



ADMINISTRATIVE RULES OF MONTANA



37.112.109 WATER SUPPLY

- (1) An adequate and potable supply of water must be provided.
- (2) A nonpublic water supply system must meet the requirements of Food and Consumer Safety (FCS) Circular 1-2012 when:
 - (a) the water supply is constructed after the effective date of this rule;
 - (b) modifications are made to the water system; or
 - (c) the local health authority determines compliance with FCS circular 1-2012 is necessary to meet the requirements of this subchapter.
- (3) Before a license may be issued, an establishment using an individual, shared, or multiple user water supply must submit the following to the department or its designee:
 - (a) satisfactory coliform bacteria and nitrate test results as specified in ARM Title 17, chapter 38, subchapter 2; and
 - (b) the results of an onsite sanitary survey of the water supply system to detect sanitary deficiencies.
- (4) A supplier of an individual, shared, or multiple user water supply must conduct a coliform bacteria test of the system at least twice a year with one sample collected between April 1 through June 30 and the second sample collected between August 1 through October 31, and must conduct a nitrate test of the system at least once every three years. Water tests must be analyzed at a certified laboratory. A supplier must keep sampling result records for at least three years.
- (5) A public water supply system must be constructed and operated in accordance to current applicable laws as regulated by the Montana Department of Environmental Quality.
- (6) Nonpotable water sources must be marked "not for human consumption".
- (7) Plumbing must be installed and maintained in a manner to prevent cross connections between the potable water supply and any nonpotable or questionable water supply or any source of pollution through which the potable water supply might become contaminated. The potable water system must be installed to preclude the possibility of backflow. A hose may not be attached to a faucet unless a backflow prevention device is installed.
- (8) A water supply system is determined to have failed and requires treatment, replacement, repair, or disinfection, when the water supply becomes unsafe, when it exceeds the maximum contaminant levels specified in ARM Title 17, chapter 38, subchapter 2, or inadequate when it is found to be less than 20 psi measured at the extremity of the distribution line during the instantaneous peak usage.

- (9) Extension, alteration, repair, or replacement of a water supply system or development of a new water supply system must be in accordance with all applicable state and local laws.
- (10) Bottled and packaged potable water must be obtained from a licensed and approved source and must be handled and stored in a way that protects it from contamination.

Authorizing statute(s): 50-48-103, MCA

Implementing statute(s): 50-48-103, MCA

History: NEW, 2007 MAR p. 351, Eff. 3/23/07; AMD, 2013 MAR p. 156, Eff. 2/1/13.