

# Montana Ground Water Protection Related Programs, Activities, Legislation, and Implementing Agencies

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Programs or Activities or, Title of Legislation	What it Does	Legislation	Responsible State Agencies
Abandoned Mine Reclamation	Uses federal funds to cleanup abandoned mines operated prior to the 1970's	Title 82, Chapter 4 MCA	DEQ Remediation Division Mine Waste Cleanup Bureau
Agricultural Chemical Ground Water Protection Act	Requires response to pesticide contamination in ground water. MOU describes what activities MDA/DEQ are responsible for implementing.	Title 80, Chapter 15, Part 1 MCA	DEQ Remediation Division, Permitting and Compliance Division, Planning, Prevention and Assistance Division; MDA Agricultural Sciences Division
Ambient ground water monitoring system (see Ground Water Assessment Act)			
Aquifer vulnerability assessment (see Ground Water Assessment Act)			
Aquifer mapping (see Ground Water Assessment Act)			
Aquifer characterization (see Ground Water Assessment Act)			
Board of Water Well Contractors A.K.A. Well driller rules	Establishes rules for well drillers	ARM 36, Chapter 21	DNRC Water Resources Division, Water Operations Bureau
Cesspool, Septic Tank and Privy Cleaners Act	Regulates the pumping and disposal of certain wastes	Title 37, Chapter 41, Part 1 MCA	DEQ Permitting and Compliance Div. Community Services Bur.
Comprehensive Environmental Cleanup & Responsibility Act (CECRA) A.K.A. Montana Superfund	Requires liable parties to cleanup hazardous substances	Title 75, Chapter 10, Part 7 MCA	DEQ Remediation Div Hazardous Waste Site Cleanup Bur. & Mine Waste Cleanup Bureau
Comprehensive Environmental Response, Compensation, & Liability Act (CERCLA) A.K.A. Federal Superfund	Requires liable parties to cleanup hazardous substances. State participates through cooperative agreement with EPA.	Title 75, Chapter 10 Part 6 MCA	DEQ Remediation Div Hazardous Waste Site Cleanup Bur. & Mine Waste Cleanup Bureau
Drinking Water Revolving Loan Fund	Establishes revolving loan program for PWSs	Title 75, Chapter 6, Part 2 MCA	DEQ Planning Prevention, and Assistance Div., Technical and Financial Assistance Bur, and DNRC
Environmental Policy Act	Establishes state policy protecting right to use property and to promote efforts to prevent environmental damage	Title 75, Chapter 1, Part 1 MCA	DEQ Planning, Prevention, and Assistance Div., Resource Protection Planning Bur.; DNRC and others
Generic Pesticide state management plan (see Agricultural Chemical Ground Water Protection Act )			

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Ground water appropriations (see Water Rights)			
Ground water controlled area (see Water rights)	Establishes surface area boundaries of area from which ground water withdrawal is regulated. Can be based on ground water quantity or quality.	Title 85, Chapter 2 MCA	DNRC, Water Resources Division
Ground water discharge permits (see Ground Water Pollution Control System)			
Ground water best management practices (see Agricultural Chemical Ground Water Protection Act and Water Quality Protection Practices)			
Ground water use legislation (see Water Rights)			
Ground water standards & classifications (see Ground Water Pollution Control System)			
Ground Water Assessment Act			
Ground Water Plan (see State Water Plan)			
Ground Water Pollution Control System (MGWPCS)	Establishes ground water standards and permit requirements for discharges into ground waters. Also states emergency powers of DEQ/what RPS must do in the event of a spill.	ARM 17, Chapter 30, Subchapter 10	DEQ Permitting and Compliance Division, Water Protection Bureau Remediation Division, Site Response Section
Hazardous Waste Management Act	Regulates hazardous material management	Title 75, Chapter 10, Part 4 MCA	DEQ Permitting & Compliance Division
Interagency coordination for ground water protection initiatives	Establishes agreement between resource management agencies to ensure cooperation	formalized by Memorandum of Understanding (MOU)	DNRC, DEQ, MDA
Local Water Quality Districts	Authorizes/describes establishment of LWQDs	Title 7, Chapter 13, Part 45 MCA	DEQ Planning, Prevention, and Assistance Div, Pollution Prevention Bur., and local government
Major Facility Siting Act	Establishes policy to ensure power generation or conversion facilities do not produce adverse environmental impacts	Title 75, Chapter 20, Part 1 MCA	DEQ Planning, Prevention, and Assistance Div., Resource Protection Planning Bur.
Metal Mine Reclamation Act (see Mine Reclamation)			
Mine Reclamation	Establishes siting and reclamation requirements for coal, metal, and aggregate mining	Title 82, Chapter 4 MCA	DEQ Permitting & Compliance Division
Montana Pollutant Discharge Elimination System (MPDES)	Establishes discharge permit requirements, pollutant limits, and treatment standards for discharges into surface waters	ARM 17, Chapter 30, subchapters 12-14	DEQ Permitting and Compliance Div., Water Protection Bur.

