

HOUSE NATURAL RESOURCES COMMITTEE MINUTES
January 24, 1983

The House Natural Resources Committee convened at 12:30 p.m. in Room 224K of the State Capitol on Monday, January 24, 1983, with Chairman Hal Harper presiding and all members present. Chairman Harper had the researcher, John Carter, describe the purposes of the Resources Development Program, the Water Development Loan and Grant Program, and the Alternative Energy Resource Development Program. The committee had asked for some clarification at the last meeting. Mr. Carter passed to the committee members an explanatory page which is Exhibit 1 and two pie charts indicating Resource Indemnity Trust distribution and Coal Severance Tax distribution, which are Exhibit 2 and Exhibit 3.

Chairman Harper gave an update on House Bill 8. He said one of the proponent's problems with the bill was questioning if the royalty interests were included. He said they were contacting an attorney, Louis Moore of Billings, to review the bill. His comments will be brought to the committee as soon as possible.

Chairman Harper then opened the meeting to a hearing on HB 207.

HOUSE BILL 207

REPRESENTATIVE STEVE WALDRON, District 97, chief sponsor, said the bill is a result of a sunset performance audit. The Legislative Audit Committee recommends that the Board of Water and Wastewater Operators be reestablished as the Water and Wastewater Operators' Advisory Council. He went through the bill explaining the different parts. He said they clarify the council's duties as being only advisory. He said it was their finding that the council really served more of an advisory function. The bill changes any reference from a board to a council. The department will have the disciplinary authority to reprimand and censure. The department will be able to give temporary certificates. He said this is to facilitate certification and he noted they had done this in the past.

DONALD J. WILLEMS, Health Department, said they support the bill. They urged that the Board or Council be reestablished. He said the council has done an excellent job in the past and have done much to improve the operating of the treatment plants.

KEN JOHNSTON, representing himself, said he has been involved in the training of the operators for ten years. He said the certification procedure is of great importance to develop a sense of achievement of these operators. He urged the bill be given a do pass.

REPRESENTATIVE WALDRON closed.

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Questions were asked by the committee.

Rep. Curtiss asked how many waste water operators there are. She wondered if it wouldn't have been to their interest to be here today. Mr. Willems said there are about 1,200 operators and perhaps it would have been to their interest to be present.

Rep. Mueller asked if the board used to have more authority. Rep. Waldron said right now the board can examine and recommend for certification. He felt the authority of the board isn't that great now but that they do currently serve a useful advisory function. This would clarify that function.

Rep. Harper asked if rule making authority wasn't begin transferred to the department. Rep. Waldron said yes. Rep. McBride said isn't the problem in some communities that they are left without an operator. One of the provisions of the bill is that it would require notification to the Department of Health so they can be alerted and have someone watching that facility. Don Willems said this will help as it is sometimes a year before we know of a lack.

Chairman Harper closed the hearing on this bill and opened the hearing on HB 214.

HOUSE BILL 214

REPRESENTATIVE HOWE, District 58, said the bill was at the request of State Lands. The purpose of the bill is to streamline the annual report process for both the operator and the department. He said operators with numerous permits can have reports due at various times. This procedure presents problems for the department as each annual report can present just a portion of the operation and so would be incomplete in itself but consolidation would present a total view.

DENNIS HEMMER, Commissioner of State Lands, had four people help display four permits that together made up one operation. He said it is very difficult to keep track of which area they are talking about and he said it is difficult for the company also. He said this is partly rectified with five-year permits. This bill would allow us to let this particular operator use one annual report for one area. He said there is a proposed statement of intent. He said they would have to modify their rules because the present rules are set up for annual reports.

JAMES E. MOCKLER, Coal Council, said he wished to thank the department for requesting this bill. He said this would help with bookwork for both.

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BILL OLESON, Contractors, said their contractors in established barrow pits become classified as miners. He said if the state is trying to streamline something we are all for it.

REPRESENTATIVE HOWE closed.

Questions were asked by the committee.

Rep. Meuller asked what the average number of permits were per mine. Mr. Hemmer said the average number would be two or three, and with five-year permits, they are able to consolidate most of them.

Rep. Hand asked if these are operating permits and not exploration permits. Mr. Hemmer said yes. He said with annual permits an operator would come in and add on a piece to his area. Now when they come in we add to the old permit.

