



Brian Schweitzer, Governor  
Richard H. Opper, Director

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January 14, 2010

City of Kalispell  
Attn: Jane Howington, City Manager c/o James Hansz, Director of Public Works & City  
Engineer  
P.O. Box 1997  
Kalispell, MT 59903-1997

Montana Department of Transportation  
Attn: Dwane Kailey, Chief Operations Officer c/o Doug Moeller, Missoula District  
Administrator  
2100 W Broadway, P.O. Box 7039  
Missoula, MT 59807-7039

RE: Authorization Letter: City of Kalispell Small MS4 and Montana Department of  
Transportation Small MS4  
Authorization Number MTR040005

Dear Ms. Howington and Mr. Kailey:

The Department has reviewed your application to discharge storm water from the above referenced municipal separate storm sewer systems and has determined that these qualify for coverage under the Department's January 1, 2010 *General Permit for Storm Water Discharge Associated with Small Municipal Separate Storm Sewer System (MS4)*, MTR040000 (General Permit). The complete application was received on November 24, 2009. In accordance with the provisions of the General Permit, the Department authorizes the City of Kalispell (City) and the Montana Department of Transportation (MDT) to discharge storm water from the above referenced Small MS4s into the following receiving surface waters:

Whitefish River (for City);  
Stillwater River (for City and MDT);  
Ashley Creek (for City and MDT);  
Spring Creek (for City and MDT);  
Bowser-Spring Creek (for City and MDT); and,  
Unnamed perennial surface water-tributary to Ashley Creek from Foy's Lake (for City).

The General Permit is valid only when accompanied by this authorization letter. A copy of the General Permit is enclosed. Please take special note of the effluent limitations,

self-monitoring and reporting requirements and any special conditions in the General Permit.

Any violation of these requirements or any other provision of the General Permit is subject to enforcement action by the Department pursuant to the Montana Water Quality Act.

The co-permittee's Small MS4 under this permit authorization will be those within the urbanized area and permitted area as identified in the permittee's application.

Part IV.I. of the General Permit provides requirements for annual reports. Each co-permittee must submit an annual report pertaining to their permitted Small MS4(s) unless formal shared responsibilities allow another entity to complete your annual report obligations for you. The annual reports must completely address all Small MS4 discharges regulated under this permit authorization. For each co-permittee's Small MS4(s), ensure you address all required items for the annual reports as stated in the General Permit and the standard annual reporting form, including appropriate certifications and signatures. A new annual report submittal date of March 1<sup>st</sup> will initiate with the report to be submitted for the 2010 calendar year.

Permittees are subject to the self-monitoring and reporting requirements stated in Part IV of the General Permit. For the City, these requirements include monitoring two storm water discharge sampling locations as specified in the General Permit. Discharge Monitoring Report (DMR) forms will be sent to the contact person identified in your application. These forms must be completed and submitted at the frequency specified in the General Permit even if no discharge occurs during the period. All information or reports, including DMRs that are required by the General Permit must be signed and certified as specified in the General Permit and submitted to the Department at the address given in the General Permit. Failure to submit DMR forms, as identified in the General Permit, is a violation of the General Permit.

In accordance with Part III.A. of the General Permit, the City's and MDT's SWMP must address the pollutants of concern for which the receiving water bodies are listed on the State's 303(d) list. This discussion must specifically address Best Management Practices that will address the pollutants of concern.

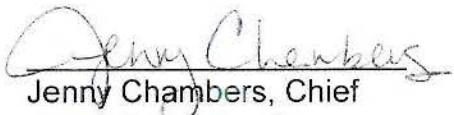
Annual fees are based on ARM 17.30.201. Annual fees are assessed for each calendar year in which the authorization remains active.

Issuance of a permit authorization under this General Permit does not waive obligations to obtain other permits that may be required.

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This authorization is issued pursuant to the Montana Pollutant Discharge Elimination System (MPDES) program under the authority of 75-5-402, MCA, of the Montana Water Quality Act and Section 402 and 303 of the federal Clean Water Act.

Please include your permit authorization number on any correspondence or communication with the Department. If you have any questions, feel free to contact the Water Protection Bureau at (406) 444-3080.

A handwritten signature in cursive script that reads "Jenny Chambers".

Jenny Chambers, Chief  
Water Protection Bureau  
Permitting & Compliance Division

Enclosure: General Permit MTR040000