

# RULEMAKING TO AMEND CIRCULAR DEQ-7, MONTANA NUMERIC WATER QUALITY STANDARDS



Water Pollution Control Advisory Council

January 29, 2026

Presented by:

Katie Makarowski, Water Quality Standards and Modeling Section

Lauren Sweeney, Water Quality Standards and Modeling Section

Allie Steele, Water Quality Standards and Modeling Section



# PRESENTATION SUMMARY

## 1. Background

## 2. Overview of rulemaking package

*Share proposed administrative rule amendments with the Water Pollution Control Advisory Council at least 30 days prior to the first publication to comment on the proposed action (75-5-307(1), MCA)*

## 3. Rulemaking Timeline

## 4. Questions, Comments





# BACKGROUND

# DEPARTMENT CIRCULAR DEQ-7

Contains numeric water quality standards

Adopted by reference into Administrative  
Rules of Montana

Last updated in June 2019



**DEQ**  
Montana Department  
of Environmental Quality

**CIRCULAR DEQ-7**

**MONTANA NUMERIC WATER QUALITY STANDARDS**



June 2019

**Prepared by:**  
Montana Department of Environmental Quality  
Water Quality Planning Bureau  
Water Quality Standards and Modeling Section  
1520 E. Sixth Avenue  
P.O. Box 200901  
Helena, MT 59620-0901



# WATER QUALITY STANDARDS TRIENNIAL REVIEW

DEQ is required, at least every three years, to hold a public hearing for the purpose of reviewing water quality standards and, as appropriate, to modify and adopt water quality standards (75-5-301, MCA; 40 CFR Part 131).

Proposed rule changes were spurred by:

- Comments received during 2020 and 2023 triennial review
- Standards section review and coordination with DEQ programs





# OVERVIEW OF RULEMAKING PACKAGE

# AMEND RULES

- ARM 17.24.645 GROUND WATER MONITORING**
- ARM 17.24.646 SURFACE WATER MONITORING**
- ARM 17.30.502 DEFINITIONS**
- ARM 17.30.619 INCORPORATIONS BY REFERENCE**
- ARM 17.30.702 DEFINITIONS**
- ARM 17.30.1001 DEFINITIONS**
- ARM 17.36.126 ADOPTION BY REFERENCE**
- ARM 17.55.109 INCORPORATION BY REFERENCE**
- ARM 17.56.507 ADOPTION BY REFERENCE**
- ARM 17.56.608 ADOPTION BY REFERENCE**

## Overview of change

- Update citations for Circular DEQ-7 in rule from the “June 2019 edition” to the edition dated the effective month and year of this rule amendment

## Reason

- To correctly cite the most current version of Circular DEQ-7 in rules



# AMEND CIRCULAR DEQ-7

## CYANIDE

### Overview of change

- Express the human health standard for cyanide in ground water as free cyanide rather than total cyanide (note: the department is not proposing to change the numeric criteria)
- Add a required reporting value
- Add a trigger value

### Reason

- To align Montana's ground water standard with federal Safe Drinking Water Act regulations which are based on free cyanide
- A required reporting value must reflect the laboratory analytical methods approved for measuring free cyanide
- Cyanide is a toxic parameter for which a trigger value was not previously adopted for use when implementing nondegradation rules for toxic parameters



# AMEND CIRCULAR DEQ-7

## LEAD

### Overview of change

- Lower the human health standards for lead in surface water and ground water from 15 µg/L to 10 µg/L
- Update references to the source used to derive the criteria from maximum contaminant level (MCL) to action level (AL)

### Reason

- To align Montana's human health standards with federal Safe Drinking Water Act Lead and Copper Rule Improvements issued in 2024
- To improve clarity by more accurately citing the source used to derive the criteria; the standard is based on an action level and there is no maximum contaminant level for lead



# AMEND CIRCULAR DEQ-7

## PESTICIDES - CHLORSULFURON

### Overview of change

- Increase the human health water quality criteria for chlorsulfuron in surface water and ground water from 100 µg/L to 300 µg/L

### Reason

- To correct the reference dose used in the previous calculation of the human health water quality standards that were adopted in 2017