Rep. Ream said he had a problem with the word operation. Mr. Hemmer read from the code book what an operation is. Mr. Ream said it refers them to one mine site and not to all sites the company might have.

Chairman Harper closed the hearing on this bill and opened the hearing on HB 203.

HOUSE BILL 203

REPRESENTATIVE HARRISON FAGG, District 29, one of the sponsors of the bill, introduced the bill and then introduced the following proponent.

LARRY LLOYD, Chief, Occupational Health Bureau, Department of Health and Environmental Sciences, distributed to the members copies of a report mandated last session. The report is "Implications of Montana's Long-Term Participation in the Northwest Interstate Compact on Low-Level Radioactive Waste Management" and a copy is Exhibit 4 of the minutes. Most of Mr. Lloyd's testimony was taken from the report. Some additional points were that, of the six states eligible to join the Northwest Interstate Compact, only two generate a lot of this low-level radioactive waste and those are Oregon and Washington. They have an interstate agreement, also, in that Washington takes Oregon's low-level radioactive wastes and sends its toxic wastes to Oregon. He said we are really riding on a shirttail agreement and our cost is minimal. He said if we don't enter the compact we'll need our own and Initiative 84 has expressed the will of the people that they don't want it. An in-state low-level waste disposal would have to be operated by a state agency otherwise it would open

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us up so we would have to receive wastes from other states. The cost is prohibitive. A cost sheet is Exhibit 5 of the minutes. He said he fully supports Montana's continued membership in the Northwest Compact.

REPRESENTATIVE DENNIS VELEBER, District 98, chief sponsor, said he was late due to testifying at another committee. He gave a brief background on the bill and said the purpose of the bill is to maintain Montana's participation in the Northwest Compact. To do this the 48th Legislature must ratify the Compact. We are now part of it by Executive Order of Governor Schwinden. He said there is a statement of intent attached to the bill and he passed copies of this to the committee and a copy is Exhibit 6 of the minutes.

There were no opponents to the bill. Chairman Williams opened the hearing to questions from the committee.

In answer to a question, Mr. Lloyd responded that the state of Washington is agreeable to maintaining their site under a compact situation. He said they will be open for approximately 20 years so if we enter the compact we will have a 20-year free ride.

Rep. Quilici asked about fees. Mr. Lloyd said the state and local agencies and the university system are exempt from the fees. Industry could be assessed for the inspection of their low-level radioactive waste shipments. He said it would not be a money making thing. They would need to recover time and travel spent inspecting.

Rep. Hand asked what form this waste is in. Mr. Lloyd said it comes in numerous forms but the biggest is from research wastes from the university system like animal carcasses, contaminated gloves, blotters, solutions, all primarily lab wastes. Some wastes are from nuclear medicine departments like radium needles which need special shielded containers. It is mostly just trash.

Chairman Harper asked about monitoring costs. The governor of each state, Mr. Lloyd said, will send someone to the Northwest Compact Conference and that person will incur travel expense. At the current time that is paid through the compact committee. The existing fee is 30 cents per cubic foot and that picks up the administrative cost for the state of Washington to continue surveillance for closure costs. Mr. Lloyd said the fiscal note indicates that no funds are being asked for and their department can take care of what is needed within their normal program.

The question was asked if we would be eligible for a future site if we enter into this compact. Mr. Lloyd said the implication within the compact is that the state who receives the most benefit

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will be the next state to be the host state. He said if we were asked to host a site, we would do like the other states with minimal waste, we would repeal our membership in the compact. He said since this is good for twenty years, it seems like a good move.

Chairman Harper closed the hearing on HB 209 and opened the meeting to an executive session.

EXECUTIVE SESSION

HOUSE BILL 68 Chairman Harper said the gentleman who had the white water boat had misunderstood the bill and his present machine would be in compliance. Mr. Carter talked with Bob Miller who testified in favor of the bill. This individual felt he was obligated to meet the more stringent requirement, but didn't have to since it was manufactured prior to January, 1978. All such boats will meet the standards set in section 1. So, to reiterate Bob Miller, there are no boats that presently operate on rivers that wouldn't meet the noise levels emissions in this bill except air boats.

Rep. Jensen asked concerning a statement of intent. Rep. Brown said the intent of one amendment was to give the department some leeway in case there are some other problems the committee isn't aware of.

