



October 28, 2024

Steve Stapp
Interstate Engineering Inc
PO Box 20953
Billings MT 59104

RE: Graham Subdivision South
Carbon County
E.Q. #24-1245

Dear Mr. Stapp:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Pursuant to MAR Notice No. 17-447, ARM 17.36.103 has been amended to no longer require a letter from the Montana Department of Natural Resources and Conservation (DNRC) or for projects within the reservation boundaries, by the appropriate water management board, regarding legal water availability (i.e. water rights) prior to certificate of subdivision approval. Thus, this certificate of subdivision approval does not consider legal water availability, but only the physical presence and properties of water (i.e. quantity and quality). For water rights determinations, contact DNRC or the appropriate management board as the regulatory authority of legal water availability.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

In addition, your project may be subject to Federal regulations relating to Class V injection wells. Please contact the United States Environmental Protection Agency regarding specific rules that may apply.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you have any questions, please contact this office.

Sincerely,

Shawn Rowland M.S. R.S.

Subdivision Section Supervisor | Engineering Bureau | Water Quality Division

SR/HM

cc: County Sanitarian
County Planning Board (e-mail)
Owner

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION APPROVAL
(Section 76-4-101 et seq., MCA)

TO: County Clerk and Recorder
Carbon County
Red Lodge, Montana

E.Q. # 24-1245

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Graham Subdivision South**

A first minor subdivision lying in TR 1 of COS 1924 lying in the Northwest Quarter of the Northeast Quarter of Section 14, Township 7 South, Range 20 East, Carbon County, Montana.

Consisting of 5 parcels, Lots 1-5, of which have been reviewed by personnel of the Water Quality Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the Plat is made with the understanding that the following conditions shall be met:

THAT the parcel size as indicated on the Plat to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT Lots 1-5 shall each be used for one (1) single-family dwelling, and,

THAT Lots 1-5 shall each have a new individual well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT the new individual subsurface wastewater system serving Lot 1 will consist of a septic tank, effluent filter, Department Approved Level 2 treatment unit, dose tank/chamber, and pressure dosed subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Subchapters 1, 3, and 6 ARM, and

THAT the conditions of approval for the Level 2 treatment requires an Operation and Maintenance (O&M) contract, in accordance with ARM 17.30.718(8) and the service-related obligations listed in DEQ-4, Appendix D, in perpetuity, with an authorizes Dealer/Representative, and,

THAT the O&M contract shall include a bi-annual on-site inspection of all major components of the wastewater treatment system for the first two (2) years after use of the system begins, and,

Graham Subdivision South
Carbon County
E.Q. # 24-1245

THAT annual sampling in accordance with ARM 17.30.718(8)(b) is required for the life of the system and shall be for the following parameters: nitrate, nitrite, ammonium TKN, specific conductance, field temperature, field pH and CBOD. Effluent sampling shall be for the conducted after all treatment is complete but before discharge into the absorption system. All water analysis shall be conducted according to the EPA approved method by an independent laboratory. The monitoring results must be maintained by the service provider and made available to the Department by the service provider at any time that the Department requests the results, and,

THAT the new individual subsurface wastewater system serving Lots 2-5 will consist of a septic tank, effluent filter, and drainfield of such size and description as will comply with Title 17, Chapter 36, Subchapters 1, 3, and 6 ARM, and,

THAT the new individual drainfields on Lots 1-5 shall have an absorption area of sufficient size to provide for an application rate of 0.3 gpd/ft², (plus a 25% reduction for use of gravelless chambers), and,

THAT for Lot 1 the system will consist of a shallow-capped drainfield and absorption trenches shall be excavated no deeper than 10 inches below natural ground surface, and,

THAT for Lots 2 and 3 the absorption trenches shall be excavated no deeper than 36 inches below natural ground surface, and,

THAT for Lot 4 the absorption trenches shall be excavated no deeper than 30 inches below natural ground surface, and,

THAT for Lot 5 the system shall consist of a shallow-capped drainfield and absorption trenches shall be excavated no deeper than 15 inches below natural ground surface, and,

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

THAT the individual stormwater design for Lot 1 requires the installation of a minimum of 2,738.8 cubic feet storm retention constructed and located in accordance with the approved plans, and,

THAT the individual stormwater design for Lot 2 requires the installation of a minimum of 4,550 cubic feet storm retention constructed and located in accordance with the approved plans, and,

THAT the individual stormwater design for Lot 3 requires the installation of a minimum of 3,877 cubic feet storm retention constructed and located in accordance with the approved plans, and,

**Graham Subdivision South
Carbon County
E.Q. # 24-1245**

THAT the individual stormwater design for Lot 4 requires the installation of a minimum of 2,727.8 cubic feet storm retention constructed and located in accordance with the approved plans, and,

THAT the individual stormwater design for Lot 5 requires the installation of a minimum of 2,948.8 cubic feet storm retention constructed and located in accordance with the approved plans, and,

THAT the operation and maintenance of water supply, sewage treatment system, and stormwater facilities shall be the responsibility of the lot owner, and,

THAT no sewage treatment system, shall be constructed within 100 feet of the maximum highwater level of a 100-year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide the purchaser of property with a copy of the COS, approved location of water supply and sewage treatments system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

PURSUANT to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the State under Title 76, Chapter 4, MCA, and local board of health officer under section 50-2-116(1)(i), before filing a subdivision plat with the county clerk and recorder. This Certificate of Subdivision Approval considered the physical presence and properties of water but does not constitute an entitlement to or representation regarding water rights or the legal availability of water, which is regulated by the Montana Department of Natural Resources and Conservation or for projects within the reservation boundaries, by the appropriate water management board.

Graham Subdivision South
Carbon County
E.Q. # 24-1245

YOU ARE REQUESTED to record this certificate by attaching it to the Plat filed in your office as required by law.

DATED this 28th day of OCTOBER, 2024.

SONJA NOWAKOWSKI
DIRECTOR

BY:

Megan Spry, R.E.H.S./R.S.
Megan Spry, R.E.H.S./R.S.
Contracted Reviewer
Carbon County

Shawn Rowland, R.S., M.S.
Shawn Rowland, R.S., M.S.
Subdivision Section Supervisor
Engineering Bureau-Water Quality Division
Department of Environmental Quality