

AIR QUALITY

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex, and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: In 1970, Congress passed amendments to the federal Clean Air Act that mandated nationwide outdoor air quality standards to be implemented by the states, setting the stage for the regulation of air quality in Montana as it exists today. Under the Clean Air Act of 1970, EPA developed primary and secondary National Ambient Air Quality Standards (NAAQS) for each of the seven criteria pollutants: carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, fine particulate matter, and sulfur dioxide. These standards establish pollution levels in the United States that cannot legally be exceeded during a specified time period.

The Clean Air Act of Montana, which implements the federal regulations, is established in Title 75, chapter 2, parts 1 through 4. Montana's air quality regulations meet national ambient air quality standards and other requirements under the Clean Air Act and are approved by the federal government in a State Implementation Plan (SIP). Montana also has adopted additional state air quality standards. These Montana Ambient Air Quality Standards (MAAQS) establish statewide targets for acceptable amounts of ambient air pollutants to protect human health.

Legislative Services Division Materials:

[Montana DEQ Air Quality Bureau: Program Evaluation](#)

[Permitting in Montana](#)

[Montana Index of Environmental Permits](#)

Other Materials:

[Montana DEQ Citizens' Guide to Air Quality in Montana](#)

Introduced Legislation

*Chapter number assigned means bill was passed and approved.

2017

[Senate Bill No. 190](#) – (S) Died in Process -- AN ACT REQUIRING THE BOARD OF ENVIRONMENTAL REVIEW TO ADOPT RULES AND FEES FOR THE REPORTING AND QUANTIFICATION OF GREENHOUSE GAS EMISSIONS; ESTABLISHING A GREENHOUSE GAS MANAGEMENT ACCOUNT; REQUIRING THE BOARD TO REPORT TO THE ENVIRONMENTAL QUALITY COUNCIL AND PROVIDE A PROPOSAL FOR REDUCING AND CAPPING EMISSIONS IN MONTANA; AMENDING SECTIONS 75-2-111 AND 75-2-221, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 315](#) – Chapter Number Assigned -- AN ACT REVISING LAWS RELATED TO THE CLEANUP OF THE LIBBY ASBESTOS SUPERFUND SITE; CREATING AN ADVISORY TEAM; CREATING A TRUST FUND AND AN OPERATION AND MAINTENANCE ACCOUNT; CREATING A LIAISON; ESTABLISHING DUTIES AND FUNDING; PROVIDING FUND TRANSFERS AND APPROPRIATIONS; REQUIRING REPORTING; AMENDING SECTION 75-10-704, MCA; AND PROVIDING AN EFFECTIVE DATE.

2015

[House Bill No. 239](#) – (H) Missed Deadline for General Bill Transmittal -- AN ACT DEFINING THE TERM "REGULATED ASBESTOS-CONTAINING MATERIAL" IN ASBESTOS PROJECTS REGULATED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND AMENDING SECTIONS 75-2-502 AND 75-2-519, MCA.

[House Bill No. 340](#) – (H) Missed Deadline for Revenue Bill Transmittal -- AN ACT REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO FINE THE FEDERAL GOVERNMENT FOR FIRES ON CERTAIN FEDERAL LANDS THAT CONTRIBUTE TO EXCEEDANCE OF AIR QUALITY STANDARDS.

[House Bill No. 434](#) – Chapter Number Assigned -- AN ACT REVISING THE ASBESTOS CONTROL ACT; REQUIRING A 5-DAY REVIEW PERIOD FOR SMALL ASBESTOS PROJECTS; ESTABLISHING AN ASBESTOS ADVISORY GROUP TO ADVISE THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AMENDING SECTION 75-2-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 465](#) – (H) Missed Deadline for General Bill Transmittal -- AN ACT PROHIBITING THE IMPLEMENTATION OF CERTAIN FEDERAL OR STATE REGULATIONS ON WOOD-BURNING DEVICES; ESTABLISHING PENALTIES FOR VIOLATING THE PROHIBITION; AMENDING SECTIONS 2-1-404, 2-9-105, 2-9-305, 75-2-111, 75-2-203, 75-2-207, AND 75-2-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 613](#) – (H) Missed Deadline for Appropriation Bill Transmittal -- AN ACT ALLOWING COUNTIES TO REVIEW CERTAIN FEDERAL OR STATE REGULATIONS ON WOOD-BURNING DEVICES; PROHIBITING REQUIREMENTS TO REMOVE CERTAIN WOOD-BURNING DEVICES; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 75-2-207 AND 75-2-301, MCA; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill No. 102](#) – Chapter Number Assigned -- AN ACT REVISING AIR QUALITY FEES; ALLOWING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO COLLECT AND USE REGISTRATION FEES FOR THE ADMINISTRATION OF AIR QUALITY PERMITTING AND REGISTRATION; ALLOWING LOCAL AIR

QUALITY PROGRAMS TO COLLECT AND USE REGISTRATION FEES FOR THE ADMINISTRATION OF LOCAL AIR QUALITY PERMITTING AND REGISTRATION; AND AMENDING SECTIONS 75-2-220, 75-2-221, AND 75-2-301, MCA.

