

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND TRANSPORTATION

Call to Order:

CHAIRMAN GALEN HOLLENBAUGH, on January 23, 2009 at 8:30 A.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Rep. Galen Hollenbaugh, Chairman (D)
Sen. Rick Ripley, Vice Chairman (R)
Rep. Duane Ankney (R)
Sen. John Brenden (R)
Rep. Llew Jones (R)
Rep. Robert Mehlhoff (D)
Sen. Mitch Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: James Chamberlain, OBPP
Tyrrell Hibbard, Committee Secretary
Barbara Smith, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: Department of Environmental
Quality; Planning, Prevention &
Assistance Division, Permitting and
Compliance Division, Petroleum Tank
Compensation Board, Remediation
Division; division overviews and
decision packages. 1/20/2009

Executive Action: None.

00:01:00 Ms. Smith, LFD
[EXHIBIT\(jnh16a01\)](#)

Planning, Prevention & Assistance Division

00:01:42 Art Compton, Division Administrator, Planning,
Prevention & Assistance Division, Department of
Environmental Quality (DEQ)--division overview and
decision packages.
00:09:13 Sen. Ripley
00:09:30 Mr. Compton
00:11:58 Sen. Ripley
00:12:16 Rep. Mehlhoff
00:12:40 Mr. Compton

DP 2005 Planning Division Operations Adjustments

00:16:43 Mr. Compton
00:18:03 Sen. Tropila left hearing.
00:19:40 Sen. Ripley
00:19:59 Mr. Compton
00:20:29 Sen. Ripley
00:20:41 Mr. Compton
00:20:44 Sen. Ripley
00:20:48 Ms. Smith
00:21:07 Mr. Compton
[EXHIBIT\(jnh16a02\)](#)
00:22:07 Chairman Hollenbaugh

DP 2051 State Buildings Energy Conservation Program BIEN

00:22:16 Mr. Compton
00:25:16 Ms. Smith
00:25:44 Tom Livers, Deputy Director, DEQ
00:26:34 Mr. Compton
00:28:06 Chairman Hollenbaugh
00:28:22 Mr. Compton
00:29:11 Chairman Hollenbaugh
00:29:16 Mr. Compton
00:29:20 Chairman Hollenbaugh
00:29:25 Mr. Livers
00:30:29 Chairman Hollenbaugh
00:30:59 Mr. Livers
00:32:33 Ms. Smith
00:33:13 Mr. Livers
00:34:01 Ms. Smith
00:34:25 Sen. Ripley
00:35:12 Mr. Livers

DP 2004 Technical Assistance for Waste Water Treatment Systems

00:35:33 Mr. Compton
00:37:55 Sen. Ripley
00:38:41 Mr. Compton
00:40:32 Sen. Ripley
00:40:53 Mr. Compton

Language Appropriation

00:41:09 Mr. Compton
00:43:31 Chairman Hollenbaugh
00:43:37 Mr. Livers
00:44:31 Chairman Hollenbaugh

Public Comment: None.

00:44:49 Rep. Mehlhoff
00:45:21 Mr. Livers
00:45:34 Chairman Hollenbaugh

Permitting and Compliance Division

00:45:57 Judy Hanson, Division Administrator, Permitting and
Compliance Division, DEQ--division overview and
decision packages.

EXHIBIT (jnh16a03)

EXHIBIT (jnh16a04)

00:55:18 Rep. Jones left hearing.
01:08:37 Rep. Jones returned.
01:08:55 Rep. Mehlhoff
01:09:20 Ms. Hanson
01:10:45 Sen. Ripley
01:11:10 Ms. Hanson
01:11:18 David Klemp, Bureau Chief, Air Resources Management
Bureau, DEQ
01:12:08 Sen. Ripley
01:12:16 Mr. Klemp
01:13:04 Sen. Ripley
01:13:14 Mr. Klemp
01:13:23 Rep. Jones
01:14:24 Mr. Klemp
01:16:12 Sen. Brenden
01:16:32 Mr. Klemp
01:16:54 Rep. Jones
01:17:41 Mr. Klemp
01:18:04 Rep. Mehlhoff

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01:18:51 Mr. Klemp
01:18:56 Rep. Ankney left hearing.
01:19:02 Ms. Hanson

DP 5002 Air Online Permit & Compliance Reporting BIEN/OTO

01:20:33 Ms. Hanson
01:21:19 Rep. Ankney returned.

