



ADMINISTRATIVE RULES OF MONTANA



17.38.234 TESTING AND SAMPLING RECORDS AND REPORTING REQUIREMENTS

- (1) To ensure the safety of water delivered to the consumers, it is essential that there be a record of laboratory examinations of the water sufficient to show it is safe with respect to both bacteriological quality and other maximum contaminant levels. Suppliers of water shall maintain accurate and complete testing records at all water plants and for all water systems. Complete records must be made available to the department upon request.
- (2) A supplier shall keep a daily record of the samples and control tests required in ARM 17.38.225, 17.38.227, 17.38.228, 17.38.230, and 17.38.234(4). The records must be kept on report forms approved by the department and must be prepared in duplicate. Unless indicated otherwise in these rules, the original records must be forwarded to the department by the tenth day of the month following testing.
- (3) Recordkeeping requirements for water haulers are set forth in ARM 17.38.513.
- (4) Actual laboratory reports may be kept or data may be transferred to tabular summaries, provided the following information is included:
 - (a) the date, place and time of sampling;
 - (b) the name of the person who collected the sample;
 - (c) identification of the sample as to whether it was a routine distribution system sample, repeat sample, triggered source sample, confirmation sample, composite sample, raw or process water sample, or other special purpose sample;
 - (d) date and time of analysis;
 - (e) laboratory and person responsible for performing analysis;
 - (f) the analytical technique/method used, analysis number; and
 - (g) the results of the analysis.
- (5) A supplier of a public water supply system that has exceeded the microbiological contaminant MCLs specified in ARM 17.38.207 shall report the violation to the department by the end of the day it learns of the violation either electronically, by fax, or by telephone to (406) 444-1947. If the supplier chooses to report by telephone, and a person does not answer the telephone, leaving a voicemail message will constitute compliance with this reporting requirement.
- (6) A supplier utilizing a water treatment plant employing coagulation, settling, softening, or filtration shall keep a daily record of the operations performed in the treatment process together with measured flows, phenolphthalein (p) alkalinity, total alkalinity, hardness (where softening is utilized), chemical doses, observations, and costs related to the operation of the plant.

- (7) The department adopts and incorporates by reference the following:
- (a) 40 CFR 141.31, which sets forth general reporting requirements for public water supplies;
 - (b) 40 CFR 141.33, which sets forth general recordkeeping requirements for public water supplies;
 - (c) 40 CFR 141.35, which sets forth reporting requirements for unregulated chemicals;
 - (d) 40 CFR 141.75, which sets forth reporting requirements for public water supplies that use surface water or GWUDISW, except that, for the purposes of this subchapter "5 NTU" means 5.0 nephelometric turbidity units;
 - (e) 40 CFR 141.76(b) and (d), which set forth reporting and recordkeeping requirements for the recycle provisions;
 - (f) 40 CFR 141.90 and 141.91, which set forth reporting and recordkeeping requirements for lead and copper;
 - (g) 40 CFR 141.134, which, in addition to 40 CFR 141.31, sets forth reporting requirements for disinfection byproducts;
 - (h) 40 CFR 141.175, which, in addition to 40 CFR 141.75, sets forth reporting requirements for public water supplies that serve 10,000 or more people that use surface water or GWUDISW;
 - (i) 40 CFR 141.563, which sets forth reporting and follow-up actions that public water suppliers that utilize surface water or GWUDISW, serve fewer than 10,000 people, and are required to filter must take when certain individual filter turbidity limits are exceeded;
 - (j) 40 CFR 141.564, which sets forth reporting and follow-up actions that public water suppliers that utilize surface water or GWUDISW, serve fewer than 10,000 people, are required to filter, and utilize lime softening must take when certain individual filter turbidity limits are exceeded;
 - (k) 40 CFR 141.570, which, in addition to 40 CFR 141.75, sets forth general reporting requirements for public water suppliers that utilize surface water or GWUDISW and serve fewer than 10,000 people; and
 - (l) 40 CFR 141.571, which, in addition to 40 CFR 141.75, sets forth general recordkeeping requirements for public water suppliers that utilize surface water or GWUDISW and that serve fewer than 10,000 people.
- (8) Upon request by the department, a public water supplier shall ensure that recommendations of a certified professional engineer required under 40 CFR 141.175 or 40 CFR 141.563 are implemented through consultation and technical assistance provided by the department or by a third party approved by the department.
- (9) Upon discovering that a waterborne disease outbreak potentially attributable to that water system has occurred, a supplier shall report that occurrence to the department as soon as possible, but no later than by the end of the next business day.
- (10) Upon request by the department, suppliers shall timely submit to the department copies of any records required to be maintained by these rules.

Authorizing statute(s): 75-6-104, MCA

Implementing statute(s): 75-6-104, MCA

History: NEW, 1977 MAR p. 1187, Eff. 12/24/77; AMD, 1982 MAR p. 594, Eff. 3/26/82; AMD, 1991 MAR p. 1492, Eff. 8/16/91; TRANS, from DHES, 1996 MAR p. 1499; AMD, 1998 MAR p. 1167, Eff. 5/1/98; AMD, 2000 MAR p. 3400, Eff. 12/8/00; AMD, 2003 MAR p. 1279, Eff. 6/27/03; AMD, 2004 MAR p. 3016, Eff. 1/1/05; AMD, 2008 MAR p. 2625, Eff. 12/25/08; AMD, 2010 MAR p. 1798, Eff. 8/13/10; AMD, 2012 MAR p. 1141, Eff. 6/8/12; AMD, 2017 MAR p. 220, Eff. 2/18/17; AMD, 2024 MAR p. 253, Eff. 2/10/24; AMD, 2024 MAR p. 2144, Eff. 9/7/24.