

Water Pollution Control Advisory Council

Purpose: The Water Pollution Advisory Council (WPCAC) provides a public venue for review and discussion of draft water quality regulations. The Council's duties are defined in 2 places in statute: 1. the Montana Water Quality Act ([75-5-307](#) MCA) directs the department to take proposed regulations to WPCAC for review and comment prior to taking these regulations to the Board of Environmental Review for rulemaking. 2. [75-5-221](#) MCA makes clear that the Council serves "...in an advisory capacity to the department on matters relating to water pollution...".

The department uses WPCAC for review throughout the process of regulation development starting with the early stages through ensuring opportunity for WPCAC review and comment on proposed rules that are ready to go to the Board for rulemaking. Public review and discussion by WPCAC helps improve regulations by increasing public understanding and involvement. The regularly-scheduled opportunities provided by having this advisory group in place provides a structured venue to encourage interested parties to both anticipate and stay informed through WPCAC's regularly scheduled meetings and the "interested parties" communications that occur as a normal part of meeting preparation. WPCAC and the public often provide feedback that help DEQ fine tune regulation prior to formal rulemaking; there have been times when the department has delayed rulemaking and conducted additional stakeholder work in response to Council direction.

Issues that have come before the Council in the past year have included new and revised water quality standards, permitting rules, fee rules, subdivision rules, and wastewater regulations.

History: This council has been in existence and its focus and composition has been modified several times since the 1970's. The latest change in composition was enacted by the 2003 Legislature.

Membership:

Individual members of WPCAC are appointed by, and "...serve at the pleasure of ..." the Governor and are specified as:

- " ... (a) a representative of industry concerned with the disposal of inorganic waste;
- (b) a representative of industry concerned with the disposal of organic waste;
- (c) a supervisor of a soil and water conservation district;
- (d) an irrigated agriculture representative;
- (e) a production agriculture representative;
- (f) a person serving as public works director, director of public utilities, wastewater or public works superintendent, plant manager, or operator in charge of a publicly owned treatment works;
- (g) a conservation organization representative;
- (h) a realtor or developer representative;
- (i) a licensed professional engineer with experience in sanitary engineering;
- (j) a fisheries biologist; and
- (k) a member of the public...." ([2-15-2107](#) MCA)

Status: Active, the council adopts a meeting calendar each year. Meetings are held in Helena, and are scheduled to occur approximately 1 month prior to each regularly-scheduled meeting of the Board of Environmental Review, which occur approximately every other month. In practice the council has met 2 to 5 times a year, since meetings are cancelled when the agenda is light. Some meetings are held via conference call as deemed practical to minimize time and travel expense. Meeting materials are transmitted to members via the WPCAC's DEQ-hosted web site, which is also available to the public. Agendas and materials of past meetings are posted at: <http://deq.mt.gov/wqinfo/WPCAC/AgendasMeetingsPresentations.mcp>

Web page: <http://deq.mt.gov/wqinfo/wpcac/default.mcp>