

1 HOUSE BILL NO. 592

2 INTRODUCED BY J. HINKLE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY
5 TO AMEND DEQ4 TO ALLOW FOR DRAIN SYSTEMS IN AREAS THAT HAVE BEEN CUT OR FILLED TO
6 BE USED FOR NEW SUBSURFACE WASTEWATER TREATMENT SYSTEMS; AND PROVIDING AN
7 IMMEDIATE EFFECTIVE DATE."

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

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11 NEW SECTION. Section 1. Department to amend rules and circular. The department of
12 environmental quality, under its authority to promulgate rules pursuant to 75-5-305 and 76-4-104, shall amend
13 the technical standards found in DEQ4 and all necessary administrative rules to allow for a ~~drain system new~~
14 ~~subsurface wastewater treatment system~~ in an area that has been cut or filled ~~to be used for a new subsurface~~
15 ~~wastewater treatment system.~~

16 (2) The amendments to DEQ4 and all necessary administrative rules required in subsection (1)
17 must provide that soil testing conditions and ~~adequate separation restrictions from limiting layers apply to a~~
18 ~~drain system in an area that has been cut or filled and is used as a new subsurface wastewater treatment~~
19 ~~system 4 feet of natural soil separation to a limiting layer are required. Cut or fill may not be used to provide the~~
20 ~~required vertical or horizontal separation under rule or circular.~~

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

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