



October 9, 2020

Dear Interested Party:

On September 24, 2020, the Board of Environmental Review (board) initiated rulemaking on proposed amendments of Administrative Rules of Montana (ARM) 17.30.602 and a proposed rule (NEW RULE I) pertaining to selenium standards for Lake Koocanusa and the Kootenai River. Proposed NEW RULE I contains two classes of selenium standards; fish tissue standards, which limit the amount of selenium allowed to accumulate in different tissues, and water column standards, which are derived from bioaccumulation modeling and intended to limit selenium accumulation in fish tissue. Proposed fish tissue standards applicable to Lake Koocanusa and the mainstem Kootenai River include 15.1 mg/kg (egg/ovary), 11.3 mg/kg (muscle), and 8.5 mg/kg (whole body). Proposed water column numeric standards for total dissolved selenium are 3.1 µ/L for the mainstem of the Kootenai River and 0.8 µ/L for Lake Koocanusa.

On November 5, 2020, at 10 a.m., the board and the Department of Environmental Quality (department) will hold a virtual public hearing, via Zoom, to consider the proposed amendment and proposed adoption of the rule. A copy of the Montana Administrative Register (MAR) notice of proposed rulemaking has been enclosed for your consideration. More information is available on the department's website, including instruction on how to attend remotely, which will be updated on a regular basis, at <https://deq.mt.gov/water/Surfacewater/standards>. The board and department will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice (see the enclosed MAR notice for details).

You are invited to submit data, views, or arguments, either orally or in writing, at the hearing. Written data, views, or arguments may also be submitted to Sandy Scherer, Legal Secretary, Department of Environmental Quality, 1520 E. Sixth Avenue, P.O. Box 200901, Helena, Montana 59620-0901; faxed to (406) 444-4386; or e-mailed to sscherer@mt.gov, no later than 5:00 p.m. November 23, 2020. To be guaranteed consideration, mailed comments must be postmarked on or before that date.

Sincerely,

A handwritten signature in black ink that reads "Myla Kelly".

Myla Kelly
Section Head
Water Quality Standards & Modeling Section