



Brian Schweitzer, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

DEQ Proposed Legislation for the 2005 Session

HB12 - State Building Energy Conservation Program

Providing general obligation bond authority and appropriation for the 2007 biennium in order to continue the State Building Energy Conservation Program. This proposal would add requirements for state agencies to participate in energy savings programs and would clarify that employees who work on the bond program are paid out of the bond administrative funds.

HB77 - Septic Pumper Fee Increase

Increasing Septic Pumper Program application review fees to increase compliance assistance.

HB78 - Redefine Full Compliance

Replacing the term "Full Compliance" with "Significant Compliance" in the Underground Storage Tank Act and defining the term in rule to increase the enforcement discretion of the program and to eliminate an undue burden on the regulated community.

HB143 - Interim Reclamation Bond Authority

Allowing the DEQ to calculate and require an interim bond at mine sites during the administrative processes required for the department to modify an inadequate reclamation plan.

HB144 - Update Integrated Waste Management Act

Updating the Integrated Waste Management Act to better reflect current practices for recycling and source reduction, to recognize the time passed since the original goal was set, and to take into account recycling information and solid waste reporting.

HB147 - Multiple Small Quarries Under One Permit

Amending 82-4-335 (1) "A separate operating permit is required for each complex" or supplying a definition of "complex" to allow a single operating permit to cover numerous small, low-impact disturbances over a wide geographic area.

HB185 - Authority to Hold Bonds Jointly

Giving the DEQ specific statutory authority to jointly hold reclamation bonds with a federal regulatory or land management agency.

HB212 - Energy Performance Contracting in Public Buildings

Establishing how and when state and local governments, including school districts, can use performance contracting to improve facilities. This proposal would provide authority for governments to enter into performance contracts with energy service companies and establish requirements for procurement, terms of contract, contract provisions, and financing options.

SB65 - Junk Vehicle Component Part Definition

Removing "tires" from the definition of what constitutes a junk vehicle component part to eliminate duplicative regulation.

SB95 - Oil and Gas Air Quality Permit Application Requirements

Amending the Clean Air Act of Montana to allow owners/operators of oil and gas well facilities to submit an air quality permit application after a producing well has been drilled and the potential emissions have been determined and to extend the deadline for the DEQ to issue air quality permits to existing oil and gas well facilities operating without required permits. The proposal would also establish an "application shield" to allow existing oil and gas well facilities to continue to operate without a permit if they have submitted a complete application to the department.

SB131 - Restrict MTBE

Restricting the use of MTBE as a gasoline additive because of the adverse impacts of MTBE on water quality.

SB143 - Loan Authority – HazWaste/CERCLA

Providing authority to loan funds from the Orphan Share Account to the Hazardous Waste/CERCLA Account and to the Environmental Quality Protection Fund to compensate for funding shortfalls for a second biennium.

LC1306 - Amend Administrative Enforcement Procedures and Add Civil Penalties to Reclamation Laws

Amend the administrative enforcement procedures in the Metal Mine Reclamation Act, Opencut Mining Act and the Strip Mine Act and add civil penalties to the MMRA and OMA.

LC1307 - Standardize Penalty Factors in Title 75 and Title 82

Standardizing the factors in Title 75 and Title 82 that must be considered in assessing penalties.

LC1308 - Increase Solid Waste and Other Penalties

Adding administrative penalties to the Solid Waste Management, Motor Vehicle Recycling and Disposal, Underground Storage Tank Installer and Inspector Licensing and Permitting, and the Sanitation in Subdivisions Acts and increasing civil penalties in the Solid Waste, Motor Vehicle and Subdivision Acts.

LC1309 - Act to Revise MEPA Fees

This proposal would provide for increased fees to be paid to the department to cover the entire cost of completing a MEPA analysis. The amount of revenue collected would be the same as the cost of preparing the EIS and revenue would be collected only when an EIS is being prepared. The department would request additional spending authority in HB2 through the EPP process.

LC1611 - Open Cut Mining Act Amendments

Increasing the volume limit and imposing an acreage limit on small operations. This proposal will also increase permit application review time frames, broaden the description of what constitutes an amendment to a permit and revise, clarify, or delete unclear or unnecessary language. The proposal would also eliminate uncertainty about the DEQ's authority to enforce and administer the program, clarify that only interested or affected parties may request a hearing on a DEQ decision and enact a fee system or an earmarked tax on opencut mining permittees.

LC1612 - MT Strip and Underground Mine Reclamation Amendments

Revising bond release application procedures to make them more understandable and consistent with similar procedures, clarifying unclear sections and removing outdated, unnecessary and incorrect language and references. This proposal would also repeal permit application fees and would add language, required by the Office of Surface Mining, pertaining to valid existing rights and prohibition of mining on certain federal lands.

Revised 1/5/05