HOUSE BILL 203 Rep. Mueller moved DO PASS. Rep. Nordtvedt asked what is in this for the state of Washington. Mr. Larry Lloyd said by compacting under the act they can have a commercial operator on the site. If they are to go it alone and just take their own waste, the state would have to operate it. He said there was a court case where Philadelphia was disposing of their garbage with a commercial operator and they had to take a neighboring state's garbage. He said Washington gets very little waste from six of the states. Oregon has quite a bit but Washington then sends their toxic wastes to Oregon.

The question was called on the DO PASS motion and it carried unanimously with those present. Rep. Metcalf moved that the statement of intent be approved and this also passed unanimously.

HOUSE BILL 207 Rep. Hand moved DO PASS. This motion carried unanimously. Rep. Brown moved a statement of intent and this motion carried unanimously.

HOUSE BILL 214 Rep. Brown moved DO PASS. He said it was another effort to streamline and he applauds it. The motion carried unanimously. Rep. Brown moved the

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statement of intent and this motion carried unanimously.

Meeting adjourned at 1:45 p.m.

Respectfully submitted,


HAL HARPER, CHAIRMAN

Emelia A. Satre, Sec.

RENEWABLE RESOURCE DEVELOPMENT PROGRAM

The purpose of the program is to develop renewable natural resources that will preserve for the citizens the benefit of the state's natural heritage while ensuring that the quality of existing public resources such as land, air, water, fish, wildlife, and recreational opportunities are not significantly diminished. To accomplish this, the Renewable Resource Development Program may provide funds: "for the purchase, lease, or construction of projects for the conservation, management, utilization, development, or preservation of the land, water, fish, wildlife, recreational, and other renewable resources in the state; for the purpose of feasibility and design studies for such projects; for development of plans for the rehabilitation, expansion, or modification of existing projects; and for such other and further similar purposes as the Legislature may approve." 90-2-111, MCA. This program is administered by the Water Development Bureau, Water Resources Division, Department of Natural Resources and Conservation.

