Montana Department of

Environmental Quality

MEMO

To: Potential Developers

From: Montana DEQ

Date: April 4, 2011

Subject: Work Camps, Trailer Courts, and other facilities.

This guidance document has been prepared by the Department of Environmental Quality in order to facilitate the review and approval of subdivisions, trailer courts, and work camps. This document is a summary of the applicable state regulations and the Department's review process. The information presented in this document relating to other State agencies, such as the Department of Natural Resources and Conservation and the Department of Public Health and Human Services, are presented for information only; specific requirements must be confirmed with those agencies.

Abbreviations and acronyms used in this document:

ARM:	Administrative Rule of Montana
DEQ:	Department of Environmental Quality
DNRC:	Department of Natural Resources and Conservation
DPHHS:	Department of Public Health and Human Services
MCA:	Montana Code Annotated
PWS:	Public Water Supply

Types of development

Subdivision:

> Subdivision means a division of land or land so divided that creates one or more parcels containing less than 20 acres, exclusive of public roadways, in order that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed and includes any resubdivision and any condominium or area, regardless of size, that provides permanent multiple space for recreational camping vehicles or mobile homes. MCA 76-4-102

Mobile home means a trailer equipped with necessary service connections that is designed for use as a long-term residence.

Recreational camping vehicle means a vehicle that is used for non-permanent residence and is moved frequently.

Permanent does not have a specific definition in the subdivision ARMs; Merriam-Webster defines it as “continuing or enduring without fundamental or marked change.” If a proposed development does not have a definite termination date or deadline, it is considered permanent.

Trailer Court:

Trailer court means a parcel of land upon which two or more spaces are available to the public and designated for occupancy by trailers or mobile homes for use as residences. DPHHS Definition, MCA 50-52-101

Work Camp:

Work camp means a parcel of land on which housing is provided by a person for two or more families or individuals living separately, for the exclusive use of the employees of the person and the families, if any, of the employees. For purposes of this subsection, "housing" includes but is not limited to camping spaces; trailer parking spaces; mobile, modular, or permanent barracks or structures; and any appurtenant water supply and distribution system, sewage collection and disposal system, solid waste collection and disposal system, or food service and dining facilities. Housing does not include shelter provided by an employer for persons who are employed to perform agricultural duties on a ranch or farm. DPHHS Definition, MCA 50-52-101

Is my development a public water supply?

If it will serve at least 25 people, or has at least 15 connections (trailers, homes, etc.), for at least 60 days out of the year – yes, it is a PWS.

Public water supply system means a system for the provision of water for human consumption from a community well, water hauler for cisterns, water bottling plant, water dispenser, or other water supply that has at least 15 service connections or that regularly serves at least 25 persons daily for any 60 or more days in a calendar year. MCA 75-6-102

Public water supply systems are further categorized as follows:

Community (C) water system means a public water supply system that serves at least 15 service connections used by year-round residents or that regularly serves at least 25 year-round residents;

Non-community water system means a public water supply system that is not a community water system; these systems are further defined as:

Non-transient non-community (NTNC) means a public water supply system that is not a community water system and that regularly serves at least 25 of the same persons over six months per year. Examples include workplaces and schools.

Transient non-community (TNC) means a public water supply system that is not a community water system and that does not regularly serve at least 25 of the same persons for at least 6 months a year. Examples include restaurants, cafes, bars, campgrounds and motels.

A consecutive system PWS is a system that receives some or all of its finished water from one or more wholesale systems (such as a regional water system). 40 CFR 141.2.

- Systems are classified according to the same definitions (C, NTNC, TNC) and certified operator requirements are the same.
- If the wholesale system provides service to only one building, it is not considered a consecutive system.
- Under certain conditions, a consecutive system may be considered for exclusion from the monitoring and reporting requirements of DEQ. These conditions include, but are not necessarily limited to, the following: system consists of distribution and storage only (no treatment), system obtain all of its water from a wholesale PWS, system does not sell water, the water wholesaler will include the system in its sampling plans and is responsible for issuing public notice and consumer confidence reports. ARM 17.38.210.

What are the requirements for a PWS?

