

**MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE**

1) The Department of Environmental Quality (Department) is inviting public comment on the withdrawal of administrative rules from the Montana State Implementation Plan (SIP).

2) The Department proposes to remove Administrative Rule of Montana (ARM) 17.8.334 regarding emission standards for existing aluminum plants -- startup and shutdown. The Board of Environmental Review repealed this rule on February 5, 2016, as published on March 18, 2016 in Montana Administrative Register Notice No. 17-375.

The only existing aluminum plant in Montana was the Columbia Falls Aluminum Company (or CFAC), which has ceased operation. Because there are no longer any existing aluminum plants operating in Montana, ARM 17.8.334 no longer applies and is not necessary. Any future aluminum plant locating in Montana will be regulated by Montana's federally approved permitting programs as well as federal programs such as New Source Performance Standards.

ARM 17.8.334 is currently contained in Montana's SIP. On May 22, 2015, the Environmental Protection Agency (EPA) found that this rule allows sources to exceed air quality standards during startup, shutdown, and/or malfunction, which is impermissible under the Clean Air Act. As a result of EPA's finding, Montana must correct or remove ARM 17.8.334 from the SIP by November 22, 2016 – 18 months from EPA's published finding. Withdrawing this repealed rule from the SIP will satisfy EPA's concerns.

3) The Department will be accepting public comment regarding the proposal to withdraw ARM 17.8.334 from the SIP.

4) 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.

5) Interested persons may view the rules on the Department's website at: <http://deq.mt.gov/Public/publiccomment> or may call the Department at 406-444-1472 to have copies made available for their inspection.

6) 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 Lisa Peterson concerning the nature of the accommodation. Please contact Lisa at P.O. Box 200901, Helena, Montana 59620-0901; phone 406-444-2929; fax 406-444-1499; or email lpeterson@mt.gov.

7) Interested parties may submit their comments concerning the proposal described above in writing to the Department by:

- addressing them to Rebecca Harbage at the Air Quality Bureau;
- faxing them to 406-444-1499; or
- sending them via email addressed to rharbage@mt.gov.

To be guaranteed consideration, written comments must be postmarked on or before 5 p.m. on Monday, April 25, 2016.