WATER DEVELOPMENT LOAN AND GRANT PROGRAM

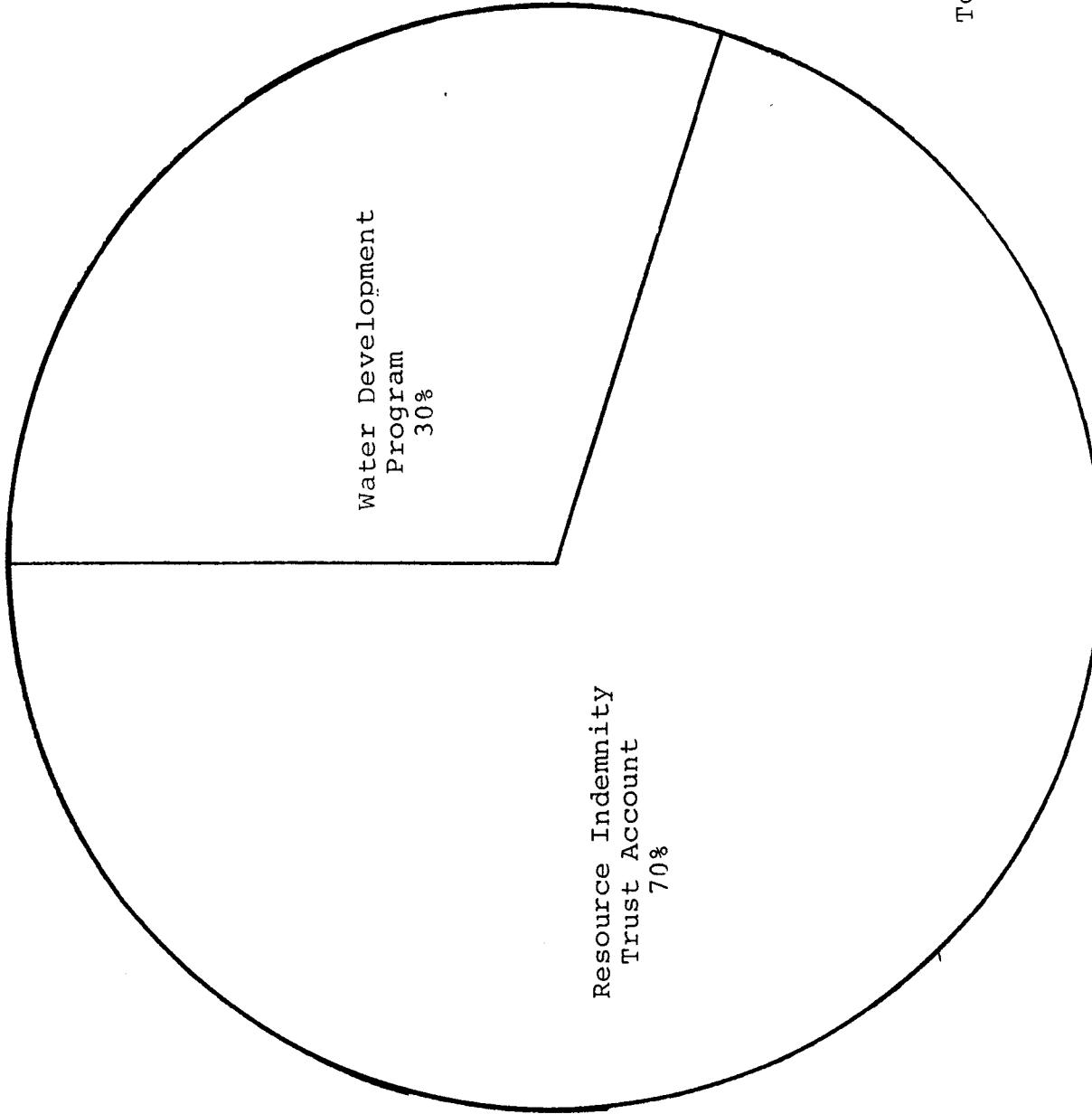
The purpose of the program is to promote and advance the beneficial use of water, and to allow the citizens of Montana to achieve full use of the state's water by providing extensive financing, through loans and grants, for water development projects and activities. Proposed projects and activities must be water-related, and may be feasibility work or construction. Specifically, projects may deal with hydropower development, construction or rehabilitation of irrigation projects, construction of dams and reservoirs, control of saline seep, development of water-based recreation facilities and opportunities, stabilization of streambanks and erosion control, development of water supply, water treatment, or rural water systems, and development of water conservation measures such as conversion from pumped to gravity sprinkler systems. The program is administered by the Water Development Bureau, Water Resources Division, Department of Natural Resources and Conservation.

ALTERNATIVE ENERGY RESOURCE DEVELOPMENT PROGRAM

The purpose of this program is to stimulate research, development, demonstration, and commercialization of energy sources which are harmonious with ecological stability by virtue of being renewable, thereby to lessen that reliance on nonrenewable energy sources which conflicts with the goal of long-range ecological stability. To accomplish this the program makes money available for loans and grants to be used in Montana for commercialization of alternative renewable energy. The program is administered by the Conservation and Renewable Energy Bureau, Energy Division, Department of Natural Resources and Conservation.

