

CHAPTER 1

ORGANIZATION OF DEPARTMENT

17.1.101 ORGANIZATION OF DEPARTMENT (1) History and Purpose. The Department of Environmental Quality was created by Chapter 418, Laws of 1995. It administers most of Montana's environmental regulatory, environmental cleanup, environmental monitoring, pollution prevention, and energy conservation laws.

(2) Organization. The department is headed by the director, who is appointed by the Governor. Within the director's office are a deputy director and two work units that report directly to the director. These work units are the Legal Unit and the Public Policy Unit. Below the director's office the department is divided into five divisions, each of which is headed by an administrator. Each division is divided into bureaus, each of which is headed by a chief. Two boards are attached to the department for administrative purposes only as provided in 2-15-121, MCA. The boards exercise rulemaking and adjudicatory functions. Three advisory councils advise the department and one of the boards. Advisory councils do not have any rulemaking or adjudicatory function. They have advisory roles only.

(3) Department Organizational Units. The organizational structure and allocation of functions are as follows:

(a) Director's Office. The director is responsible for the administration of all functions vested by law in the department and for establishing policy to be followed by the department. In addition, the work units in the director's office provide legal and communications services to the director and the divisions within the agency and administers the Montana Major Facility Siting Act.

(b) Water Quality Division. This division performs water quality planning, pollution prevention, permitting, financing assistance, monitoring, and compliance functions. It also regulates public water supply and public sewage systems, sanitation in subdivisions, and water and wastewater operator training and certification. It is divided into the following bureaus:

(i) Water Quality Planning Bureau. This bureau develops water quality standards, supports statewide water quality monitoring networks, conducts inventories of pollution sources, identifies impaired streams and lakes and develops load allocations to remedy these impairments, and maintains statewide environmental monitoring databases.

(ii) Engineering Bureau. This bureau administers the drinking water revolving and water pollution control revolving funds that provide loans to communities for the construction and improvement of drinking water and wastewater systems. The bureau also reviews sanitary and storm drainage features of subdivisions. The bureau also requires that proposed subdivisions meet minimum standards and reviews and regulates public water and wastewater system designs.

(iii) Water Protection Bureau. This bureau regulates discharges into state waters through issuance of permits, monitors compliance with those permits, training, technical assistance to discharges of wastewater, storm water, and other wastes into surface water and ground water. The bureau operates the source water protection and nonpoint source programs and conducts development and implementation of water quality improvement plans.

(iv) Public Water Supply Bureau. This bureau regulates public drinking water systems and public wastewater systems. It assures that public water systems comply with established monitoring requirements and with standards for drinking water quality. It provides training and certifies operators of public drinking water systems and wastewater treatment plants.

(c) Air, Energy and Mining Division. This division administers the department's air quality, energy conservation, and mine reclamation statutes. The division is divided into the following bureaus:

(i) Air Quality Bureau. This bureau regulates air quality by issuing air quality permits, inspecting and providing compliance assistance for air emission sources, issuing permits for open burning activities, developing state implementation plans to ensure compliance with state and federal air quality standards, and administering air quality monitoring and assessment programs.

(ii) Coal and Opencut Mining Bureau. This bureau permits and regulates prospecting and mining of coal and uranium, and mining of sand, gravel, bentonite, scoria, peat, soil, and clay.

(iii) Hard Rock Mining Bureau. This bureau permits and regulates exploration for and mining of metal ores and industrial minerals such as talc, limestone, and building stone under the Metal Mine Reclamation Act.

(iv) Energy Bureau. This bureau conducts inventories of pollution sources and provides small business assistance, public education, and research and development activities to prevent air and water pollution and to promote energy conservation, the use of alternative and renewable energy sources, and the reduction, reuse, recycling, and composting of wastes. This bureau also provides energy retrofits to hospitals and public buildings, and technical assistance regarding energy efficiency, indoor air quality, and radon in public and commercial facilities.

(d) Enforcement Unit. This unit develops enforcement policies and conducts enforcement activities to obtain compliance with permitting and regulatory statutes. It also accepts and investigates citizen complaints. The unit contains one bureau, the Case Management Bureau.

