



ENVIRONMENTAL QUALITY COUNCIL

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**GOVERNOR BRIAN SCHWEITZER
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JERRY BENNETT
BILL MCCHESENEY
MICHELE REINHART
CARY SMITH
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SENATE MEMBERS

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JOHN BRENDEN
BRADLEY MAXON HAMLETT
RICK RIPLEY
CHAS VINCENT
GENE VUCKOVICH

PUBLIC MEMBERS

DEXTER BUSBY
DIANE CONRADI
MARY FITZPATRICK
JOHN YOUNGBERG

COUNCIL STAFF

JASON MOHR, Research Analyst
SONJA NOWAKOWSKI, Research Analyst
HOPE STOCKWELL, Research Analyst
HELEN THIGPEN, Staff Attorney
KEVIN MCCUE, Secretary
JOE KOLMAN, Legislative Environmental Analyst

MINUTES

June 19, 2013

September 12, 2012

Room 172
State Capitol

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

COMMITTEE MEMBERS PRESENT

SEN. JIM KEANE, Chair
REP. DUANE ANKNEY, Vice Chair

SEN. JOHN BRENDEN
SEN. BRADLEY MAXON HAMLETT
SEN. RICK RIPLEY
SEN. CHAS VINCENT
SEN. GENE VUCKOVICH

REP. BILL MCCHESENEY
REP. CARY SMITH
REP. KATHLEEN WILLIAMS
MR. DEXTER BUSBY

MS. DIANE CONRADI
MS. MARY FITZPATRICK
MR. JOHN YOUNGBERG

COMMITTEE MEMBERS EXCUSED

REP. JERRY BENNETT
REP. MICHELE REINHART
GOVERNOR'S DESIGNEE

STAFF PRESENT

JASON MOHR, Research Analyst
SONJA NOWAKOWSKI, Research Analyst
HOPE STOCKWELL, Research Analyst
HELEN THIGPEN, Staff Attorney
CHRISTINA ALLEN, Fiscal Analyst
KEVIN MCCUE, Secretary
JOE KOLMAN, Legislative Environmental Analyst

Visitors

Agenda, [Attachment 1](#).
Visitors' list, [Attachment 2](#).

COMMITTEE ACTION

- The EQC approved the corrected minutes from its July 18 and 19, 2012, meetings.
- The EQC approved LC 9000, LC 9010, LC 9020, LC 9021, and LC 9022 for drafting for the 2013 Legislative Session.
- The EQC approved the eminent domain report.
- The EQC voted to continue to receive the DFWP's maintenance account report and the DEQ's integrated waste management plan.

CALL TO ORDER AND ROLL CALL

00:00:57 Sen. Keane called the meeting to order and roll was noted ([Attachment 3](#)).

AGENDA

00:01:20 Sen. Ripley moved to adopt the minutes of the EQC's July 18, 2012 meeting. The motion passed unanimously by voice vote.

00:01:43 Sen. Keane moved to correct the minutes of the EQC's July 19, 2012 meeting by exchanging the word "if" for the word "why" on page five as well as replacing "would" with "sent back the EQC's own information."

00:02:35 Sen. Ripley moved to adopt the minutes of the EQC's July 19, 2012 meeting as amended. The motion passed unanimously by voice vote.

00:02:50 Mr. Kolman informed the EQC that its budget has \$20,236.55 remaining. Sen. Keane asked how much each EQC meeting costs. Mr. Kolman said each meeting costs roughly \$10,000.

ADMINISTRATIVE RULE REVIEW

General overview - Ms. Thigpen

00:04:58 Ms. Thigpen presented the rule report. Ms. Thigpen said rules regarding upland game birds were adopted at the end of August 2012 and that rules regarding tilapia as a controlled species had been dropped. ([EXHIBIT 1](#))

EQC questions, discussion, and action, if any

00:07:10 Sen. Brenden, Sen. Ripley, and Sen. Hamlett requested copies of the rules regarding upland game birds.

HJR 32 - STUDY OF STATE PARKS, OUTDOOR RECREATION, AND HERITAGE RESOURCES

Update on Impacts of HB 370 (2011), light motor vehicle registration fee - Ms. Allen

00:08:14 Christina Allen, Legislative Fiscal Division, presented information on light vehicle registration revenue, saying it continues to increase for state parks and Virginia and Nevada Cities. ([EXHIBIT 2](#))

Update on MHC visitors, revenues - Elijah Allen, MHC Business Manager

00:09:31 Elijah Allen, Montana Heritage Commission (MHC) Business Manager, updated the EQC on the increase in visitors to Virginia and Nevada Cities. Mr. Allen said the MHC's shift in its focus to financial sustainability and marketing has been positive. Mr. Allen said the MHC has submitted a proposal for a long term preservation fund.