RESOURCE INDEMNITY TRUST X INTEREST DISTRIBUTION

Effective July 1, 1981

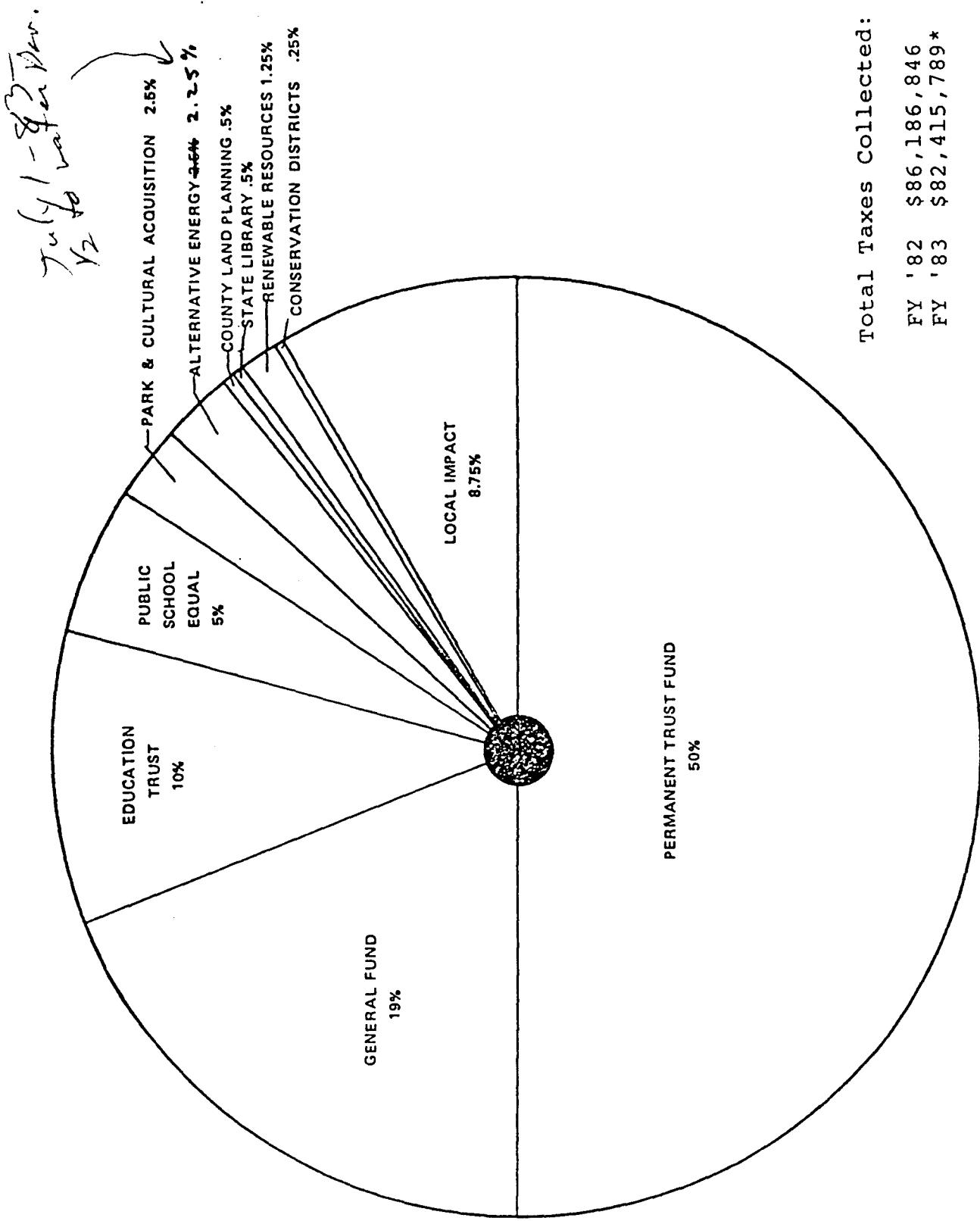


Total Interest Accrued

Year	Interest Accrued (\$)
FY '82	\$2,294,265
FY '83	\$3,627,577*
FY '84	\$4,000,000*

Ex 2
*projected

COAL SEVERANCE TAX DISTRIBUTION
EFFECTIVE OCTOBER 1, 1981



Total Taxes Collected:

FY '82 \$86,186,846
FY '83 \$82,415,789*

Effective July 1, 1983, 0.625% of the
Renewable Resources Account will be
allocated to the Water Development
Sinking Account.

*projected

VISITOR'S REGISTER

HOUSE NATURAL RESOURCES

COMMITTEE

BILL **HB 207**

DATE 1/24

SPONSOR REP. WALDRON

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Ken Johnston	Helen A	SELF	—	
Don Willems	"	State Dept. of Health	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE NATURAL RESOURCES

COMMITTEE

BILL. HB 203

DATE 1/24

SPONSOR REP. VELEBER

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Ex. 4

IMPLICATIONS OF MONTANA'S LONG-TERM PARTICIPATION
IN THE NORTHWEST INTERSTATE COMPACT ON
LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT

Report to the Montana 48th Legislature

Report Prepared as Directed by HJR 42 by

Larry Lloyd, Chief
Occupational Health Bureau
Department of Health & Environmental Sciences
Room A113, Cogswell Building
Helena, Montana 59620
406/449-3671

Ex. 84

Implications of Montana's Long-Term Participation in the Northwest Interstate Compact on Low-Level Radioactive Waste Management

INTRODUCTION

Montana has two facilities that routinely generate low-level radioactive wastes, the University of Montana and Montana State University. The State Department of Health and Environmental Sciences periodically generates small volumes of radioactive waste.

