

**BOARD OF ENVIRONMENTAL REVIEW
October 29, Special Meeting
DEQ ZOOM CONFERENCE**

NOTE: Board members, the Board attorney, and secretary will be participating electronically. Interested persons, members of the public, and the media are welcome to attend via Zoom or telephonically. The Board will make reasonable accommodations for persons with disabilities who wish to participate in this meeting. Please contact the Board Secretary by e-mail at deqbersecretary@mt.gov, no less than 24 hours prior to the meeting to advise her of the nature of the accommodation needed.

9:00 AM

I. RULE REVIEW

- 1. In the matter of adoption of new rule I pertaining to selenium standards for Lake Koocanusa, BER 2021-04 WQ.** On June 30, 2021 and July 1, 2021, the Board received a request from Teck Coal Limited for the Board to review Montana Administrative Rule 17.30.632 to determine whether it is more stringent than the comparable federal guideline in violation of the Montana Water Quality Act. The Board issued a Public Notice on August 27, 2021 inviting comment on the process to evaluate the stringency of the rule. The Board addressed the rule review process on October 8, 2021 and is going to continue this discussion in the special meeting.
- 2. In the matter of adoption of new rule 1 pertaining to selenium standards for Lake Koocanusa, BER 2021-08 WQ.** On October 15, 2021, the Board received a request from the Board of County Commissioners of Lincoln County, Montana to review its new rule ARM 17.30.632(7)(a) to determine whether it is more stringent than the comparable federal guideline in violation of the Montana Water Quality Act.

II. BOARD COUNSEL UPDATE

Counsel for the Board will report on general Board business, procedural matters, and questions from Board Members.

III. GENERAL PUBLIC COMMENT

Under this item, members of the public may comment on any public matter within the jurisdiction of the Board that is not otherwise on the agenda for the meeting. Individual contested case proceedings are not public matters on which the public may comment.

IV. ADJOURNMENT