(e) Waste Management and Remediation Division. This division oversees and conducts investigation and cleanup activities at state and federal superfund sites; voluntary cleanup activities; reclamation of abandoned mine lands; development and implementation of corrective actions at sites with leaking underground storage tanks; administration of solid waste, junk vehicle, hazardous waste, asbestos control, septic tank and privy cleaner, underground storage tank laws; and oversight of ground water remediation at sites where improper placement of wastes has caused ground water contamination. It also administers provisions of the federal Comprehensive Environmental Response and Liability Act (CERCLA) and the state Comprehensive Environmental Cleanup and Responsibility Act (CECRA). This division is divided into the following bureaus:

(i) Contaminated Site Cleanup Bureau. This bureau oversees or conducts the investigation and cleanup of sites contaminated by chemical spills, hazardous substances and petroleum released by industrial and commercial operations other than mining. The bureau provides grants to local governments for compliance assistance.

(ii) Federal Superfund and Construction Bureau. This bureau is responsible for administering and overseeing remedial actions at historic mine sites, abandoned mines, and ore transport and processing facilities.

(iii) Waste and Underground Tank Management Bureau. This bureau permits and regulates landfills and other solid waste facilities; motor vehicle wrecking facilities and graveyards; cesspool, septic tank, privy cleaners; hazardous waste sites; and asbestos removal activities. It implements the underground storage tank leak prevention program, including the permitting of underground storage tank installations, and the methamphetamine cleanup program.

(f) Centralized Services Division. This division provides services and central coordination and support information to the department. The work units in this division include records management, human resources, operations project management, and safety. The division is divided into the following bureaus:

(i) Information Technology Bureau. This bureau provides central coordination and support of information technology services to the department.

(ii) Fiscal Services Bureau. This bureau provides services to the department in accounting, budget and financial management, fiscal reporting, payroll, internal auditing, procurements including contracts for services and the purchasing of supplies and equipment.

(4) Boards.

(a) Board of Environmental Review. This board is appointed by the Governor and consists of seven members with expertise in health, hydrology, local government planning, environmental sciences, and law. The board adopts rules and determines appeals under some of the regulatory statutes administered by the department.

(b) Petroleum Tank Release Compensation Board. This board administers the petroleum tank release cleanup fund. The board is appointed by the Governor and consists of seven members consisting of representatives from the financial or banking industry, small business, environmental law, various petroleum industries, the petroleum release remediation consulting industry, the insurance industry, and the general public. The board determines eligibility of owners and operators of petroleum tanks from which there has been a release and reimburses eligible owners and operators for a portion of their corrective action costs.

(5) Advisory Councils. The following advisory councils are created by statute:

(a) Small Business Compliance Assistance Advisory Council. This body advises the department on the small business air quality stationary source assistance program and consults with the small business stationary source representative concerning implementation and application of the requirements of the technical and environmental compliance assistance program.

(b) Water Pollution Control Advisory Council. This council advises the department on matters related to water pollution and the adoption of rules under the Water Quality Act.

(c) Water and Wastewater Operators' Advisory Council. This council advises and assists the department in the administration of its program for certification of water and wastewater treatment plant operations.

(6) Information and Submissions. General inquiries regarding the department, boards, or advisory councils may be addressed to the director. Specific inquiries regarding the functions of a division may be addressed to the administrator of that division. All requests for department policy, hearings, declaratory rulings, and participation in rulemaking should be addressed to the director unless the notice in the Montana Administrative Register makes specific provisions for submissions.

(7) Personnel Roster. Following are addresses of key officials of the Department of Environmental Quality and boards. If no address is given after the name, that official can be reached by writing to the Department of Environmental Quality, 1520 E. Sixth Avenue, P.O. Box 200901, Helena, Montana 59620-0901 or phoning 1 (406) 444-2544.