DP 5003 Air Regulatory Assistance BIEN

01:21:21 Ms. Hanson
01:24:21 Sen. Ripley
01:24:37 Ms. Smith
01:24:46 Ms. Hanson

DP 5004 Area Source MACT Registration

01:25:12 Ms. Hanson
01:26:22 Sen. Ripley
01:26:34 Ms. Hanson

DP 5006 ARMB Student Intern Funding

01:26:52 Ms. Hanson
01:27:55 Chairman Hollenbaugh
01:28:04 Ms. Hanson
01:28:09 Chairman Hollenbaugh
01:28:29 Ms. Hanson
01:28:35 Mr. Klemp
01:29:49 Chairman Hollenbaugh
01:29:58 Mr. Klemp
01:30:20 Rep. Ankney
01:30:40 Mr. Klemp
01:31:06 Rep. Ankney
01:31:32 Mr. Klemp
01:31:38 Rep. Jones
01:32:12 Rep. Mehlhoff
01:32:21 Chairman Hollenbaugh
01:32:30 Ms. Hanson

DP 5018 Permitting & Compliance Operations Adjustments

01:32:47 Ms. Hanson
01:35:43 Sen. Ripley
01:36:09 Ms. Smith
01:36:34 Chairman Hollenbaugh
01:36:36 Ms. Smith

01:36:48 Chairman Hollenbaugh

DP 5019 Hard Rock-Major Facility Siting Act Projects BIEN-RST

01:36:52 Ms. Hanson

DP 5021 Public Water Supply Staff

01:39:25 Ms. Hanson
01:39:41 Ms. Smith
01:39:43 Ms. Hanson
01:46:36 Sen. Ripley
01:46:42 Ms. Hanson
01:47:30 Sen. Ripley
01:47:34 Ms. Hanson
01:47:41 Chairman Hollenbaugh
01:48:36 Richard Opper, Director, DEQ
01:49:39 Chairman Hollenbaugh
01:49:56 Mr. Opper
01:50:43 Sen. Brenden
01:50:56 Chairman Hollenbaugh
01:51:02 Mr. Opper
01:51:26 Chairman Hollenbaugh
01:51:32 Mr. Opper
01:51:35 Chairman Hollenbaugh
01:51:36 Mr. Opper
01:52:15 Chairman Hollenbaugh
01:52:22 Mr. Opper
01:52:28 Jon Dilliard, Bureau Chief, Public Water and
Subdivisions Bureau, DEQ
01:53:58 Chairman Hollenbaugh
01:54:33 Rep. Mehlhoff
01:54:57 Chairman Hollenbaugh
01:55:04 Ms. Smith
01:55:38 Chairman Hollenbaugh
01:55:43 Ms. Smith
01:56:16 Chairman Hollenbaugh
01:56:20 Ms. Hanson
01:58:09 Chairman Hollenbaugh
01:58:16 Ms. Smith
01:58:33 Chairman Hollenbaugh

DP 5010 Swift Gulch Treatment System Operating Expenses

01:58:36 Ms. Hanson

DP 5011 Whitefish Lake Monitoring BIEN/OTO

02:00:36 Ms. Hanson
02:01:13 Chairman Hollenbaugh
02:01:18 Sen. Ripley
02:01:54 Ms. Hanson
02:02:24 Chairman Hollenbaugh

Public Comment: None.

02:02:38 Break
02:15:10 Reconvene

02:15:17 Mr. Livers
02:15:36 Chairman Hollenbaugh

Petroleum Tank Release Compensation Board

02:15:43 Terry Wadsworth, Executive Director, Petroleum Tank
Release Compensation Board--board overview and decision
packages.
02:19:28 Chairman Hollenbaugh

DP 9001 Petroleum Board Subrogation Operation Adjustments

02:19:32 Mr. Wadsworth
02:20:52 Chairman Hollenbaugh
02:21:35 Mr. Livers
02:22:33 Chairman Hollenbaugh
02:22:38 Mr. Wadsworth
02:23:37 Sen. Brenden
02:24:19 Mr. Wadsworth
02:25:50 Sen. Brenden
02:26:03 Mr. Wadsworth
02:26:53 Chairman Hollenbaugh
02:26:55 Rep. Jones
02:28:34 Sen. Brenden
02:28:55 Rep. Jones
02:29:15 Chairman Hollenbaugh

Language and Statutory Authority

02:29:17 Mr. Wadsworth
02:30:09 Mr. Livers
02:30:33 Chairman Hollenbaugh

Remediation Division

02:30:38 Sandi Olson, Division Administrator, Remediation
Division, DEQ--division overview and decision packages.