Montana State University disposes of its low-level radioactive wastes in an abandoned mine tunnel located on University property a few miles north of Norris. The University of Montana and the State Department of Health and Environmental Sciences utilize the commercially-operated disposal site located at Hanford, Washington. Montana State University estimates that its mine disposal facility will be filled within five years and then it, too, will have to rely upon a commercially-operated site for disposal.

The two universities each generate approximately 100 ft.³ of radioactive waste per year. The Department of Health generates only 2 or 3 ft.³ per year.

There are numerous industrial, commercial, medical and technological users of radioactive sources in Montana. When these sources (calibration sources, level gauges, nuclear scales, soil moisture density gauges, etc.) are no longer useful, the users must have access to a commercially-operated site for disposal of wastes.

Since 1962, six commercial low-level radioactive waste disposal facilities have been in operation in the United States. Three of the sites have been permanently closed. A fourth site located at Barnwell, South Carolina, has established a monthly volume limitation that has reduced by fifty per cent the

annual volume of waste that the site receives. In 1979, the disposal sites at Beatty, Nevada, and at Hanford, Washington, were temporarily closed to protest violations of transportation and packaging regulations by some shippers.

Although now operating, the disposal site at Beatty could reach capacity as early as 1986 and could potentially be closed earlier. It is the desire of the state of Washington to exclude all disposal of radioactive waste at the Hanford site after July 1, 1983, except for that which will be accepted through Compact provisions.

The federal government passed the Low-Level Radioactive Waste Policy Act (P.L. 96-573) on December 13, 1980. This law provides that states take responsibility for providing for disposal capacity for low-level radioactive wastes generated within their borders except for waste generated as a result of defense activities and federal research and development activities.

The Low-Level Radioactive Waste Policy Act grants permission to states to enter into such compacts as may be necessary to provide for the establishment and operation of regional disposal facilities for low-level radioactive waste. Most states are presently involved in interstate compact negotiations.

NORTHWEST INTERSTATE COMPACT ON LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT

The Northwest Interstate Compact on Low-Level Radioactive Waste Management (Northwest Compact) was the first regional agreement to be finalized and to receive legislative ratification. States eligible to join the Northwest Compact are Washington, Oregon, Idaho, Utah, Montana, Wyoming, Alaska, and Hawaii. The states of Washington, Oregon, Idaho, Utah and Hawaii have entered the Northwest Compact by legislative ratification. Montana has temporarily entered into the Compact by the Executive Order of Governor Ted Schwinden on November 24,

1981. To remain in the Compact, Montana's Legislature must ratify the Compact prior to the end of the 48th Legislative Session or July 1, 1983, whichever occurs first.

Following are the essential features of the Northwest Compact:

1. All party states are required to adopt practices which would assure that all low-level waste shipments conform to the applicable packaging and transportation regulations of the host state.
2. Generally, no host state may accept waste from non-party states after the date of exclusion goes into effect except with a 2/3 vote of the Northwest Low-Level Waste Compact Committee, including the affirmative vote of the host state. (The Northwest Compact Committee is proposing July 1, 1983, as the exclusionary date; however, there is some question as to whether Congress will approve an exclusionary date earlier than January 1, 1986.)
3. Each state is required to exercise good faith with respect to the siting and development of additional low-level waste disposal facilities when needed.
4. The host state is empowered to establish fees and requirements related to its facility to assure that closure, perpetual care and maintenance, and contingency requirements are met, including bonding.
5. The governors of each party state will appoint one official of the state to constitute the Northwest Compact Committee.
6. The Compact Committee is empowered to enter into special or emergency arrangements with states, provinces, individual generators, or regional compact entities outside the Northwest Compact with a 2/3 vote of the Committee required to approve such an agreement, including the approving vote of the host state.

7. Party states will:

- a. maintain an inventory of low-level waste generators;
- b. make periodic unannounced inspections at generator's site;
- c. authorize shipping containers;
- d. perform inspection of carriers and enforce regulations;
- e. take appropriate enforcement action after receiving notification from the host state that a generator is in violation.

