

1 HOUSE BILL NO. 923

2 INTRODUCED BY L. JONES, S. GIST, G. OBLANDER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CATEGORICAL EXCLUSIONS FROM A
5 NONDEGRADATION AUTHORIZATION; DIRECTING THE AMENDMENT OF ARM 17.30.716; PROVIDING
6 AN APPROPRIATION; AND PROVIDING EFFECTIVE DATES AND AN APPLICABILITY DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. **Section 1. Department to amend rule.** By January 1, 2026, the THE department of
11 environmental quality shall amend ARM 17.30.716 to provide for a categorical exclusion from a nondegradation
12 authorization provided in 75.5.3.17 if a county commission demonstrates to the department that the
13 commission has established an area where:

14 (1) drinking water wells are prohibited; and

15 (2) the absorption trench is at least 1,000 feet from downstream high-quality surface waters INSERT

16 A NEW SUBSECTION (8) THAT READS:

16 A NEW SUBSECTION (8) THAT READS:

17 "(8) A WASTEWATER DISCHARGE THAT OTHERWISE MEETS THE CRITERIA OF THIS RULE MAY BE REVIEWED

18 FOR NONSIGNIFICANCE WITHOUT A BACKGROUND NITROGEN SAMPLE REQUIRED IN (4)(C)(III) IN SETTINGS WHERE

19 GROUND WATER CANNOT BE SAMPLED DUE TO ABSENCE OR GREAT DEPTH OF GROUND WATER."

21 **NEW SECTION. Section 2. Appropriation.** There is appropriated \$10,000 \$500 from the general
22 fund to the department of environmental quality for the biennium beginning July 1, 2025, to amend the
23 department's rules pursuant to [section 1] and ~~provide guidance for a categorical exclusion from a~~
24 nondegradation authorization.

26 **NEW SECTION.** **Section 3. Effective dates.** (1) Except as provided in subsection (2), [this act] is
27 effective on passage and approval.

28 (2) [Section 2] is effective July 1, 2025.

1

2 NEW SECTION. SECTION 4. APPLICABILITY. [THIS ACT] APPLIES TO APPLICATIONS FOR NONDEGRADATION

3 AUTHORIZATIONS RECEIVED ON OR AFTER MAY 1, 2025.

4 - END -