



AN ACT REVISING CATEGORICAL EXCLUSIONS FROM A NONDEGRADATION AUTHORIZATION;  
DIRECTING THE AMENDMENT OF ARM 17.30.716; PROVIDING AN APPROPRIATION; AND PROVIDING  
EFFECTIVE DATES AND AN APPLICABILITY DATE."

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

**Section 1. Department to amend rule.** ~~By January 1, 2026, the~~ The department of environmental quality shall amend ARM 17.30.716 to ~~provide for a categorical exclusion from a nondegradation authorization provided in 75-5-3-17 if a county commission demonstrates to the department that the commission has established an area where:~~

(1) ~~drinking water wells are prohibited; and~~

(2) ~~the absorption trench is at least 1,000 feet from downstream high-quality surface waters~~ insert  
a new subsection (8) that reads:

"(8) A wastewater discharge that otherwise meets the criteria of this rule may be reviewed for nonsignificance without a background nitrogen sample required in (4)(c)(iii) in settings where ground water cannot be sampled due to absence or great depth of ground water."

**Section 2. Appropriation.** There is appropriated ~~-\$~~500 from the general fund to the department of environmental quality for the biennium beginning July 1, 2025, to amend the department's rules pursuant to [section 1] ~~-.2~~.

**Section 3. Effective dates.** (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 2] is effective July 1, 2025.

**Section 4. Applicability.** [This act] applies to applications for nondegradation authorizations received on or after May 1, 2025.

- END -

I hereby certify that the within bill,  
HB 923, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

HOUSE BILL NO. 923

INTRODUCED BY L. JONES, S. GIST, G. OBLANDER

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