



ADMINISTRATIVE RULES OF MONTANA



20.9.613 ENVIRONMENT

- (1) The facility shall provide an adequate and potable supply of water.
 - (a) The facility shall:
 - (i) connect to a public water supply system approved by the Montana Department of Environmental Quality; or
 - (ii) for a facility utilizing a nonpublic water system, follow and conform to all Montana Department of Environmental Quality rules, regulations, and standards for small water systems.
 - (b) If a nonpublic water supply is used, the facility shall submit a water sample at least once a quarter (January 1 - March 31, April 1 - June 30, July 1 - September 30, and October 1 - December 31) to a laboratory licensed by the Montana Department of Public Health and Human Services for a coliform bacteria test of the system and a nitrate test of the system at least once every three years. Bacteriological testing of a water supply must be in accordance with ARM 17.38.215.
 - (i) Sampling results must be kept at the facility and a copy of the results provided to the department and the local Montana Department of Public Health and Human Services.
 - (ii) Sampling result records must be retained for a minimum of three years.
 - (c) The water system is determined to have failed and to require replacement, repair, or disinfection when the water supply becomes unsafe (exceeds maximum contaminant levels as specified in ARM 17.38.201 through 17.38.207) or inadequate (less than 20 psi measured at the extremity of the distribution line during peak usage).
 - (d) Extension, alteration, repair, and replacement of a water supply system, or development of a new water supply system must be in accordance with the Montana Department of Environmental Quality regulations.
 - (e) Plumbing must be installed and maintained in a manner which prevents 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 shall not be attached to a faucet unless a backflow prevention device is installed.
 - (f) Facilities must follow and conform to all Montana Department of Environmental Quality rules and regulations relating to review procedures and testing requirements.

- (2) An adequate and safe sewage system must be provided for conveying, treating, and disposing of all sewage. Immediate measures must be taken to alleviate health and sanitation hazards caused by sewage at the youth detention facility.
 - (a) To ensure sewage is safely disposed of, the facility shall either:
 - (i) connect to a public sewer approved by the Montana Department of Environmental Quality; or
 - (ii) if a nonpublic system is utilized, follow and conform to all applicable Montana Department of Environmental Quality standards, rules, and regulations.
 - (b) The sewage system must be repaired or replaced whenever:
 - (i) it fails to accept, treat, or dispose of sewage as designed;
 - (ii) seepage of effluent from or ponding of effluent on or around the system occurs;
 - (iii) contamination of a potable water supply or state waters is traced to the system; or
 - (iv) a mechanical failure occurs, including electrical outage, or collapse or breakage of a septic tank, lead line, or drain field line.
 - (c) Extension, alteration, replacement, or new development of any sewage system must be in accordance with all applicable rules, regulations, and standards of the Montana Department of Environmental Quality.
 - (d) Liquid wastes from sinks, showers, toilets, or baths are not allowed to accumulate on the ground surface. Such waste must be discharged into the sewage system approved by the Montana Department of Environmental Quality or the local health authority.
- (3) The facility shall:
 - (a) store all solid waste in containers which have lids and are corrosion-resistant, flytight, watertight, and rodent proof;
 - (b) clean all solid waste containers frequently; and
 - (c) transport or utilize a private or municipal hauler to transport the solid waste at least weekly to a landfill site approved by the Montana Department of Environmental Quality or a local solid waste district in a covered vehicle or covered containers.
- (4) Bathtubs, showers, lavatories, urinals, toilet bowls, toilet seats, and floor areas must be cleaned thoroughly with an approved disinfectant or sanitizing agent daily.
- (5) Other areas must be cleaned on a regular basis. All furnishings, fixtures, floors, walls, and ceilings must be clean and in good repair.
- (6) There must be hot and cold water available in the facility. Hand sinks must be provided with water at a temperature not more than 120°F. Bathing facilities must be provided with water at a temperature of at least 100°F and not more than 120°F. Youth should be encouraged to shower or bathe at least three times per week.
- (7) Laundries operated in conjunction with, or utilized by the youth detention facility must be provided with a mechanical washer and hot air tumble dryer and a hot water supply system capable of supplying water at a temperature of 130°F to the washer during all periods of use.

- (a) Sheets, pillow cases, towels, and washcloths must be machine washed at a minimum temperature of 130°F for a minimum time of eight minutes and dried in a hot air tumble dryer or ironed to a minimum temperature of 150°F. Appropriate detergents and sanitizers must be used.
 - (b) Separate areas for sorting and storing soiled laundry and folding and storing clean laundry must be provided.
 - (c) Clean clothes and linens must be stored in a clean place and protected from contamination until used.
 - (d) All bedding, towels, and washcloths provided by the youth detention facility must be clean and in good repair. Clean, laundered bed sheets and pillow cases must be provided on each bed and must be replaced by clean, freshly laundered sheets and pillow cases after the departure of each youth and prior to occupancy by the next youth. Clean bedding and linens must be available to each youth at least weekly or more often, as necessary.
- (8) The facility and all areas used by youth must have an adequate ventilation and heating system and adequate lighting (as determined by the tasks to be performed).
 - (9) Cleaning compounds and pesticides must be stored, used, and disposed of in accordance with the manufacturer's instructions. Material Safety Data Sheet (MSDS) book must be maintained and updated.
 - (10) Facilities and premises must be kept free of harborage for insects, rodents, and other vermin. The facility shall have a plan for the control of vermin and pests which includes monthly inspections. If fumigations are necessary, they must be done by a licensed pest control professional.

Authorizing statute(s): 41-5-1802, MCA

Implementing statute(s): 41-5-1802, MCA

History: NEW, 1999 MAR p. 121, Eff. 1/15/99; AMD, 2005 MAR p. 2665, Eff. 12/23/05; AMD, 2011 MAR p. 570, Eff. 4/15/11.