EQC questions, discussion, and action, if any

00:12:30 Sen. Keane asked Mr. Allen for material illustrating the impact on the MHC from increased funding from the license tax as well as information regarding the increased revenue compared to the previous year.

00:14:09 Rep. Ankney recalled a trip he made to Virginia and Nevada Cities this summer, saying it was a great experience.

00:15:41 Sen. Keane thanked the MHC for its work.

Review of public comments related to HJR 32 draft study report, LC 9000, and LC 9010 - Ms. Stockwell

00:16:19 Ms. Stockwell presented public comment on LC 9000. Ms. Stockwell said Mr. Van Genderen would oblige the EQC's request for information regarding boating jurisdictional issues. Ms. Stockwell distributed an editor-requested amendment to LC 9000. ([EXHIBIT 3](#)) ([EXHIBIT 4](#)) ([EXHIBIT 5](#))

Public comment

00:20:35 Chas Van Genderen, Department of Fish, Wildlife and Parks (DFWP) Parks Division Administrator, explained that boating regulations would be set much the same under LC 9000 as they are currently, but under a different board (the Parks Board).

00:21:57 Sen. Brenden asked Mr. Van Genderen where authority would rest on state parks on lakes which are run by a federal entity, under the proposal. Mr. Van Genderen said regulations on state-owned land would be made by the state.

00:23:11 Sen. Ripley asked Mr. Van Genderen if he saw inclusion of a parks board member on the Fish and Game Commission as a possibility, or if full separation would be best. Mr. Van Genderen said parks has such a different mission that separation would be better.

00:25:23 Mr. Van Genderen thanked the EQC for its sincere consideration of LC 9000 and said the proposed changes represent an opportunity to bring focus on parks, heritage and recreation issues.

00:29:19 Joseph Doyle submitted written comments. ([EXHIBIT 6](#))

EQC questions, discussion, and action, if any

00:31:38 Rep. Ankney recounted an illuminating conversation with a retired game warden who runs Rosebud Battlefield State Park, who pointed out that game wardens deal with people who are taking a natural resource, while parks directors deal with people who are there to enjoy the outdoors. Rep. Ankney said there is a distinct difference between managing wildlife and managing parks and he supports LC 9000 as it would enhance the state parks system.

00:33:41 Rep. Ankney moved that LC 9000 proceed to pre-drafting including the changes recommended by the editors.

00:33:58 Sen. Ripley asked Ms. Stockwell for the cost of the proposed new board. Ms. Stockwell said the DFWP estimated the cost of the new board at \$9,000. Sen. Ripley asked Mr. Van Genderen if he anticipates the bill's fiscal note will assess costs at \$10,000. Mr. Van Genderen said the board will cost between \$9,000-10,000.

- 00:36:31 Sen. Brenden said he believes \$9,000 to be a very low estimate of cost and does not think it will save the FWP any money.
- 00:38:04 Rep. Ankney said although the exact cost has not yet been determined, funds will be generated by the parks department and that the state would get a great return on its investment.
- 00:38:51 Sen. Hamlett said he thinks a separate commission is necessary and would be less expensive than a separate agency.
- 00:39:20 Sen. Keane said the EQC has done the right thing by creating a new parks board and that he would support Rep. Ankney's motion.
- 00:41:12 Sen. Ripley expressed support for Rep. Ankney's motion.
- 00:42:03 Sen. Keane said discussion during the upcoming Legislative session will clarify legislators' positions.
- 00:42:25 Rep. Ankney's motion passed unanimously by voice vote. Rep. Bennett, Rep. Reinhart, and Ms. Conradi voted yes by proxy.
- 00:43:23 Rep. Ankney moved that the EQC approve the report on LC 9010.
- 00:45:06 Rep. Ankney amended his motion to approve the report on LC 9010 and LC 9010. (**EXHIBIT 7**) (**EXHIBIT 8**)
- 00:45:16 Rep. Williams suggested the deletion of the phrase "and maximize use" in the HJR 32 draft report's second bullet on page 4.
- 00:46:50 Rep. Ankney's motion, including Rep. Williams' change, passed 15-1 by voice vote. Sen. Ripley voted no. Rep. Bennett, Rep. Reinhart, and Ms. Conradi voted aye by proxy.

