

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN ROGER DEBRUYCKER, on February 14,
1997, at 8:00 A.M., in Room 201

ROLL CALL

Members Present:

Rep. Roger DeBruycker, Chairman (R)
Sen. Thomas F. Keating, Vice-Chairman (R)
Sen. Larry L. Baer (R)
Rep. John Johnson (D)
Sen. Linda J. Nelson (D)
Rep. William R. Wiseman (R)

Members Excused: None

Members Absent: None

Staff Present: Roger Lloyd, Legislative Fiscal Division
Theda Rossberg, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: DEPT. ENVIRONMENTAL QUALITY
Remediation Division

Executive Action: DEPT. ENVIRONMENTAL QUALITY
Planning, Prevention &
Assistance Division

Tape 1,A
Speed 2.4

EXHIBIT 1. Mr. Lloyd HB 2 Language on the Shallow Injection
Wells for the committee's review.

EXECUTIVE ACTION PLANNING, PREVENTION AND ASSISTANCE DIVISION

BUDGET ITEMS

5) Base Adjustments:

Mr. Lloyd reviewed the narrative on Page C-92 for Base
Adjustments.

Van Jamison, Administrator Planning, Prevention & Assistance Division explained the \$500,000 decrease as presented in the narrative on Page C-92.

EXHIBIT 2. Funding Adjustments to Bring Program 20 Back to the FY96 Base.

{Tape: 1; Side: A; Approx. Time Count: 11.0; Comments: .}

Mr. Jamison explained the Funding Adjustments.

Discussion:

Mr. Lloyd explained that the \$165,776 for FY98 and \$165,440 for FY99 would be an increase to the budget.

Motion/Vote: REP. WISEMAN MOVED TO APPROVE \$165,776 FOR FY98 AND \$165,440 FOR FY99 TO ADJUST THE BASE WITH THE STIPULATION THAT THE DEPARTMENT JUSTIFY THOSE FIGURES WITH THE FISCAL ANALYST BEFORE IT GOES TO HB 2. Motion carried unanimously.

EXHIBIT 3. Funding shifts due to computer error.

Mr. Simonich explained the funding shift.

Motion/Vote: SEN. KEATING MOVED TO CORRECT THE FUNDING SHIFT ERROR. Motion carried unanimously.

{Tape: 1; Side: A; Approx. Time Count: 36.4; Comments: .}

EXHIBIT 4. FY96 Contract and Expenditure Activity in Water Quality Management reviewed by Mr. Jamison.

{Tape: 1; Side: A; Approx. Time Count: 43.6; Comments: .}

Questions and Responses by the committee members and the department on Water Quality:

CHAIRMAN DEBRUYCKER asked who decides if a stream is or is not impaired.

Gary Ingman, said they rely on environmental assessments that had been gathered by their staff.

He continued the discussion on impaired streams.

5) Base adjustments:

SEN. KEATING asked what the request would be used for.

Mr. Jamison responded that Base Adjustments was comprised of 3 categories: 1) Air Quality Grants for \$148,469, 2) Water Shed Grants for \$575,001 and \$416,787 for the Non-Point Source and 3) \$110,817 for Indirect Costs.

{Tape: 1; Side: A; Approx. Time Count: 81; Comments: .}

Mike Valesky representing the Conservation Districts explained how conservation funds were spent.

{Tape: 1; Side: A; Approx. Time Count: 83.0; Comments: .}

Questions and Responses:

Tape 1,B

Speed 2.4

Mr. Valesky continued discussion with committee members on the Conservation Districts.

Mr. Jamison said the issue in the Present Law Base adjustment was whether or not the legislature would appropriate funds to bring the grant program back to the level it was currently operating at.

Mr. Simonich said they continued to support the conservation districts' work they have done.

{Tape: 1; Side: B; Approx. Time Count: 4.0; Comments: .}

Discussion:

Continued discussion regarding the Conservation Districts.

{Tape: 1; Side: B; Approx. Time Count: 11.3; Comments: .}

Questions and Responses:

SEN. KEATING asked questions about the law suit by the environmental groups and what law would they use.

Mr. Simonich responded they would be challenged in the federal court under the Clean Water Act.

Discussion:

Committee members and Department of Environmental Quality.

{Tape: 1; Side: B; Approx. Time Count: 25.8; Comments: .}

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 5, BASE ADJUSTMENTS. Motion carried 5 - 1 with SEN. BAER voting no.

6) Equipment PL HB2:

Discussion:

Discussion on the equipment funding, Page C-93.

