

Montana Code Annotated 2014

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75-20-211. Application -- filing and contents -- proof of service and notice. (1) (a) An applicant shall file with the department an application for a certificate under this chapter and for the permits required under the laws administered by the department in the form that is required under applicable rules, containing the following information:

- (i) a description of the proposed location and of the facility to be built;
- (ii) a summary of any preexisting studies that have been made of the impact of the facility;
- (iii) for facilities defined in [75-20-104\(8\)\(a\)](#) and [\(8\)\(b\)](#), a statement explaining the need for the facility, a description of reasonable alternate locations for the facility, a general description of the comparative merits and detriments of each location submitted, and a statement of the reasons why the proposed location is best suited for the facility;
- (iv) (A) for facilities as defined in [75-20-104\(8\)\(a\)](#) and [\(8\)\(b\)](#), baseline data for the primary and reasonable alternate locations; or
(B) for facilities as defined in [75-20-104\(8\)\(c\)](#), baseline data for the proposed location and, at the applicant's option, any alternative locations acceptable to the applicant for siting the facility;
- (v) at the applicant's option, an environmental study plan to satisfy the requirements of this chapter; and
- (vi) other information that the applicant considers relevant or that the department by order or rule may require.

(b) If a copy or copies of the studies referred to in subsection (1)(a)(ii) are filed with the department, the copy or copies must be available for public inspection.

(2) An application may consist of an application for two or more facilities in combination that are physically and directly attached to each other and are operationally a single operating entity.

(3) The copy of the application must be accompanied by a notice specifying the date on or about which the application is to be filed.

(4) An application must also be accompanied by proof that public notice of the application was given to persons residing in the county in which any portion of the proposed facility is proposed or is alternatively proposed to be located, by publication of a summary of the application in those newspapers that will substantially inform those persons of the application.

History: En. Sec. 6, Ch. 327, L. 1973; amd. Sec. 1, Ch. 115, L. 1974; amd. Sec. 2, Ch. 268, L. 1974; amd. Sec. 1, Ch. 270, L. 1975; amd. Sec. 6, Ch. 494, L. 1975; amd. Sec. 1, Ch. 179, L. 1977; R.C.M. 1947, 70-806(part); amd. Sec. 1, Ch. 553, L. 1979; amd. Sec. 4, Ch. 676, L. 1979; amd. Sec. 6, Ch. 274, L. 1981; amd. Sec. 3, Ch. 539, L. 1981; amd. Sec. 2, Ch. 312, L. 1987; amd. Sec. 3, Ch. 512, L. 1991; amd. Sec. 217, Ch. 418, L. 1995; amd. Sec. 538, Ch. 546, L. 1995; amd. Sec. 9, Ch. 329, L. 1997; amd. Sec. 5, Ch. 293, L. 2001; amd. Sec. 208, Ch. 483, L. 2001; amd. Sec. 6, Ch. 217, L. 2003.

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