NEW DRAFT RULES BASED ON COMMENTS 02/22/31.

The proposed new rules provide as follows:

RULE I NUMERIC STANDARDS FOR ELECTRICAL CONDUCTIVITY (EC) AND SODIUM ADSORPTION RATIO (SAR) (1) No person may violate the numeric water quality standards identified below.

(2) Except as provided in [New Rule III], the numeric standards for electrical conductivity (EC) and Sodium Adsorption Ratio (SAR) for Rosebud Creek, Tongue River, Powder River, and the Little Powder River watersheds from November 1 through March 1 are as follows:

(a) for Rosebud Creek and the Tongue River mainstems the numeric water quality standard for EC is 2000 µS/cm and the numeric water quality standard for SAR is 5: and,

(b) for the Powder River, and the Little Powder River mainstems the numeric water quality standard for EC is 2500 µS/cm and the numeric water quality standard for SAR is 7.5.

(c) for tributaries to Rosebud creek, the Tongue, Powder and Little Powder Rivers the numeric water quality standard for EC is 500 µS/cm and the numeric water quality standard for SAR is 5.

(3) Except as provided in [New Rule III], the numeric standards for EC and SAR for the mainstems of Rosebud Creek and the Tongue River and the Tongue River Reservoir from March 2 through October 31 are as follows:

(a) For the mainstems of Rosebud Creek and the Tongue river and for the Tongue River Reservoir the numeric water quality standard for EC is 1000 µS/cm and the numeric water quality standard for SAR is 3.5;

(b) For all tributaries and other surface waters in the Tongue River and Rosebud Creek watersheds the numeric water quality standard for EC is 500 µS/cm and the numeric water quality standard for SAR is 5.

(4) Except as provided in [New Rule III], the numeric standards for EC and SAR for the Powder River and Little Powder River watersheds from March 2 through October 31 are as follows:

(a) For the mainstems of the Powder and Little Powder Rivers the numeric water quality standard for EC is 2000 µS/cm and the numeric water quality standard for SAR is 5;

(b) For all tributaries and other surface waters in the Powder and Little Powder River watersheds the numeric water quality standard for EC is 500 µS/cm and the numeric water quality standard for SAR is 5.

(5) All of the standards listed above apply as an average value for each month.

AUTH: 75-5-301, MCA
IMP: 75-5-301, MCA

RULE II WATER-USE CLASSIFICATION AND DESCRIPTIONS FOR PONDS AND RESERVOIRS CONSTRUCTED FOR THE DISPOSAL OF COAL BED

METHANE WATER (1) The water-use classification for waters in constructed ponds and reservoirs that hold water produced from coal bed methane development and are not located in drainage systems that reach other state waters is G-1

AUTH: 75-5-301, MCA
IMP: 75-5-301, MCA

RULE III G-1 CLASSIFICATION STANDARDS (1) Waters classified G-1 are to be maintained suitable for watering wildlife and livestock, aquatic life not including fish, secondary contact recreation, and are marginally suitable for irrigation after treatment or with mitigation measures. No person may violate the following specific water quality standards for waters classified G-1:

(a) When the daily maximum water temperature is greater than 60 degrees F the geometric mean number of organisms of the fecal coliform group may not exceed 1000 per 100 ml and no more than ten percent of the samples during any 30-day period may exceed 2000 fecal coliforms per 100ml;

(b) EC shall not exceed 3000 µS/cm [or an alternative value in the range of 2000-5000 µS/cm];

(c) The surface and ground water standards listed in WQB-7 do not apply.

AUTH: 75-5-301, MCA
IMP: 75-5-301, MCA

4. The rule proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

17.30.602 DEFINITIONS (1) through (8) remain the same.

(9) "Electrical Conductivity (EC)" means the ability of water to conduct an electrical current at 25 degrees C. The electrical conductivity of water represents the amount of total dissolved salts in the water and is expressed as µSiemens/cm or µmhos/cm or equivalent units and is corrected to 25 degrees centigrade.

(9) through (24) remain the same but are renumbered (10) through (25).

(26) "Sodium Adsorption Ratio (SAR)" means a value representing the relative amount of Sodium ions to the combined amount of Calcium and Magnesium ions in water using the following formula, where all concentrations are expressed as milliequivalents per liter; $SAR = [Na]/(([Ca]+[Mg])/2)^{½}$.

(26) through (31) remain the same but are renumbered (27) through (32).

AUTH: 75-5-201, 75-5-301, MCA
IMP: 75-5-301, MCA

17.30.715 CRITERIA FOR DETERMINING NONSIGNIFICANT CHANGES IN WATER QUALITY (1) The following criteria will be used to determine whether certain activities or classes of activities

will result in nonsignificant changes in existing water quality due to their low potential to affect human health or the environment. These criteria consider the quantity and strength of the pollutant, the length of time the changes will occur, and the character of the pollutant. Except as provided in (2), changes in existing surface or ground water quality resulting from the activities that meet all the criteria listed below are nonsignificant, and are not required to undergo review under 75-5-303, MCA:

Subsection (a) through (f) remain the same.

(g) changes in the quality of water for Electrical Conductivity and Sodium Adsorption Ratio and any parameter for which there are only narrative water quality standards if the changes will not have a measurable effect on any existing or anticipated use or cause measurable changes in aquatic life or ecological integrity.

(2) and (3) remain the same.
AUTH: 75-5-301, 75-5-303, MCA
IMP: 75-5-303, MCA

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