[Senate Bill No. 236](#) – (S) Missed Deadline for General Bill Transmittal -- AN ACT GENERALLY PROVIDING FOR LEGISLATIVE INVOLVEMENT IN THE DEVELOPMENT OF A STATE PLAN TO ADDRESS GREENHOUSE GAS EMISSIONS FROM EXISTING FOSSIL FUEL-FIRED ELECTRIC GENERATING UNITS; DIRECTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO DEVELOP A STATE PLAN TO ADDRESS GREENHOUSE GAS EMISSIONS FROM EXISTING FOSSIL FUEL-FIRED ELECTRIC GENERATING UNITS; ESTABLISHING GUIDELINES FOR THE DEPARTMENT TO USE IN DEVELOPING A STATE PLAN; REQUIRING THE DEPARTMENT TO SUBMIT ITS PLAN TO THE LEGISLATURE; REQUIRING LEGISLATIVE APPROVAL OF THE DEPARTMENT'S STATE PLAN; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

2013

[Senate Bill No. 44](#) – Chapter Number Assigned -- AN ACT ELIMINATING THE AIR POLLUTION CONTROL ADVISORY COUNCIL AND ITS FUNCTIONS; ELIMINATING A PROVISION RELATED TO PUBLIC HEARINGS ON RULES; AMENDING SECTIONS 75-2-103 AND 75-2-402, MCA; REPEALING SECTIONS 2-15-2106, 75-2-121, 75-2-122, 75-2-123, AND 75-2-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2011

[House Bill No. 593](#) – (H) Died in Process -- AN ACT DIRECTING THE BOARD OF ENVIRONMENTAL REVIEW TO REPEAL ARM 17.8.771 AND 17.8.772 AND TO ADOPT NEW MERCURY RULES; PROHIBITING THE BOARD OF ENVIRONMENTAL REVIEW FROM ADOPTING MERCURY RULES THAT ARE MORE STRINGENT THAN CORRESPONDING FEDERAL REGULATIONS; AMENDING SECTION 75-2-207, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 550](#) – (S) Died in Standing Committee -- AN ACT PROHIBITING THE STATE FROM IMPLEMENTING ANY FEDERAL GREENHOUSE GAS REGULATORY PROGRAM; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill No. 47](#) – Chapter Number Assigned -- AN ACT CLARIFYING THE POWERS OF THE BOARD OF ENVIRONMENTAL REVIEW RELATED TO AIR QUALITY PERMITTING AND RULEMAKING FOR FORESTRY EQUIPMENT; AMENDING SECTION 75-2-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

2009

[House Bill No. 254](#) – (H) Died in Standing Committee -- AN ACT REQUIRING THE BOARD OF ENVIRONMENTAL REVIEW TO ADOPT RULES AND FEES FOR THE REPORTING AND QUANTIFICATION OF GREENHOUSE GAS EMISSIONS; ESTABLISHING A GREENHOUSE GAS MANAGEMENT ACCOUNT; REQUIRING THE BOARD TO REPORT TO THE ENVIRONMENTAL QUALITY COUNCIL AND PROVIDE A PROPOSAL FOR REDUCING EMISSIONS IN MONTANA; AMENDING SECTIONS 75-2-111 AND 75-2-221, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 414](#) – (H) Died in Standing Committee -- AN ACT APPROPRIATING MONEY FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR GRANTS TO COUNTY HEALTH BOARDS IN COUNTIES THAT HAVE EXPERIENCED A PROLIFERATION OF TREMOLITE ASBESTOS-RELATED DISEASES FOR ASBESTOS-RELATED DISEASE PROGRAMS THAT SUPPLEMENT HEALTH CARE PLANS AND PROVIDE SCREENING; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill No. 440](#) – (H) Died in Standing Committee -- AN ACT EXEMPTING AIR QUALITY PERMITS FROM THE PROVISIONS OF THE MONTANA ENVIRONMENTAL POLICY ACT; AMENDING SECTIONS 75-1-208, 75-2-211, 75-2-212, 75-2-215, 75-2-218, AND 75-2-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 180](#) – (S) Died in Standing Committee -- AN ACT REQUIRING THE BOARD OF ENVIRONMENTAL REVIEW TO ADOPT CERTAIN VEHICLE EMISSION STANDARDS UNDER THE FEDERAL CLEAN AIR ACT; AMENDING SECTION 75-2-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

[Senate Bill No. 453](#) – (S) Died in Standing Committee -- AN ACT REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO CONDUCT AIR QUALITY MONITORING TO DETERMINE CONCENTRATIONS OF AIR POLLUTANTS THAT MAY BE DETRIMENTAL TO HONEY BEES; REQUIRING THE DEPARTMENT TO CONTRACT FOR SAMPLING POLLUTANTS THAT COULD IMPACT HONEY BEES; AMENDING SECTION 75-2-112, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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