(a) department officials:

(i) director;

(ii) deputy director;

(iii) chief legal counsel;

(iv) administrator, Air, Energy and Mining Division;

(v) administrator, Water Quality Division;

(vi) administrator, Waste Management and Remediation Division, 1225 Cedar Street, P.O. Box 200901, Helena, Montana 59620-0901;

(vii) administrator, Enforcement Unit;

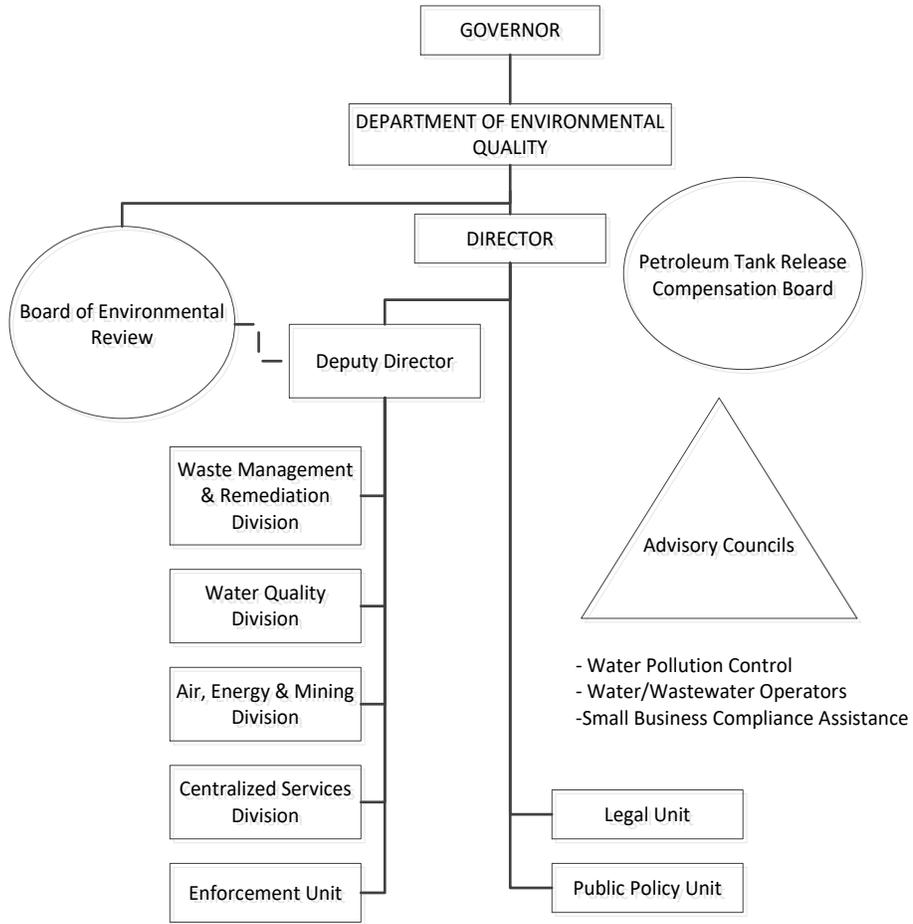
(viii) administrator, Centralized Services Division;

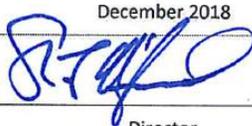
(b) board chairpersons:

(i) chairperson, Petroleum Tank Release Compensation Board, 1225 Cedar Street, P.O. Box 200902, Helena, Montana 59620-0902;

(ii) chairperson, Board of Environmental Review, 1520 East Sixth Street, P.O. Box 200901, Helena, MT 59620-1901.

(8) Charts of Agency Organization. Descriptive charts of the Department of Environmental Quality follow. (History: 2-4-201, MCA; IMP, 2-4-201, MCA; NEW, Eff. 9/30/98; AMD, Eff. 7/1/00; AMD, Eff. 3/1/04; AMD, Eff. 3/31/05; AMD, Eff. 9/30/07; AMD, Eff. 12/31/07; AMD, Eff. 3/31/14; AMD, Eff. 9/30/15; AMD, Eff. 12/31/16; AMD, Eff. 12/31/17.)



Organization Chart
Department of Environmental Quality
December 2018

Director

Governor

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