PUBLIC USES AND EMINENT DOMAIN DRAFT REPORT

Review of public comments - Ms. Nowakowski

- 00:47:40 Ms. Nowakowski presented information pertaining to the EQC's handling of eminent domain during the interim. Ms. Nowakowski asked that the EQC approve the report's requested changes and publish the report for distribution. (**EXHIBIT 9**)

EQC questions, discussion, and action, if any

- 00:49:57 Sen. Ankney moved the report on eminent domain be published. The motion passed unanimously by voice vote. Rep. Bennett, Rep. Reinhart, and Ms. Conradi voted aye by proxy.

HB 142 - REVIEW

- 00:50:48 Mr. Mohr reviewed public comment received regarding bills drafted in response to the EQC's HB 142 review. ([EXHIBIT 10](#)) ([EXHIBIT 11](#)) ([EXHIBIT 12](#))
- 00:53:08 The committee decided that Rep. Ankney would sponsor LC 9000 and Sen. Keane would sponsor LC 9010.
- 00:54:42 Rep. Ankney moved that LC 9020 proceed to pre-drafting. The motion passed unanimously by voice vote. Rep. Bennett, Rep. Reinhart, and Ms. Conradi voted aye by proxy.
- 00:55:44 Sen. Vincent volunteered to carry LC 9020.
- 00:56:16 Rep. Ankney moved that LC 9021 proceed to pre-drafting. The motion passed unanimously by voice vote. Rep. Bennett, Rep. Reinhart, and Ms. Conradi voted aye by proxy. Sen. Keane volunteered to carry the bill.
- 00:57:08 Rep. Ankney moved that LC 9022 proceed to pre-drafting. The motion passed 14-2 by voice vote. Sen. Hamlett and Sen. Brenden voted no. Rep. Bennett, Rep. Reinhart, and Ms. Conradi voted aye by proxy. Sen. Vuckovich volunteered to carry the bill.

HB 142 - REVIEW OF STATUTORILY-REQUIRED REPORTS

Introduction - Mr. Kolman

- 00:58:22 Mr. Kolman introduced the reports they were about to discuss and explained the EQC would be voting on whether or not to continue to receive them.

DFWP Maintenance Account Report

Sue Daly, Finance Division Administrator

- 00:58:50 Sue Daly, DFWP Chief of Finance, presented the DFWP Maintenance Account Report. ([EXHIBIT 13](#))

EQC questions, discussion, and action, if any

- 01:01:48 Sen. Keane requested the report include additional detail regarding how the separate funds are set up for separate parcels in individual areas. Ms. Daly explained how funds were expended at Fish Creek. Sen. Keane requested the data be arranged site-specifically.
- 01:06:31 Sen. Brenden agreed additional data regarding specific sites would be useful.
- 01:07:40 Sen. Ripley said the report generates a lot of questions but it is important to continue to receive the report.

- 01:08:43 Sen. Keane asked why the shop upgrade listed in R1 of the wildlife management area (WMA) project is not a capital expenditure. Ms. Daly deferred the answer to the Wildlife Chief and said she will incorporate the suggestions into future reports.
- 01:10:29 Sen. Ripley moved to continue to receive the maintenance account report. The motion passed unanimously by voice vote. Rep. Bennett, Rep. Reinhart, and Ms. Conradi voted aye by proxy.
- 01:11:16 Rep. Williams asked if another motion was required regarding the maintenance account report. Sen. Keane said the action required to continue to receive the report would be taken tomorrow.

(Break)

Integrated Waste Management Plan Update

Bonnie Rouse, DEQ

- 01:32:16 Ms. Rouse, DEQ Energy and Pollution Prevention Bureau, provided the EQC with an update on activities related to the integrated waste management plan. ([EXHIBIT 14](#))

EQC questions, discussion, and action, if any

- 01:36:24 Sen. Keane expressed appreciation of the report's clarity.
- 01:36:40 Rep. Ankney moved to accept and continue to receive the report. The motion passed unanimously by voice vote. Rep. Bennett and Rep. Reinhart voted aye by proxy.

