

SENATE BILL NO. 76

INTRODUCED BY C. VINCENT

BY REQUEST OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE MONTANA WATER QUALITY ACT TO CONFORM WITH FEDERAL STANDARDS FOR COOLING WATER INTAKE STRUCTURES; GRANTING RULEMAKING AUTHORITY; AMENDING SECTION 75-5-304, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 75-5-304, MCA, is amended to read:

"75-5-304. Adoption of standards -- pretreatment, effluent, performance. (1) The board shall:

(a) adopt pretreatment standards for wastewater discharged into a municipal disposal system;

(b) adopt effluent standards as defined in 75-5-103;

(c) adopt toxic effluent standards and prohibitions; ~~and~~

(d) establish standards of performance for new point source discharges; and

~~(e) adopt rules requiring that the location, design, construction, and capacity of cooling water intake structures that withdraw water from and have a point source discharge to state surface waters reflect the best available technology for minimizing adverse environmental impacts.~~

(E) ADOPT RULES NECESSARY TO ENSURE THE PRIMACY OF THE DEPARTMENT TO REGULATE COOLING WATER INTAKE STRUCTURES UNDER 33 U.S.C. 1326(B).

(2) In taking action under subsection (1), the board shall ensure that the standards are cost-effective and economically, environmentally, and technologically feasible."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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