



March 31, 2020

RE: DEQ compliance and enforcement discretion in response to COVID-19

To whom it may concern:

The Montana Department of Environmental Quality (DEQ) is charged with implementing programs and enforcing environmental laws that ensure we protect a clean and healthful environment. Under extraordinary circumstances, such as during an emergency response, DEQ may need to balance our enforcement and compliance responsibilities with the need to safeguard the public against an immediate threat posed by the emergency situation.

The COVID-19 pandemic presents such a situation.

DEQ recognizes the current COVID-19 public health response may impact the ability of communities and companies to comply with certain regulatory obligations. While we expect everyone will do their best to adhere to all requirements, we understand some limited flexibility may be appropriate during this challenging time. We encourage affected communities and companies to identify areas of concern of the highest priority and communicate those concerns to the appropriate DEQ program in an effort to work productively towards resolution of the issue (see the list below for the relevant program contact person). Please note that compliance history may be a factor that DEQ considers. DEQ is committed to working with all communities, companies, and the public to ensure maximum compliance with environmental regulations even in the face of these challenging times.

As appropriate, DEQ may develop sector-specific guidelines to protect public health and the environment and ensure we are consistent in our application of agency discretion.

If an enforcement action becomes necessary, DEQ will consider the efforts taken by facilities to remain in compliance.

DEQ Regulatory Program Contacts:

Asbestos and Hazardous Waste – Becky Holmes, RHolmes@mt.gov, 406-444-2876
Hazardous Materials Tier II Reporting under EPCRA – Becky Holmes, RHolmes@mt.gov,
Public Water Supply – Amy Steinmetz, ASteinmetz@mt.gov, 406-444-2409
Solid Waste – Rick Thompson, RThompson@mt.gov, 406-444-5345
Underground Storage Tank Systems – Wally Jemmings, WJemmings@mt.gov, 406-444-1415
Underground Storage Tank Releases – Marla Stremcha, MStremcha@mt.gov, 406-444- 6419
Storm and Wastewater Compliance, Training & Technical Assistance – Ryan Weiss,
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Air Quality – David Klemp – dklemp@mt.gov, 406-444-0286
Coal Mining – Ed Coleman, ecoleman@mt.gov, 444-4973
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Energy – Whitney Bausch, wbausch2@mt.gov, 444-4960
Hard Rock Mining – Dan Walsh, dwalsh@mt.gov, 444-6791
Enforcement Program Manager – Chad Anderson, chada@mt.gov , 444-2964

Sincerely,



Shaun McGrath
Director