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Nondegradation policy and criteria for determining nonsignificance	Prohibits degradation of high quality state waters	ARM 17, Chapter 30, sub-chapter 7	DEQ Planning, Prevention, and Assistance Div., Resource Protection Planning Bur.
Oil and gas exploration and development permits	Establishes permit system for exploration	Title 82, Chapter 1 MCA	DNRC Oil and Gas Conservation Div.
Open Cut Mining Act (see Mine Reclamation)			
Petroleum Storage Tank Cleanup	Establishes procedures for investigation and remediation at petroleum releases	Title 75, Chapter 11, Part 3 MCA	DEQ Remediation Div., Hazardous Waste Site Cleanup Bur.
Petroleum Tank Release Cleanup Fund	Authorizes funding mechanism to cleanup leak sites	Title 75, Chapter 11 Part 3	Petroleum Tank Release Compensation Board (administratively attached to DEQ)
Pollution prevention program	Provides pollution prevention technical assistance and information		Montana State University Extension Service P2 Program
Public water supply and sewer system program	Establishes minimum standards for construction and operation of public systems	Title 75, Chapter 6 MCA	DEQ Permitting and Compliance Div., Community Services Bur.
Reclamation and Development Grant Program	Provides funding for reclamation of mined areas, identification and repair of hazardous waste sites, and research	Title 90, Chapter 2 MCA	DNRC Conservation and Resource Development Division
Renewable Resource Development Grant	Provides funding to protect, conserve, or develop renewable resources including water.	Title 85, Chapter 1 MCA	DNRC Conservation and Resource Development Division
Resource Conservation and Recovery Act (RCRA)	Montana has primacy for implementation of the Act that regulates hazardous materials	42 U.S. C. § 6901 et seq.	DEQ Permitting & Compliance Division
Resource Indemnity Trust	Source of funds for clean up of contaminated sites		DNRC
Safe Drinking Water Act	Directs EPA to establish drinking water standards and monitoring program, UIC program, SRF program, and provides for enforcement of same. Directs states to develop source water protection program and operator certification program	40 U.S.C. § 141 P.L. 104-182	DEQ Permitting and Compliance Div., Community Services Bur., and Planning, Prevention and Assistance Div., Pollution Prevention Bur.
Salinity control	Inventories saline sites and provides technical assistance, works closely with USDA NRCS and local CDs		Montana Salinity Control Association; and DNRC
Sanitation in Subdivisions Act	Establishes policy to control water supply and sewage disposal at subdivisions	Title 76, Chapter 4, Part 1 MCA	DEQ Permitting and Compliance Division, Water Protection Bur.
SARA Title III Program (see Comprehensive Environmental cleanup & Responsibility Act)	This is the Superfund Amendments and Reauthorization Act		
Septic System Standards	Establishes policy to require county board of health regulations establish minimum standards for on-site sewage treatment systems	Title 50, Chapter 2, Part 1 MCA	DEQ Permitting and Compliance Div., Community Services Bur.

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Small Business Assistance Program	Provides pollution prevention technical assistance and market development	Federal Clean Air Act 42 U.S.C § 507	DEQ Planning, Prevention and Assistance Div, Pollution Prevention Bureau
Solid Waste Management Act	Establishes authority to regulate solid waste management systems; sets goals for waste reduction in Montana	Title 75, Chapter 10, Part 2 MCA	DEQ Permitting and Compliance Division, Community Services Bur.
Source Water (Wellhead) Protection Program	Authorizes implementation of Montana Wellhead Protection Program	Title 75, Chapter 6 MCA	DEQ Planning, Prevention, and Assistance Div., Pollution Prevention Bur.
Source Water Assessment Program	Establishes procedures to delineate and assess the source of water used by PWSs		DEQ Planning, Prevention, and Assist Div., Pollution Prevention Bur.
State Superfund-CECRA (see Comprehensive Environmental Cleanup & Responsibility Act)			
State Water Plan	Directs DNRC to prepare continuing comprehensive inventory of water resources and develop management plan	Title 85, Chapter 1, Part 2 MCA	DNRC Water Resources Div.
Storm Water Discharge Permit (see Montana Pollutant Discharge Elimination System)			
Strip and Underground Mine Siting Act (see Mine Reclamation)			
Subdivision and Platting Act	Establishes policy to require minimum standards for plats, and to ensure subdivisions are in the public interest	Title 76, Chapter 3, Part 1 MCA	local government
Federal Superfund- CERCLA (see Comprehensive Environmental Response, Compensation & Liability Act)			
Underground Storage Tank Act	Establishes minimum standards for tank installation, operation, and maintenance	Title 75, Chapter 11, Part 5 MCA	DEQ Remediation Div., Technical Services Bur.
Underground injection control program	State has primacy to regulate waste injection associated with oil/gas production A.K.A. Class II Injection Wells. All other classes are regulated by U.S. EPA	Federal Safe Drinking Water Act, Part C	DNRC Oil and Gas Conservation Div., & Montana office of U.S. EPA
Waste Water Revolving Loan Fund	Establishes revolving loan program for waste water systems	Title 75, Chapter 5, Part 11 MCA	DEQ Planning, Prevention and Assistance Div., Technical and Financial Assistance Bur. and DNRC
Water Rights	Establishes policy and authority to manage water rights through permit system and adjudication process and system to reserve water for future use	Title 85, Chapter 2 MCA	DNRC Water Resources Div.

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Water and Wastewater Operators Certification	Establishes program to ensure certification and continuing education of operators of public systems	Title 37, Chapter 42 MCA	DEQ Permitting and Compliance Div., Operator Certification Program
Water Quality Act	Establishes authority to protect, maintain, and improve water quality	Title 75, Chapter 5 MCA	DEQ Enforcement Division & Remediation Division
Water Quality Protection Practices	Describes activities or procedures that protect water quality	Title 75, Chapter 2, Part 1 MCA	DEQ Planning, Prevention, and Assistance Div., Resource Protection Planning Bur.
Water Well Standards	Establishes construction standards for water wells	Title 37, Chapter 43 MCA	DNRC Water Resources Div., Water Operations Bur.

Abbreviations:

DEQ= Montana Department of Environmental Quality  
 DNRC= Montana Department of Natural Resource and Conservation  
 MCA= Montana Code Annotated  
 MDA= Montana Department of Agriculture  
 PWS= Public Water System  
 USC= United States Code