COMPACT COST TO PARTY STATES

The Northwest Compact Committee has received a grant from the U. S. Department of Energy (DOE) to underwrite operational funding for the Compact Committee until such time that the Compact becomes operational. Funds to maintain operation of the Compact Committee will be generated through host state charges per unit volume to waste generators utilizing the disposal site. There is no anticipated cost to party states for participation in the Northwest Compact other than costs incidental to inspection of waste generators and carriers. In Montana, these costs will be absorbed by existing programs. No Fiscal Note will accompany legislation prepared to maintain Montana's participation in the Northwest Compact.

WITHDRAWAL FROM THE COMPACT

Any party state can withdraw from the Northwest Compact by enacting a statute repealing its approval.

CONCLUSIONS

Montana generates a relatively small volume of low-level radioactive waste. During the past few years, an average of about 200 cubic feet of such waste has been generated per year.

It is not economically feasible for Montana to develop and maintain a low-level radioactive waste disposal site for disposal of wastes generated within the state.

The Northwest Compact provides a reasonable, safe and economical option for Montana to provide for disposal capacity for its low-level radioactive waste generators. To maintain this option, the 48th Legislature must ratify the Northwest Compact.

Proposed legislation to maintain Montana's participation in the Northwest Compact will be submitted to the 48th Legislature for consideration.

Statement of Intent for HB 203

A statement of intent is required for this bill because it delegates rulemaking authority to the Department of Health and Environmental Sciences. The purpose of this bill is to authorize the State of Montana to participate in the Northwest Interstate Compact on Low-Level Radioactive Waste Management. Member states agree to adopt practices (primarily on-site inspections) to assure that low-level waste shipments conform to the packaging and transportation requirements of the state where the waste is to be disposed. As a member, Montana will be able to send its low-level wastes to a disposal site in Washington.

The Department of Health already has rulemaking authority (75-3-201(3)(b), MCA) for the regulation of low-level radioactive wastes. This bill makes that existing authority applicable to the implementation of the terms of the Compact. The Department is also authorized to assess fees for the recovery of the costs of on-site inspections. Fees are to be assessed for that purpose only.



PROPOSED STATEMENT OF INTENT

House Bill No. 214 [LC 905]

This bill grants the department discretionary authority to allow mine operators under the Strip and Underground Mine Reclamation Act to file one report for each operation rather than a separate report for each permit. A statement of intent is necessary because the department will be required to amend its present rules concerning annual reports and provide a procedure for determining when the operator is required to file the report. It is the intent of the Legislature to facilitate department review of annual reports and ease the burden of filing reports on operators with more than one permit.

STANDING COMMITTEE REPORT

January 24

19 83

MR. SPEAKER:

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE Bill No. 203

First reading copy (white)
Cedar

**A BILL FOR AN ACT ENTITLED: "AN ACT TO ADOPT THE NORTHWEST INTERSTATE
COMPACT ON LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT; PROVIDING STATEMENTS
OF POLICY AND PURPOSE; ESTABLISHING REGULATORY PRACTICES FOR REGIONAL
LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT FACILITIES; ESTABLISHING THE
NORTHWEST LOW-LEVEL WASTE COMPACT COMMITTEE; AND PROVIDING AN
IMMEDIATE EFFECTIVE DATE."**

Respectfully report as follows: That HOUSE Bill No. 203

DO PASS

STATEMENT OF INTENT ATTACHED

January 24,

1983

MR. SPEAKER:

WE, YOUR COMMITTEE ON NATURAL RESOURCES, HAVING HAD UNDER
CONSIDERATION HOUSE BILL NO. 203, FIRST READING COPY (WHITE),
ATTACH THE FOLLOWING STATEMENT OF INTENT:

STATEMENT OF INTENT
HOUSE BILL NO. 203

A statement of intent is required for this bill because it delegates rulemaking authority to the Department of Health and Environmental Sciences. The purpose of this bill is to authorize the State of Montana to participate in the Northwest Interstate Compact on Low-Level Radioactive Waste Management. Member states agree to adopt practices (primarily on-site inspections) to assure that low-level waste shipments conform to the packaging and transportation requirements of the state where the waste is to be disposed. As a member, Montana will be able to send its low-level wastes to a disposal site in Washington.

