

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY PUBLIC NOTICE

- 1) The Department of Environmental Quality is inviting public comment on the submission of administrative rules into the Montana State Implementation Plan (SIP).
- 2) The Department proposes submitting the Administrative Rules of Montana (ARM) 17.8.102, Incorporation by Reference, to adopt current editions of federal statutes and regulations. The Board of Environmental Review amended this rule on February 9, 2018.

The incorporation by reference rulemaking affects several subchapters of the ARM that are already approved in Montana's SIP. The amended ARM 17.8.102 affects the following incorporations by reference contained in the SIP:

- ARM 17.8.103 incorporation of 40 CFR Parts 50, 51, and 53;
 - ARM 17.8.302 incorporation of 40 CFR 81.327;
 - ARM 17.8.767 incorporation of 40 CFR Parts 51 and 75;
 - ARM 17.8.802 incorporation of 40 CFR Parts 51 and 81.327;
 - ARM 17.8.902 incorporation of 40 CFR 81.327;
 - ARM 17.8.1002 incorporation of 40 CFR 81.327;
 - ARM 17.8.1102 incorporation of 40 CFR 81.327; and
 - ARM 17.8.1402 incorporation of 40 CFR Part 93 Subpart B.
- 3) The Department is requesting removal from the SIP rules that incorporate by reference 40 CFR Parts 60, 61, and 63, for which Montana has already received federal delegation of authority. These rules include:
 - ARM 17.8.102(2),
 - ARM 17.8.103(1)(f)-(i),
 - ARM 17.8.302(1)(a)-(c),
 - ARM 17.8.767(1)(c)-(d),
 - ARM 17.8.802(1)(c)-(d),
 - ARM 17.8.902(1)(a)-(b), and
 - ARM 17.8.1002(1)(a)-(b).
 - 4) The Department is requesting additional administrative changes in the rules.
 - 5) The Department will be accepting public comment regarding the proposed amendments (as published on 2/23/2018 in the MAR) into the SIP.
 - 6) Any person may request public hearing on this matter. If the Department receives a request for public hearing, a public hearing on this matter will be scheduled and the time for that hearing will be announced. Additionally, another 30 day time period for submitting comment will begin.

- 7) Interested persons may view the rules on the Department's website at: <http://deq.mt.gov/Public/publiccomment> or may call the Department at 444-4267 to have copies made available for their inspection.
- 8) The State of Montana makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in state government proceedings. Persons requiring accommodation need to contact Sandy Scherer concerning the nature of the accommodation. Please contact Sandy at P.O. Box 200901, Helena, Montana 59620-0901; phone 406-444-2630; fax 406-444-1499; or email SScherer@mt.gov.
- 9) Interested parties may submit their comments concerning the proposal described above in writing to the Department by
 - addressing them to Julie Ackerlund;
 - faxing them to 406-444-1499; or
 - sending them via email addressed to JAckerlund@mt.gov.

To be guaranteed consideration, written comments must be postmarked on or before 5 p.m. Wednesday, May 16, 2018.