



# Water Policy Interim Committee

68th Montana Legislature

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July 11, 2023

TO: Water Policy Interim Committee  
FROM: Alexis Sandru, Staff Attorney  
RE: Administrative Rule Report – July 2023 Meeting (MAR Issues 9 through 13)

This report summarizes administrative rules concerning the quality or quantity of water that have been proposed or adopted by the Department of Environmental Quality (DEQ), the Department of Fish, Wildlife, and Parks (FWP), and the Department of Natural Resources and Conservation (DNRC) since the 68<sup>th</sup> Legislature adjourned. Rule notices are available at <https://rules.mt.gov>.

## PROPOSAL NOTICES

**MAR Notice Number: 36-22-217** (Issue 11, June 9, 2023)

Subject: Bitterroot Valley Sanitary Landfill Controlled Groundwater Area

Summary: Acting on a petition filed by the DEQ, the DNRC is proposing to adopt a new rule designating a Bitterroot Valley Sanitary Landfill Controlled Groundwater Area (BVSL CGWA), located 0.80 miles south of Victor, Montana. The new rule revokes and replaces the original BVSL CGWA established in 2004 and modifies the existing BVSL CGWA boundary and reduces its size from 328 acres to 80 acres. The DNRC notes that data collected since 2004 establishes that the size of the contaminated groundwater plume has been reduced and that reducing the size of the BVSL CGWA "will safely reduce regulations affecting the development of groundwater in those areas where hazardous or deleterious substances no longer exceed Montana Numeric Water Quality Standards, and the pumping of groundwater will not induce contaminant migration". The proposed new rule prohibits new groundwater developments or changes to existing groundwater appropriations within the BVSL CGWA unless the new uses or changes of use are for the purposes of water quality or quantity monitoring and receive prior written approval from the DEQ. The proposed rule also sets forth specific requirements for drilling a well within the BVSL CGWA.

Notes/Hearing: A public hearing is scheduled on July 11, 2023, at 6 p.m. at the Groff Conference Center, located at Farmers State Bank in Victor. Written public comment is due by 5 p.m. on July 12, 2023.

## ADOPTION NOTICES

None.