application Information Updated August 2012

Owners and operators of portable suction dredges that discharge to state surface water must apply to the Water Protection Bureau of the Montana Department of Environmental Quality (MDEQ), for authorization of coverage under the Montana Pollution Discharge Elimination System (MPDES). Discharge of pollutants to state water without a permit is a violation of the Montana Water Quality Act in 75-5-605, Montana Code Annotated (MCA).

Suction dredges with intake diameters of 4 inches or less can be authorized under the Suction Dredging General Permit (SDGP). Larger suction dredges do not qualify under the SDGP and require an individual MPDES discharge permit. Furthermore, the SDGP covers the discharge of sediment, only. The presence of other pollutants in the effluent would require the applicant to obtain coverage for discharge under an individual MPDES permit.

The SDGP application (Form 2E) must be submitted to the MDEQ at least 30 days before the suction dredge equipment is operated – the form and General Permit are available on the web page at <http://www.deq.mt.gov/wqinfo/MPDES/SuctionDredge.mcp>.

A fee (consisting of an application fee and annual fee), payable to the Department of Environmental Quality, is also required at the time of application. The current fee amounts are:

- In-state: fee currently \$50 (\$25 application fee + \$25 first annual fee)
- Out-of-state: fee currently \$200 (\$100 application fee + \$100 first annual fee)

Once authorized, the portable suction dredge owner/operator is responsible to pay an annual fee to the MDEQ, or the permit authorization may be cancelled.

The authorization letter and a copy of the SDGP must be available during all times of suction dredge operation. Dredges must not be used to cut into or undercut stream banks or used in any way that could cause bank caving, measurable erosion of banks, or loss of bank stabilizing vegetation. Chemical addition for enhancement of mineral recovery is prohibited. There must be no discharge that produces a visible oil or petroleum sheen in the receiving stream. Care must be taken to prevent spilled or leaking fuels or lubricants from entering waters. There must be no discharge of floating solids or visible foam in other than trace amounts.

PLEASE NOTE, an authorization letter permitting dredging under the SDGP does not eliminate a permittee's obligation to obtain other permits that may be required. An owner/operator of a portable suction dredge with an intake diameter less than or equal to 4" may also need to obtain one or more of the following:

- **Local conservation districts**- 310 permits for suction dredging under the Montana Natural Streambed and Land Preservation Act. Contact the conservation district with jurisdiction in the area where dredging is planned. A list of conservation district telephone numbers and addresses is available at:
<http://dnrc.mt.gov/cardd/ConservationDistricts/CDdirectoryBinder.pdf>. One of the references available to the local conservation districts for their approval process is a list of recommended stream closure times, based on the spawning and incubation periods for endangered fish species. The stream closure list is available at:
<http://fwp.mt.gov/fishAndWildlife/habitat/fish/>.
- **US Corps of Engineers** - may require 404 permit coverage. In addition, dredging in sections of the Missouri, Yellowstone, or Kootenai Rivers may require a Section 10 permit. For more information on the Corps, go to their website at <http://www.nwo.usace.army.mil/html/od-rmt/mthome.htm> or call 406-441-1375.
- **Department of Natural Resources and Conservation (DNRC)** –
 - Local Conservation Districts; contact Laurie Zeller at 406-444-6669
 - *State of Montana Metalliferous Mineral or Gem Mining Lease* for mineral extraction that occurs on State Land, including navigable waters; contact Teresa Kinley at 406-444-2845 or Julie David at 406-444-4576.
 - Water use permit for mining use; contact the DNRC Water Rights Bureau at 406-444-6601.
- **United States Forest Service (USFS)** – may require a permit and plan of operations for suction dredging on Forest Service land; for more information go to their website at <http://www.fs.fed.us/geology/minerals.html> or contact the USFS Regional Minerals Office at 406-329-3523 (Ray Tesoro), or a Ranger District office.
- **Bureau of Land Management (BLM)** – may require a permit for dredging on BLM lands; for more information go to their website at <http://www.blm.gov/mt/st/en.html> or http://www.blm.gov/mt/st/en/info/browse/gold_panning.html or contact the BLM at 406-533-7600 (Butte Field Office) or 406-896-5086 (Billings Office).