

**NOTICE OF PUBLICATION OF CATEGORICAL EXCLUSION CITY OF HARDIN, MONTANA**

WPCSRF #: C301316 Hardin Wastewater Improvements, Phases 2 & 3

February 6, 2024

The Montana Department of Environmental Quality has reviewed the above-named project. Through a 2020 City of Hardin Wastewater Upgrades Preliminary Engineering Report (PER) and a 2023 Update, the city's wastewater treatment plant (WWTP) was evaluated to determine its adequacy for current and future conditions. The current WWTP was built in 1978 and has not had significant upgrades, outside of headworks and ultraviolet (UV) disinfection projects, since that time. The wastewater treatment process consists of screening, an oxidation ditch, final clarification, disinfection, and discharge to the Bighorn River under a National Pollutant Discharge Elimination System (NPDES) permit. Many of the components in the unit processes have reached the end of their useful life or lack redundancy.

The proposed improvements include a new backup generator; replacement of the headworks building, including new screening and grit removal equipment; a second UV train; a new laboratory area; a third secondary clarifier; rehabilitation of the aerobic digester, upgrades to the oxidation ditch; and comprehensive WWTP control and Supervisory Control and Data Acquisition (SCADA) systems. These proposed improvements will extend the life of Hardin's WWTP and support reliable wastewater treatment to meet NPDES permit limits, thereby protecting state waters and public health.

Pursuant to ARM 17.40.318, the Department has concluded that the proposed project meets the Categorical Exclusion criteria of the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA). The Categorical Exclusion may be revoked if the project is not initiated within the time period specified in the facility plan, a new or modified application is submitted, new evidence demonstrates serious local or environmental issues exist, or state, local, tribal, or federal laws are violated.

DEQ is aware of the district court opinion in *Held v. State*, ruling the statutory prohibition on including greenhouse gas analyses in MEPA reviews unconstitutional. DEQ continues to actively review options for a thoughtful, defensible disclosure of greenhouse gas data and analysis for the wide variety of projects the Agency reviews.

The documentation for the Categorical Exclusion is available for public review at the following locations and online at <http://deq.mt.gov/public/water-public>:

Department of Environmental Quality  
State Revolving Fund Loan Program  
1520 East Sixth Avenue  
Helena, MT 59601

City of Hardin  
406 N Cheyenne Ave  
Hardin, MT 59034

Sincerely,

/s/ Michael Abrahamson, PE  
Section Supervisor  
Water Quality Division  
Montana Department of Environmental Quality

March 21 & 28, 2024