Numeric Nutrient Standards Report

George Mathieus, DEQ

- 01:37:56 Mr. Mathieus, DEQ Planning, Prevention, and Assistance Division Administrator, presented information related to the implementation of numeric nutrient criteria. Mr. Mathieus said rulemaking has been postponed due to confusion related to the process' results and the issue of non-degradation. Mr. Mathieus said the nutrient workgroup proposed this morning that the DEQ respond to comments submitted by the related agencies and that the nutrient workgroup meet again in the fall. ([EXHIBIT 15](#))

EQC questions, discussion, and action, if any

- 01:43:10 Sen. Keane asked Mr. Mathieus to describe those people who could be affected that are not a part of the process related to rulemaking. Mr. Mathieus said he had not meant to imply anyone is being excluded but that confusion may exist in those towns most removed from the urban centers.

- 01:45:44 Sen. Ripley asked Mr. Mathieus if he had responded to Mr. Busby's request for estimates pertaining to the cost of implementing the new standards. Mr. Mathieus said he had responded with a memo to the EQC containing dollar values which used Billings as an example. (EXHIBIT 16)
- 01:47:18 Mr. Busby said the response had not been as specific as he would have liked. Mr. Busby asked how the waiver process will work in smaller communities like Choteau. Mr. Mathieus said he can provide additional information. Mr. Mathieus said the variance was conceived with recognition that Montana is a rural state and stringent criteria are not always affordable. Mr. Mathieus said the concept of a variance hinges on affordability and limited technology.
- 01:52:54 Mr. Youngberg asked Mr. Mathieus how lowering standards on nutrients and giving surface water dischargers an out affects non-surface water dischargers, who do not have the opportunity to be granted a variance. Mr. Mathieus said the numeric nutrient standards apply only to surface water quality and how they may effect groundwater in the future is unknown. Mr. Youngberg cited Belgrade as an example of a town that is unable to obtain a permit at this time and asked if the workgroup would realistically be able to present its finding to the Board of Environmental Review on December 7, 2012. Mr. Mathieus said that date for the initiation of rule-making is probably not feasible.
- 01:57:43 Sen. Vincent said he carried the variance bill and hypothetically asked how small towns like Belt would be able to meet nutrient standards if larger towns like Billings are struggling to do so. Sen. Vincent thanked Mr. Mathieus for his transparency.
- 02:00:25 Ms. Conradi asked Mr. Mathieus how nutrient trading fits into the proposed rulemaking. Mr. Mathieus said trading is independent of nutrient criteria but can be complementary and pointed to a bill introduced last session that provided dischargers ways to dispose of waste with minimal treatment.
- 02:03:18 Sen. Brenden said the provided examples would not be acceptable and encouraged cooperation between the DEQ and interested parties.
- 02:05:29 Rep. Williams asked Mr. Mathieus if entities would be able to apply for a waiver effective for up to 20 years if they faced substantial impacts and widespread hardship, thus exempting them from meeting the stringent standards. Mr. Mathieus said they could.
- 02:06:37 Sen. Vuckovich asked Mr. Mathieus for examples of offsets. Mr. Mathieus offered a municipality which works with a nonpoint source constituent in a watershed upstream as an example.
- 02:10:09 Ms. Conradi gave an example of an offset in Oregon in which a discharger installed riparian vegetation that would provide shade and reduce water temperature instead of paying to chill the water.

- 02:11:24 Rep. Ankney asked Mr. Mathieus how the recent fires and resulting erosion would affect watersheds. Mr. Mathieus said runoff can result in significant increases in nutrient flux.
- 02:13:11 Mr. Busby asked Mr. Mathieus to discuss how permits are being issued today as a result of the non-degradation issue. Mr. Mathieus said non-degradation requirements were designed to protect high quality waters and affect new dischargers discharging into high quality water.
- 02:16:12 Sen. Hamlett asked Mr. Mathieus to describe the DEQ's policy regarding streams like Belt Creek which have been continuously contaminated by underground mining waste. Mr. Mathieus said he is not familiar with the DEQ's policy regarding metals contamination but that he would investigate it and return an answer.
- 02:17:58 Sen. Vuckovich reminded the EQC that some years ago the levels of naturally occurring arsenic originating from the Yellowstone River were higher than arsenic levels in the Anaconda area. However, the potentially responsible parties in Anaconda were required to clean up the arsenic. Sen. Vuckovich asked who is responsible for cleaning up such naturally occurring pollutants. Mr. Mathieus said the nutrient criteria were developed to protect fish and aquatic life and prevent nuisance algae from hurting fish and aquatic life, to determine trigger threshold values to protect beneficial uses, and to compile a significant reference reach data set. Mr. Mathieus said water standards will differ from area to area and that natural conditions are included as part of the analysis.
- 02:20:33 Sen. Keane said baseline standards change because of fire and asked how the nutrient workgroup plans to account for those changes. Mr. Mathieus said that although fires such as those over the summer would result in changes to the data set, the goal behind collecting reference reach data is that it evolves to account for occurrences such as fire. Mr. Mathieus said he will voice Sen. Keane's concern at the nutrient workgroup discussion.