New PWS systems or improvements to existing PWS systems must be reviewed and approved by the Department prior to construction (ARM 17.38.101).

Routine sanitary surveys are conducted by the Department on each community system once every three years and on each non-community system once every five years (ARM 17.38.231).

C and NTNC systems are required to retain a certified operator to perform monitoring and reporting (ARM 17.38.249).

PWS systems are required to conduct sampling of contaminants in the water that may be threats to human health (ARM Title 17, Chapter 38, Subchapter 2). Typical sampling requirements include:

- Monthly samples for total coliform bacteria.
- Annual samples for nitrate.
- Samples collected within a periodic (three to nine year) window for inorganic contaminants, synthetic organic contaminants, volatile organic contaminants, radionuclides, and asbestos.
- Systems that disinfect and maintain chlorine residual must record daily chlorine residual readings. Consecutive connections must also record residual readings if the water system from which water is purchased disinfects.
- Consecutive connection systems likely do not need to sample for all of the constituents that other systems would. Typically, consecutive systems are required to sample for bacteria (monthly), lead and copper, and (in the future) disinfection byproducts.

Whose approval must I receive before constructing my development?

Public Water Supply Systems:	DEQ Public Water Supply Section
Subdivisions:	Local health officer (sanitarian) and DEQ Subdivision Review Section
Trailer Courts:	Local health officer (sanitarian), DEQ Subdivision Review Section, and DPHHS
Work Camps:	Local health officer (sanitarian) and DPHHS

Note that a trailer court or work camp may also meet the definition of a public water supply and must then also receive the approval of DEQ prior to construction.

Is an engineer required to design my system?

A professional engineer is required to design the following systems or components:

- All community water and wastewater systems
- Subsurface wastewater treatment systems (drainfields) with a daily flow of 2,500 gallons or greater.
- Wastewater lift stations and lagoons
- Gravity water storage tanks
- Water treatment such as filtration, disinfection, nitrate/arsenic removal, etc.

Regardless of whether or not a PE is required by regulation, it may be advantageous to use a consultant to prepare submittal information. Their experience with local and DEQ permitting requirements will likely make the review quicker with fewer questions from DEQ.

Where can I get water for my development?

Adequate water must be provided for the development and must meet average and peak demand. DEQ has specific technical requirements for public and multi-user water systems. DEQ's requirements can be found in Circular DEQ-1 (Standards for Water Works) for community systems and in Circular DEQ-3 (Standards for Small Water Systems) for non-community and multi-user systems. Sources of water include:

- Connection of the development to an existing system, such as a town or a regional water system. You must obtain permission to connect from the supplier and the supplying system must demonstrate that they have the capacity to serve your development.
- A new well or wells drilled to serve the development. DEQ has specific requirements for permitting wells; PWS wells have more stringent requirements. Wells with a capacity greater than 35 gallons per minute will require water rights approved and issued by DNRC.

What do I do with the wastewater from my development?

Wastewater generated from toilets, showers, sinks, etc. must be treated or disposed of so that it does not create a nuisance or health threat to the public. As with water systems, DEQ has technical requirements for wastewater systems, including Circular DEQ-2 (Design Standards for Wastewater Facilities) and Circular DEQ-4 (Montana Standards for Subsurface Wastewater Treatment Systems). It is reasonable to assume that each person living in a work camp or trailer court may generate 75-100 gallons of wastewater each day. Possible means of wastewater disposal include:

- Connection to an existing system. You must obtain permission to connect from the system and the receiving system must demonstrate that they have the capacity to collect, treat, and dispose of the wastewater from your development.
- A new subsurface wastewater treatment system. Subsurface systems consist of a septic tank with an approved effluent filter and a subsurface drainfield of adequate size to ensure that the wastewater received sufficient treatment in the soil.
    - Drainfield size is based on the daily design flow and on the nature of the soil underlying the site. Field investigations are necessary to determine the type of soil in your development; fine grained soils such as silt and clay will require a larger drainfield area than coarser materials such as sand.
    - It is necessary to demonstrate that a new subsurface system will not degrade state waters, including both surface and groundwater. This nondegradation analysis must be done in accordance with the Water Quality Act (ARM 17.30.715).
    - Subsurface systems with a design flow of 2,500 gallons per day or greater must be designed by a professional engineer; systems with a design flow of 5,000 gallons per day or greater require a discharge permit issued by the Water Protection Bureau of DEQ. A discharge permit may require a year's worth of background data before a permit is issued.