EXHIBIT (jnh16a05)

02:33:49 Sen. Tropila returned.
02:52:29 Chairman Hollenbaugh
02:52:32 Rep. Ankney
02:53:00 Ms. Olson
02:53:19 Rep. Mehlhoff
02:53:44 Ms. Olson
02:54:31 Rep. Mehlhoff
02:54:53 Ms. Olson
02:55:45 Rep. Mehlhoff
02:56:00 Ms. Olson
02:56:26 Sen. Tropila
02:56:49 Ms. Olson
02:58:07 Mr. Livers
02:58:48 Chairman Hollenbaugh
02:58:56 Mr. Livers
02:59:09 Sen. Tropila
02:59:36 Mr. Livers
02:59:57 Sen. Tropila
03:00:11 Mr. Livers
03:00:34 Sen. Tropila
03:00:40 Ms. Smith
03:01:06 Sen. Tropila
03:01:17 Chairman Hollenbaugh

DP 4002 Remediation Operations Adjustments

03:01:29 Ms. Olson
03:02:41 Chairman Hollenbaugh
03:02:46 Sen. Ripley
03:02:58 Ms. Olson
03:03:07 Chairman Hollenbaugh

DP 4005 Basin Creek Mine Closure Plan BIEN/OTO

03:03:23 Ms. Olson
03:05:34 Sen. Brenden left hearing.
03:06:21 Rep. Jones left hearing.
03:07:38 Chairman Hollenbaugh

DP 4006 Beal Mountain Mine Closure BIEN/OTO

03:07:45 Ms. Olson
03:10:12 Sen. Brenden returned.

03:10:21 Chairman Hollenbaugh

DP 4009 KRY Remediation Oversight BIEN/RST/OTO

03:10:28 Ms. Olson

[EXHIBIT\(jnh16a06\)](#)

03:11:46 Sen. Tropila

03:12:11 Ms. Olson

03:13:25 Chairman Hollenbaugh

03:13:32 Sen. Ripley

03:13:46 Ms. Olson

03:14:09 Sen. Ripley

03:14:18 Ms. Olson

03:15:17 Sen. Ripley

03:15:28 Ms. Olson

03:16:50 Sen. Ripley

03:17:09 Ms. Olson

03:17:56 Chairman Hollenbaugh

DP 4011 Accelerated Remediation CECRA Sites BIEN/RST/OTO

03:18:02 Ms. Olson

03:18:32 Chairman Hollenbaugh

03:18:34 Ms. Olson

03:20:23 Chairman Hollenbaugh

03:20:33 Ms. Olson

03:21:54 Chairman Hollenbaugh

03:22:03 Ms. Olson

DP 4012 CECRA Accelerated Remediation Base Adjustment

03:23:41 Ms. Olson

DP 4015 Joint DEQ-DNRC Reliance Refinery BIEN/OTO/RST

03:24:46 Ms. Olson

03:25:29 Sen. Tropila

03:26:06 Mr. Livers

03:26:21 Sen. Brenden left hearing.

03:26:45 Sen. Ripley left hearing.

03:26:54 Sen. Tropila

03:27:33 Mr. Livers

03:28:25 Ms. Olson

03:28:44 Mr. Livers

03:29:21 Chairman Hollenbaugh

DP 4016 Remediation New Leased Vehicles

03:29:36 Ms. Olson
03:30:39 Chairman Hollenbaugh
03:31:47 Mr. Opper
03:31:58 Ms. Smith
03:32:31 Chairman Hollenbaugh

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ADJOURNMENT

03:32:41 Adjournment: 12:00 P.M.

TYRRELL HIBBARD, Secretary

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Additional Documents:

EXHIBIT ([jnh16aad.pdf](#))