OIL PIPELINE SAFETY REVIEW COUNCIL UPDATE

Bonnie Lovelace, Regulatory Affairs Manager

- 02:24:33 Ms. Lovelace, DEQ staff to the Oil Pipeline Safety Review Council, presented the Council's draft report. Ms. Lovelace said comment on the draft report had been received and is available on the DEQ website. Ms. Lovelace complimented the work of the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) and said pipeline data from the federal database is now available and is being utilized for the Montana Pipeline Safety Map. Ms. Lovelace said the Council recommends maintaining the agreement with PHMSA and the Montana Pipeline Safety Map. Ms. Lovelace said the Council recommends the GIS experts of the three involved agencies (Department of Natural Resources and Conservation (DNRC), DEQ, and PHMSA) assemble stream migration information related to horizontal drilling. Ms. Lovelace said the Council recommends support of PHMSA to oversee pipeline safety in Montana,

despite comment recommending new regulatory structure. Ms. Lovelace pointed to comments suggesting a citizen advisory committee and said the Council recommends that the Directors of the three departments plus one member of the public service commission hold two meetings per year on pipeline safety. Ms. Lovelace said the Council recommends PHMSA and other groups assist in formulating emergency response plans. Ms. Lovelace said the agencies found that at many pipeline crossings many of the pipeline companies had not obtained the appropriate permits, and so the Council recommends that the DNRC and the DEQ review and implement land use license and easement applications for major river crossings and require safety and environmental measures to protect the banks and channels at existing crossings.

EQC questions, discussion, and action, if any

02:35:59 Ms. Fitzpatrick asked Ms. Lovelace if there are now standards for operator preparedness. Ms. Lovelace said those standards are required by the federal program and are in place.

02:38:08 Sen. Brenden asked Ms. Lovelace if private and public parties are participating in the discussion. Ms. Lovelace said most but not all such parties had been consulted regarding support functions.

AGENCY OVERSIGHT - PETROLEUM MIXING ZONE APPLICATION UPDATE

Rebecca Ridenour, DEQ

02:41:04 Ms. Ridenour, Section Supervisor, Petroleum Technical Section of the DEQ Remediation Division, responded to questions related to closures of petroleum releases using a petroleum mixing zone.

Ronna Alexander, Montana Petroleum Marketers and Convenience Store Association

02:45:01 Ms. Alexander said her membership is still compiling statistics and examining the process related to petroleum mixing zones. Ms. Alexander pointed to challenges ahead and suggested bringing the consulting world to the table for technical guidance.

Public comment

02:55:40 Terry Wadsworth, Petroleum Release Compensation Board, offered to answer questions.

EQC questions, discussion, and action, if any

02:56:13 Sen. Ripley asked for the cost per site for clean-up. Mr. Wadsworth said he could provide numbers regarding eligible sites and what the fund has spent per site. Mr. Wadsworth said the current average cost per site clean-up is between

\$70,000 and \$90,000. Mr. Wadsworth said the average cost is increasing as the more intensive closures are made.

