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Montana Legislative Services Division

Legal Services Office

TO: Water Policy Interim Committee Members
FROM: Joe Carroll, Staff Attorney
RE: Administrative Rule Report

The Department of Natural Resources and Conservation filed a Notice of Public Hearing on Proposed Amendment and Repeal. The Department of Environmental Quality and the Department of Fish, Wildlife, and Parks have not filed any notices related to water quality or quantity since the previous Water Policy Interim Committee meeting. Full text for the notice summarized below is available at <http://www.mtrules.org> (search by notice number).

DEPARTMENT OF ENVIRONMENTAL QUALITY:

MAR Notice Number: 36-22-213

Notice Description: Notice of Public Hearing on Proposed Amendment and Repeal published April 15, 2022.

Subject: Well fees, well capping, posting license renewals.

Summary: The Board of Water Well Contractors proposes to amend ARM 36.21.415 to increase certain professional fees so that they are commensurate with the board's costs.

The board proposes to amend ARM 36.21.661 regarding well capping. The board determined the word "temporary" should be removed from the rule so that the protective effect of the rule applies to temporary capping and to the capping that occurs when a well is finished. Proposed new language in the rule deals with hardware that may be used for capping.

The board proposes to repeal ARM 36.21.413. That rule requires contractors to apply labels regarding the contractor's license renewal to drilling rigs. The board determined the rule is outdated and impractical.

Notes/Hearing: A hearing is scheduled for May 17, 2022, at 10:00 a.m. via Zoom and in the Montana Room, 1539 11th Avenue, Helena, Montana. The comment due date is May 17, 2022.

Adoption Notice Notes: N/A

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION:

None.

DEPARTMENT OF FISH, WILDLIFE, AND PARKS:

None.