



ADMINISTRATIVE
RULES OF
MONTANA



36.14.402 OPERATION PERMIT APPLICATION - GENERAL REQUIREMENTS

- (1) Applications, including applications for renewal of a permit to operate high-hazard dams must include:
 - (a) an operation plan pursuant to ARM 36.14.403;
 - (b) a report of the five-year dam evaluation pursuant to ARM 36.14.603;
 - (c) a statement of the owner's intent regarding any deficient or unsafe items identified by the report; and
 - (d) a time schedule to remedy the deficient or unsafe items.
- (2) The requirements in (1)(b) through (d) do not apply for a new dam for which a construction permit has been issued. The report of the evaluation must be of the dam in its condition and configuration at the time of the application and must be submitted within 90 days of the visual inspection. If the owner of the dam has opted to split the visual inspection into two separate visits to the dam site, the 90-day requirement begins with the date of the second visual inspection.
- (3) Within 30 days of receipt of a permit application, the department shall:
 - (a) notify the applicant of any errors or omissions, and request any additional information necessary to properly evaluate the application; and
 - (b) establish a reasonable time frame for the applicant to submit the necessary information.
- (4) After receipt of all required information, the department shall issue or deny the permit within 90 days, but not before approval of any construction pursuant to a construction permit.

Authorizing statute(s): 85-15-110, 85-15-213, MCA

Implementing statute(s): 85-15-212, MCA

History: NEW, 1988 MAR p. 2489, Eff. 11/24/88; AMD, 2012 MAR p. 1844, Eff. 9/21/12; AMD, 2022 MAR p. 1849, Eff. 9/24/22.