- 02:57:56 Sen. Brenden asked how compensation is obtained in a situation such as that at Fort Peck where the liable party is facing bankruptcy. Mr. Wadsworth said both the U.S. Environmental Protection Agency (EPA) and petro fund are looking at that issue. Sen. Brenden asked for comment from the DEQ. Michael Trombetta, DEQ's Hazardous Waste Site Cleanup Bureau Chief, said he is familiar with several parties who go bankrupt and are ineligible for the petroleum tank release cleanup fund. Mr. Trombetta said if the tank in question is a federally regulated underground storage tank there are leaking underground federal trust funds available for such cases. Mr. Trombetta said the federal government has funds for tank closures on Indian reservations as well. Mr. Trombetta also offered the brownfields program, federal money from the EPA, or development councils as possible sources of funding.
- 03:02:27 Rep. Williams asked Ms. Alexander if her organization has tried to get its concerns addressed by the DEQ. Ms. Alexander said the new guidance document on the DEQ website is overwhelming and that the DEQ is aware of her organization's concerns.
- 03:03:33 Rep. Williams asked Mr. Trombetta to lay out what is in place as well as the next steps necessary to obtain proposals. Mr. Trombetta said the DEQ has always had technical guidance #9 and was given a different avenue for closure by SB 9 (2011).
- 03:05:52 Sen. Keane said SB 9 tried to address the problem of having to hire multiple consultants. Sen. Keane asked the DEQ to look to the Lee Petersen case in Missoula, in which a consultant was paid half by the petro fund and the other portion was left to those without the resources to pay. Sen. Keane said there must be a disconnect involving how to make these funds eligible to people who have limited resources. Sen. Keane asked Mr. Trombetta how to alleviate the problem of having to hire consultants. Mr. Trombetta said the DEQ is bound by the laws in regard to the petroleum tank release compensation fund and associated consultant work, which require the party in question to pay half of the consulting fees. Mr. Trombetta said although the DEQ supports technical work done without a consultant, most sites deal with ground water and require a professional consultant. Mr. Trombetta said there must have been a disconnect in the case cited as owners are made aware up front of the payment system. Sen. Keane asked if there are funds available for owners such as those mentioned by Sen. Brenden. Mr. Trombetta said federal brownfields funds have been used in such cases in the past. Mr. Trombetta said a regional development assessment grant from the DNRC might be used for investigation. Mr. Trombetta said the Lust trust fund is always available for those without means of payment. Sen. Keane asked Mr. Trombetta for his recommendations regarding the Missoula case. Mr. Trombetta said the DEQ might not be able to do anything if the bill has already been paid.

- 03:12:36 Sen. Keane asked Mr. Wadsworth if there is a standard assessment fee. Mr. Wadsworth said costs are allocated by cost assessment on a task by task basis. Mr. Wadsworth said the statistical analysis for each year determines the maximum reimbursement for each activity. Sen. Keane tasked Mr. Wadsworth with examining the Petersen's property and comparing how much they were charged to other similar instances.
- 03:14:41 Sen. Keane told Ms. Ridenour that the issue of people continuing to make money while sites are not being closed is of high concern. Ms. Ridenour voiced agreement.

Public comment on any matter not contained in the agenda and that is within the jurisdiction of the EQC

- 03:15:50 Tyler Krutzfeld, Miles City, presented information regarding his company's investment in technology addressing nutrient removal thresholds. Mr. Krutzfeld said his group, Mont Vista, is innovating in response to regulation and believes other states will invest in clean water. Mr. Krutzfeld said his company does not find the DEQ's figure regarding the \$300 million upgrade to the Billings water system to be a credible estimate. Mr. Krutzfeld said he looks forward to coming before the EQC again in the future with the intent of supplying water for hydraulic fracturing.
- 03:18:58 Sen. Vincent asked Mr. Krutzfeld to describe his company's nutrient removal technology and tell the EQC how many gallons per minute it can treat and at what cost. Mr. Krutzfeld said the technology will treat 100,000 gallons per day and be scalable to treat up to a million gallons per day. Mr. Krutzfeld said nutrient recovery is a great opportunity for capitalists which lowers the cost of the system. Sen. Vincent asked Mr. Krutzfeld if nitrates and phosphorous are the focus of the nutrient removal. Mr. Krutzfeld said the technology is most effective with those core nutrients.
- 03:20:56 Sen. Keane asked Mr. Krutzfeld if he has a brochure or further information for EQC members. Mr. Krutzfeld said he could be reached in Miles City. Sen. Keane asked if Mr. Krutzfeld's company is approaching water treatment plants. Mr. Krutzfeld said they are. Sen. Keane requested Mr. Krutzfeld contact Silverbow County, which is building a new water treatment plant. Sen. Keane asked if the company is removing metal. Mr. Krutzfeld said his company has had promising results with selenium removal but is not yet ready to share its full findings.
- 03:23:04 Sen. Vincent asked what standards Mr. Krutzfeld's company is meeting. Mr. Krutzfeld said DEQ Director Opper is aware of those details.
- 03:23:36 Sen. Keane expressed appreciation for those participating in their last EQC meeting, Sen. Vincent, Rep. Reinhart and Ms. Conradi.

Adjourn

03:25:17 Sen. Keane adjourned the EQC.

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