



Montana Legislative Services Division

Legal Services Office

TO: Environmental Quality Council
FROM: Helen Thigpen, Staff Attorney
DATE: April 2012
RE: Administrative Rule Review Report for MAR Notice No. 17-332

Pursuant to 75-1-324 and 5-5-215, MCA, the Environmental Quality Council is responsible for reviewing administrative rules within its jurisdiction. Staff for the Environmental Quality Council has prepared this report for informational purposes only. This report does not represent any action or opinion of the Environmental Quality Council and does not preclude additional action that may be taken by the Environmental Quality Council pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

MAR NOTICE NUMBER: 17-332

AGENCY/BOARD: Department of Environmental Quality

RULE CLASSIFICATION: Substantive (incorporation by reference)

SUBJECT: Comprehensive Environmental Cleanup and Responsibility Act (CECRA)

NOTICE DESCRIPTION: Notice of public hearing on proposed amendment

SUMMARY OF RULE(S): The Department is proposing to amend the following administrative rule: 17.55.109 Incorporation by Reference. The amendment incorporates the August 2010 version of Department Circular DEQ-7, updates the references to federal maximum containment levels for drinking water, and incorporates by reference the November 2011 regional screening levels for chemical contaminants at superfund sites. The Department states that it is necessary to update the references to ensure that the most recent versions of the documents are being used.

NOTES/HEARINGS: Comments are due to the Department by May 10, 2012. The Department is currently not planning to hold a public hearing on the proposed amendment and is proposing to adopt the amendment on May 14, 2012.