

1 HOUSE BILL NO. 592

2 INTRODUCED BY J. HINKLE

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY  
5 TO AMEND DEQ4 TO ALLOW FOR DRAIN SYSTEMS IN AREAS THAT HAVE BEEN CUT OR FILLED TO  
6 BE USED FOR NEW SUBSURFACE WASTEWATER TREATMENT SYSTEMS; AND PROVIDING AN  
7 IMMEDIATE EFFECTIVE DATE."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10  
11 NEW SECTION. Section 1. Department to amend rules and circular. The department of  
12 environmental quality, under its authority to promulgate rules pursuant to 75-5-305 and 76-4-104, shall amend  
13 the technical standards found in DEQ4 and all necessary administrative rules to allow for a ~~drain system new~~  
14 ~~subsurface wastewater treatment system~~ in an area that has been cut or filled ~~to be used for a new subsurface~~  
15 ~~wastewater treatment system.~~

16 (2) The amendments to DEQ4 and all necessary administrative rules required in subsection (1)  
17 must provide that soil testing conditions and ~~adequate separation restrictions from limiting layers apply to a~~  
18 ~~drain system in an area that has been cut or filled and is used as a new subsurface wastewater treatment~~  
19 ~~system 4 feet of natural soil separation to a limiting layer are required. Cut or fill may not be used to provide the~~  
20 ~~required vertical or horizontal separation under rule or circular.~~

21  
22 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

23 - END -