



ADMINISTRATIVE RULES OF MONTANA



17.38.210 CONSECUTIVE SYSTEM COVERAGE

- (1) As provided in this rule, a consecutive system that meets all of the conditions in (1)(a) through (e) may be excluded from the requirements of the National Primary Drinking Water Regulations, as described in 40 CFR Part 141. A consecutive system that is granted an exclusion under this rule is not excluded from any requirements, additional to those in 40 CFR Part 141, which are applicable to the system under Title 75, chapter 6, MCA, or rules adopted thereunder. In order to be considered for the exclusion, a consecutive system must:
 - (a) consist only of distribution and storage facilities and not have any collection or treatment facilities;
 - (b) obtain all of its water from, but not be owned or operated by, a public water system to which the regulations of Part 141 apply;
 - (c) not sell water to any person;
 - (d) not be a carrier that conveys passengers in interstate commerce;
 - (e) document that the wholesale water system from which it obtains all of its water will:
 - (i) include the consecutive system in its sampling plans;
 - (ii) be responsible for issuing public notice; and
 - (iii) be responsible for issuing consumer confidence reports for the consecutive system.
- (2) To obtain an exclusion from the requirements of Part 141, a consecutive system must apply to the department. The request must be in writing and must document the system's conformance with the requirements of (1)(a) through (e). The request must be accompanied by a signed copy of the written agreement between the wholesale and consecutive systems. The agreement must implement the requirements of (1)(e).
- (3) Based on a consideration of potential impacts to public health, the department may grant, partially grant, or deny a request for exclusion, and may revoke or modify any exclusion after it is granted.
- (4) Unless otherwise required by the department, consecutive systems are not required to duplicate their wholesaler's entry-point sampling.

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

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



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History: NEW, 2008 MAR p. 2625, Eff. 12/25/08; AMD, 2024 MAR p. 253, Eff. 2/10/24.