# AMEND CIRCULAR DEQ-7

## PESTICIDES - IMAZAPIC

### Overview of change

- Lower the human health water quality criteria for imazapic in surface water and ground water from 3,000 µg/L to 913 µg/L

### Reason

- To correct the reference dose used in the previous calculation of the human health water quality standards that were adopted in 2017



# AMEND CIRCULAR DEQ-7

## PESTICIDES - NICOSULFURON

### Overview of change

- Lower the human health water quality criteria for nicosulfuron in surface water and ground water from 8,500 µg/L to 8,330 µg/L

### Reason

- To correct a rounding error made in the previous calculation of these criteria prior to their adoption in 2017; the criteria should be rounded to three significant figures to align with EPA guidance for the rounding of human health criteria



# AMEND CIRCULAR DEQ-7

## PESTICIDES – 1,2-DIBROMOETHANE

### Overview of change

- Increase the human health water quality criteria for 1,2-dibromoethane in surface and ground water from 0.017 µg/L to 0.2 µg/L

### Reason

- To correct an error in decimal placement made during the previous calculation of these criteria prior to their adoption in 2017; the criteria are rounded to one significant figure to align with EPA guidance for rounding of human health criteria.



# AMEND CIRCULAR DEQ-7

## GRAMMAR, WORDSMITHING, AND TECHNICAL EDITS

### Overview of change

- Update the hyperlink to the location on the department's website where Circular DEQ-7 can be found
- Remove the reference to department Circular DEQ-12A following the direct, legislative repeal of Circular DEQ-12A by the 69<sup>th</sup> Montana Legislature (House Bill 664) in 2025
- Replace outdated hyperlinks with current hyperlinks to EPA websites referenced in introduction footnotes
- Replace the incorrect usage of the term 'toxin' with the correct term 'toxic'
- Add a hyphen to 'risk-based' to be consistent with formatting used throughout the circular
- Add commas to improve clarity
- Clarify which health effect data is used in human health criteria calculations

### Reason

- To improve the readability and accuracy of Circular DEQ-7



# AMEND CIRCULAR DEQ-7

## GRAMMAR, WORDSMITHING, AND TECHNICAL EDITS, CONTINUED

### Overview of change

- Remove the word 'number' after CASRN to eliminate redundancy as CASRN (Chemical Abstracts Service Registry Number) already abbreviates the word number
- Correct the hyphen placement in the CASRN for Dinitrophenols
- Remove the word 'footnote' from the row containing dioxin in the table to be consistent in referencing footnotes throughout the table
- Add a zero to the left of the decimal for perfluorooctane sulfonate and perfluorooctanoic acid criteria to be consistent with formatting used throughout the table
- Fix a typo in the pollutant name propiconazole to remove the extra letter o
- Clarify references to drinking water regulations in Footnote 17 to specify Safe Drinking Water Act regulations

### Reason

- To improve the readability and accuracy of Circular DEQ-7





# RULEMAKING TIMELINE

# RULEMAKING TIMELINE

**2024 - 2025** - Conceptual review and initial drafting

**January 20, 2026** - Provide materials to WPCAC

**January 29, 2026** - Rulemaking presentation to WPCAC

**April 22, 2026** - File proposal notice with SOS

**April 24, 2026** - Proposal notice published in MAR

**April 24 – June 8, 2026** - Public Comment Period

**June 8, 2026** - Public Hearing

Respond to comments; modify adoption notice

**September 23, 2026** - File adoption notice with SOS

**September 25, 2026** - Adoption notice published in MAR

\* Dates subject to change

WPCAC = Water Pollution  
Control Advisory Council

SOS = Secretary of State

MAR = Montana  
Administrative Record





# THANK YOU!

KATIE MAKAROWSKI

[kmkarowski@mt.gov](mailto:kmkarowski@mt.gov)  
(406) 444-3639

LAUREN SWEENEY

[Lauren.Sweeney@mt.gov](mailto:Lauren.Sweeney@mt.gov)  
(406) 444-5226

ALLIE STEELE

[Alexandra.Steele@mt.gov](mailto:Alexandra.Steele@mt.gov)  
(406) 444-5320