Note: No action was taken on Item 6, Equipment.

{Tape: 1; Side: B; Approx. Time Count: 36.2; Comments: .}

7) Grant Adjustments:

Motion/Vote: REP. WISEMAN MOVED TO APPROVE ITEM 7, GRANT ADJUSTMENTS. Motion carried unanimously.

Other Base Adjustments:

Motion/Vote: REP. WISEMAN MOVED TO APPROVE OTHER BASE ADJUSTMENTS. Motion carried unanimously.

{Tape: 1; Side: B; Approx. Time Count: 38.9; Comments: .}

1) Fine Particulate Monitoring:

Mr. Lloyd reviewed the LFD Comments on Page C-93.

Discussion:

Mr. Simonich discussed Fine Particulate Monitoring and the EPA law suit.

Motion/Vote: SEN. KEATING MOVED TO APPROVE ITEM 1, FINE PARTICULATE MONITORING. Motion carried 4 - 2 SEN. BAER and CHAIRMAN DEBRUYCKER voting no.

{Tape: 1; Side: B; Approx. Time Count: 46.3; Comments: .}

2) Radon Testing:

Mr. Lloyd reviewed the LFD Issues on Radon Testing, Page C-94.

Discussion:

Committee members and department staff discussed Radon Testing.

Note: No action was taken on Item 2, Radon Testing.

3) Mitigating Impacts/Snowmobile:

Note: No action taken on Mitigating Impacts/Snowmobile.

{Tape: 1; Side: B; Approx. Time Count: 56.5; Comments: .}

4) Public Information:

To be reviewed in the Remediation Division.

PROGRAM ISSUES:

EXHIBIT 5. Major Facility Siting Act (MFCA) Fees:

Discussion:

Discussion on the General Fund Study and Uncertain Revenue.
See EXHIBIT 5, Page C-95.

Motion/Vote: REP. WISEMAN TO MOVED TO APPROVE THE MAJOR FACILITY
SITING ACT APPROPRIATIONS RESTRICTED TO BIENNIAL APPROPRIATIONS.
Motion carried unanimously.

{Tape: 1; Side: B; Approx. Time Count: 78.8; Comments: .}

HEARING REMEDIATION DIVISION

EXHIBIT 6, Page C-101.

Denise Mills, Administrator Remediation Division gave an overview
of that division.

EXHIBIT 7. Remediation Division organizational chart.

EXHIBIT 8. Overview of Mine Waste Cleanup Bureau.

Tape 2,A
Speed 2.4

EXHIBIT 9. Overview of Hazardous Waste Site Cleanup Bureau.

EXHIBIT 10. Overview of the Technical Services Bureau.

{Tape: 2; Side: A; Approx. Time Count: 5.3; Comments: .}

Budget Discussion:

Discussion on FTE'S in the Petro Tank Release Comp Board, Page C-
86 and Remediation Division, Page C-101.

{Tape: 2; Side: A; Approx. Time Count: 13.4; Comments: .}

Questions and Responses:

EXHIBIT 11. Ms. Hanson reviewed the Budget Items on the
Petroleum Tank Release Compensation Board.

EXHIBIT 12. Ms. Hanson reviewed the Pie Chart showing 1995 and
1996 Abandoned Mine Expenditures.

EXHIBIT 13. Pie Chart showing the Federal Superfund Budget by
Site.

Discssion:

{Tape: 2; Side: A; Approx. Time Count: 23.4; Comments: .}

EXHIBIT 14. Pie Chart showing the Regulatory Program Funding.

Ms. Hanson explained that the EPA Superfund budget in the Pie Chart that shows 15.5% was one-half RIT funds. **EXHIBIT 14.**

{Tape: 2; Side: A; Approx. Time Count: 25.4; Comments: .}

Ms. Hanson reviewed the Federal Superfund Budget by Site. See **EXHIBIT 13.**


Neil Marsh, Program Manager Federal Superfund, stated that the Pie Chart that shows Butte/Silver Bow was now called the Stream Side Tailings.

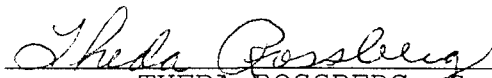
EXHIBIT 15. State Superfund (CECRA SITES). **Ms. Hanson** reviewed the different sites.

EXHIBIT 16. Regulatory Penalties.

ADJOURNMENT

Adjournment: 11:25 A.M.


REP. ROGER DEBRUYCKER, Chairman


THEDA ROSSBERG, Secretary

RD/TR