The Department of Health already has rulemaking authority (75-3-201(3)(b), MCA) for the regulation of low-level radioactive wastes. This bill makes that existing authority applicable to the implementation of the terms of the Compact. The Department is also authorized to assess fees for the recovery of the costs of on-site inspections. Fees are to be assessed for that purpose only.

cc

HAL HARPER

STANDING COMMITTEE REPORT

January 26,

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MR. SPEAKER:

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE Bill No. 207

First reading order (white
Color)

A BILL FOR AN ACT ENTITLED: "AN ACT REESTABLISHING THE BOARD OF WATER AND WASTEWATER OPERATORS AS THE WATER AND WASTEWATER OPERATORS' ADVISORY COUNCIL; CLARIFYING THE ADVISORY STATUS OF THE ADVISORY COUNCIL; REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO HOLD EXAMINATIONS TO CERTIFY OPERATORS; PERMITTING THE DEPARTMENT TO ESTABLISH CONTINUING EDUCATION REQUIREMENTS AND TO ISSUE TEMPORARY CERTIFICATES; REQUIRING REPORTING OF AN OPERATOR'S TERMINATION OF EMPLOYMENT; CLARIFYING THE DEPARTMENT'S DISCIPLINARY AUTHORITY; REQUIRING FEES RESPECTFULLY REPORT AS FOLLOWS: THAT ~~37-42-102, 37-42-201 THROUGH 37-42-203, 37-42-301, 37-42-302, 37-42-304, 37-42-305, 37-42-307 THROUGH 37-42-309, AND 37-42-321;~~ COMPENSURATE WITH COSTS; AMENDING SECTIONS 2-8-103, 2-15-2105, AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That HOUSE Bill No. 207

DO PASS

STATEMENT OF INTENT ATTACHED

January 26, 1983

MR. SPEAKER:

WE, YOUR COMMITTEE ON NATURAL RESOURCES, HAVING HAD UNDER
CONSIDERATION HOUSE BILL NO. 207, FIRST READING COPY (WHITE),
ATTACH THE FOLLOWING STATEMENT OF INTENT:

STATEMENT OF INTENT
HOUSE BILL NO. 207

A statement of intent is required for this bill because it delegates rulemaking authority to the Department of Health and Environmental Sciences to adopt rules prescribing:

(1) examination procedures for certifying water and waste-water operators;

(2) continuing education requirements for certified water and waste water operators;

(3) requirements for issuance of temporary certificates to water and waste water operators.

As prescribed in section 6 of the bill, the examination procedures for certifying operators shall constitute a reasonable basis for determining whether or not an applicant is qualified to operate a water or waste water plant. The continuing education requirements shall provide a fair and reasonable basis for ensuring that certified operators remain qualified.

The requirements for issuance of a temporary certificate as prescribed in section 8 shall include a list of elements constituting "good cause."

.....HAL HARPER.....

STANDING COMMITTEE REPORT

January 24,

19

83

MR. SPEAKER:

We, your committee on **NATURAL RESOURCES**

having had under consideration **HOUSE** Bill No. **214**

First reading copy (white)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE DEPARTMENT OF STATE LANDS MAY ALLOW ONE ANNUAL REPORT TO BE FILED FOR EACH OPERATION RATHER THAN ONE FOR EACH PERMIT UNDER THE MONTANA STRIP AND UNDERGROUND MINE RECLAMATION ACT; AMENDING SECTION 82-4-237, MCA."

Respectfully report as follows: That **HOUSE** Bill No. **214**

DO-RASS—

STATEMENT OF INTENT ATTACHED

HAL HARPER

Chairman.

January 24,

93

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MR. SPEAKER:

WE, YOUR COMMITTEE ON NATURAL RESOURCES, HAVING UNDER
CONSIDERATION HOUSE BILL NO. 214, FIRST READING COPY (WHITE),
ATTACH THE FOLLOWING STATEMENT OF INTENT:

~~STATEMENT OF INTENT
HOUSE BILL NO. 214~~

This bill grants the department discretionary authority to allow mine operators under the Strip and Underground Mine Reclamation Act to file one report for each operation rather than a separate report for each permit. A statement of intent is necessary because the department will be required to amend its present rules concerning annual reports and provide a procedure for determining when the operator is required to file the report. It is the intent of the Legislature to facilitate department review of annual reports and ease the burden of filing reports on operators with more than one permit.

.....HAL HARPER.....

Chairman.