LINCOLN COUNTY PLANNING DEPARTMENT
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Sanitation Exclusions

The Montana Code Annotated (MCA) and associated Administrate Rules of Montana (ARM) provide that certain actions or conditions – some surveys and subdivisions/lots/parcels – are excluded from obtaining sanitation approval from the Department of Environmental Quality (DEQ).

The references for such exclusions can be found in the following non-exhaustive list of MCAs or ARMS:

ARM 17.36.601
ARM 17.36.605
MCA 76-4-111
MCA 76-4-125
MCA 76-4-127
MCA 76-4-130

Parcels that are, or will be, *greater than 20* acres (exclusive of public rights-of-way) are excluded from sanitation review by the DEQ pursuant to 76-4-103, unless the parcel provides two or more permanent spaces for RVs or mobile homes. All other parcels are required to obtain DEQ approval unless eligible for one of the exclusions found in the codes above.

All surveys must indicate by citation which, if any, sanitation exclusions are being used on the survey/plat and for which parcels. Supporting documentation for each exemption used may be required such as:

- Copy of a Certificate of Subdivision Approval for the property
- Copy of a Removal of Sanitary Restriction for the property
- Copy of Septic Permit

The above information and/or assistance with determining the correct sanitation exclusion citation may be obtained from the Lincoln County Environmental Health Department, 406-283-2444 or 418 Mineral Ave., Libby, MT 59923