

TO: Senator Walt Sales

FROM: Director Chris Dorrington

DATE: December 15, 2021

SUBJECT: HJ 37 Study of Lake Koocanusa and Selenium Standard

The Department of Environmental Quality is submitting a draft recommendation to the Water Policy Interim Committee (WPIC) Special Committee to guide the implementation of HJ 37.

**HJ 37 Workplan**  
**HJ 37 notes a completion date of April 1, 2022**

Objective: Review data and process for setting standards associated with ARM 17.30.632

- A. Legislative staff work with DEQ to make the record and reference materials associated with ARM 17.30.632 available to WPIC-EQC Special Committee for HJ 37
- B. Legislative staff work with WPIC-EQC Special Committee to gather initial questions on ARM 17.30.632
- C. Legislative staff present to WPIC-EQC Special Committee on the Montana Administrative Procedures Act pertaining to water quality standards
- D. DEQ to present the process for setting selenium standards
  - a. Scientific process and decision-making framework
  - b. Regulatory process including applicable federal public participation requirements and EPA approval requirements
- E. DEQ to present data
  - a. All selenium data collected in Lake Koocanusa
  - b. Data used in modeling
  - c. Background selenium levels & selenium sources
- F. DEQ will answer and will work with project partners to answer remaining questions related to ARM 17.30.632 from WPIC-EQC Special Committee for HJ 37
  - a. Follow up with question/answer session
  - b. Follow up with written responses to questions if requested

cc. Senator Jeff Welbourn

/s/ \_\_\_\_\_

PKD  
September 14, 2011  
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Director Dorrington Signature

Date