



ADMINISTRATIVE RULES OF MONTANA



17.38.202 DEFINITIONS

In this subchapter, the following terms have the meanings indicated below and must be used in conjunction with and supplemental to those definitions contained in 75-6-102, MCA. In addition, the department adopts and incorporates by reference the definitions in 40 CFR 141.2, except for the following terms: "clean compliance history," "person," "public water supply system (PWS)," "ground water under the direct influence of surface water (GWUDISW)," "special irrigation district," and "state." The terms "person," "public water supply system," "ground water under the direct influence of surface water," and "state," as used in this subchapter and in the portions of 40 CFR Parts 141 and 142 adopted by reference in this subchapter, have the meanings defined below.

- (1) "Act," except as used in the portions of 40 CFR Part 141 referenced in this subchapter, means Title 75, chapter 6, part 1, MCA.
- (2) "Approved laboratory" means a laboratory licensed and approved by the Montana Department of Public Health and Human Services to analyze water samples from public water supply systems to determine their compliance with maximum contaminant levels (MCLs) and other monitoring requirements of this subchapter.
- (3) "Ground water under the direct influence of surface water (GWUDISW)" has the same meaning as adopted and incorporated by reference from 40 CFR 141.2, except that GWUDISW determinations for regulatory compliance purposes are made in accordance with the Department of Environmental Quality Circular PWS-5, Ground Water Under the Direct Influence of Surface Water, as adopted and incorporated by reference in ARM 17.38.209.
- (4) "Person" means an individual, firm, partnership, company, association, corporation, city, town, local government entity, federal agency, or any other governmental or private entity, whether organized for profit or not.
- (5) "Public water supply system (PWS)" means a system for the provision of water for human consumption from a community well, water hauler for cisterns, water bottling plant, water dispenser, or other water supply that has at least 15 service connections or that regularly serves at least 25 persons daily for any 60 or more days in a calendar year.
- (6) "State," as used in the portions of 40 CFR Parts 141 and 142 adopted and incorporated by reference in this subchapter, means the Montana Department of Environmental Quality with respect to regulation of public water supply and wastewater systems for compliance with this subchapter, and the Montana Department of Public Health and Human Services with respect to certification of laboratories for performing water sample analyses for public water supply systems as required in 40 CFR Part 141.

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; AMD, 1994 MAR p. 2131, Eff. 8/12/94; 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, 2008 MAR p. 2625, Eff. 12/25/08; AMD, 2017 MAR p. 220, Eff. 2/18/17; AMD, 2024 MAR p. 253, Eff. 2/10/24.