



Montana Department of
ENVIRONMENTAL QUALITY

Environmental Quality Council
Agency Oversight Subcommittee
Meeting Minutes and Exhibits
Date: 3.9.04
Exhibit No. 7

Judy H. Martz, Governor

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TO: EQC Agency Oversight Subcommittee
FROM: John Arrigo, DEQ Enforcement Division *JA*
DATE: March 9, 2004
SUBJECT: DEQ Enforcement Legislation Work Group

DEQ administers 19 different environmental laws, each with its own specific procedures and authority for administrative enforcement and penalties. To the extent possible, DEQ has made internal policy changes and re-written rules to standardize enforcement. To continue following through with EQC's 1996 HJR10 recommendations to make enforcement consistent and predictable, and to further DEQ's efforts to streamline enforcement and optimize its use of limited resources, DEQ believes legislation is necessary to modify some of the statutory impediments.

DEQ formed an Enforcement Legislation Work Group to obtain feedback on the Department's ideas for legislation. Nearly 50 invitations are mailed for each work group meeting. Normally 20-25 people attend, with industry interests having the most representation.

August 21, 2004 Meeting

DEQ explains rationale for legislation and lists a variety of proposed initiatives. Work group recommends focus on a few high-priority items.

October 7, 2003 Meeting

Discussed prioritized items.

1. Amend enforcement procedures in Title 82 reclamation laws to be similar to Title 75.
2. Add administrative penalty authority for Solid Waste Management Act, Motor Vehicle Recycling and Disposal Act, UST Installer and Inspector Licensing and Permitting Act, and Sanitation in Subdivisions Act.
3. Standardize factors used to calculate penalties.

January 12, 2004 Meeting

Discussed proposed generic language for possible legislation.

March 25, 2004 Meeting

Discuss draft bills.