

DATE: January 24, 2018

TO: Interested Persons

FROM: Emily Ewart
Rule Specialist and Policy Coordinator
Waste and Underground Tank Management Bureau

SUBJECT: **Current Status for the Rulemaking Process of Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) Waste Management**

This memo is to provide an update on Montana Department of Environmental Quality's (DEQ) rulemaking process for technologically enhanced naturally occurring radioactive material (TENORM) waste management.

1. DEQ published proposed technologically enhanced naturally occurring radioactive materials (TENORM) waste management rules on August 18, 2017.
 - DEQ held 2 public hearings and received valuable comments from the public through oral and written testimony.
 - DEQ extended the initial 60 day TENORM rule making public comment period another 30 days until November 17, 2017, due to public interest.
 - DEQ received public comments that are substantive and helpful.
2. Due to the substantive input received, DEQ believes that revisions of the rules are warranted to address public concern and stakeholder input.
 - DEQ heard stakeholder and public concerns and is making changes accordingly.
 - The revised rule package includes clarifications, modifications, technical input, and additional language based upon comments received from the public and stakeholders.
 - DEQ believes revising the rules will result in an improved final rule set.
3. DEQ will notice the revised rule package in 2018. We will send out another notice to everyone on the interested parties list as soon as the revised rules are published.
 - The revised rule package will be published for public review.
 - There will be another comment period of at least 30 days for the revised rules.
 - The DEQ will have at least one more public hearing on the revised rules.

DEQ wants to ensure adequate stakeholder participation in the proposed rulemaking process. DEQ will continue to strive to keep interested persons informed. Please do not hesitate to contact me at 406-444-5300 or DEQWUTMBRules@mt.gov if you have any questions or concerns. Thank you for your participation and/or interest.