- A new wastewater treatment system such as a lagoon system. Wastewater lagoons will provide treatment of the wastewater in the primary cells; secondary cells store wastewater for one of three methods of disposal:
    - Discharge to a surface water or groundwater; this method requires a discharge permit.
    - Land application of the treated wastewater by spray irrigation onto a crop. Wastewater is stored over the winter and applied to a (typically non-consumption) crop during the irrigation season. The size of the land application area depends on the amount of wastewater, the site soil, and the type of crop irrigated. The area may become quite large (40-plus acres) and requires a buffer zone on each side to prevent access.
    - Total retention of the wastewater where a storage lagoon is sized large enough to store the wastewater over the winter and evaporate the accumulation over the summer.
- In facilities licensed by DPHHS and inspected by the local health department, DEQ may be able to approve a waiver to allow holding tanks in which the wastewater is stored for later pumping and disposal by others. In order for DEQ to approve such a system, you must identify a septic tank pumper licensed by DEQ's Waste and Underground Tank Management Bureau that has approval to discharge the wastewater into an existing system or has a land application of large enough area to apply the wastewater. Such facilities are likely to be limited in size due to the quantity of wastewater generated each day and the limitations on area pumping and disposal facilities.

What must I do with the increase in stormwater runoff due to my development?

If DEQ's subdivision regulations apply, the design circular states that the runoff from the site, after development, must not be greater than the runoff prior to development during a 2-year, 1-hour storm. The increase in runoff must be retained on site for infiltration into the soil. In addition, roads must not be overtopped during a 10-year storm and homesites and drainfields must not be inundated during a 100-year storm.

There may be local planning and other requirements which differ from DEQ's regulations.

What must I do with solid waste generated in my development?

A suitable collection company and disposal site must be identified.

Is there anything else I should know about permitting?

Most developments are prohibited within defined floodplains; contact the county floodplain administrator for information regarding floodplain delineations in your area.

If you are going to disturb more than one acre of ground, it will be necessary to obtain authorization under the General Permit for Storm Water Discharges Associated with Construction Activity. This authorization is regulated by DEQ's Water Protection Bureau.

The local (county) planning board may have additional requirements for developments.

Who can I call with questions about my development?

Your first contact should be with your local health official (county sanitarian) and local planning department. These local contacts are likely to be familiar with the area you are developing, and can offer guidance for many of the issues that you may face with your development.

Other contacts:

DEQ, Public Water Supply & Subdivisions Bureau (plan review):

Matthew Waite, Billings Regional Office	(406) 247-4455	mwaite@mt.gov

DEQ, Public Water Supply Technical Services Section (operator certification):

Julie Allen, Certification Clerk	(406) 444-4584	JAllen3@mt.gov

DEQ, Water Protection Bureau (discharge permits):

Jenny Chambers, Bureau Chief	(406) 444-3080	

DEQ, Waste and Underground Tank Management Bureau (septic tank pumpers):

Renai Hill	(406) 444-1434	renhill@mt.gov

DNRC, Water Resources (water rights):

Denise Biggar, Glasgow Regional Office	(406) 228-2561	dbiggar@mt.gov
Kim Overcast, Billings Regional Office	(406) 247-4422	kovercast@mt.gov

DPHHS, Public Health and Safety Division (trailer court and work camp licensing):

Ruth Piccone	(406) 444-5303	rpiccone@mt.gov

Where can I find additional information?

Through DEQ's website, you can access the Administrative Rules, design circulars, forms, applications, and supporting documentation that is necessary. Some helpful links include:

Plan review contacts and copies of DEQ Design Circulars:

- http://deq.mt.gov/wqinfo/pws/PlanReviewEngineer.mcpx

Subdivision contacts and information:

- http://deq.mt.gov/wqinfo/Sub/default.mcpx

Nondegradation guidance document:

- http://deq.mt.gov/wqinfo/Nondeg/HowToNonDeReg.mcpx