

1 HOUSE BILL NO. 352

2 INTRODUCED BY R. OSMUNDSON, J. PETERSON, EDMUNDS, KENNEDY, VANCE, C. SMITH,
3 ROSENDALE, CONNELL

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE USE OF BOTTLED WATER FOR A PUBLIC
6 WATER SYSTEM TO ACHIEVE COMPLIANCE WITH A MAXIMUM CONTAMINANT LEVEL FOR NITRATE;
7 AND AMENDING SECTION 75-6-107, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 75-6-107, MCA, is amended to read:

12 **"75-6-107. Variances and exemptions.** (1) The Except as provided in subsection (3), the department
13 may grant a variance or exemption from the requirements of this part or the rules adopted under this part
14 pursuant to the terms and conditions of the variance and exemption rules adopted by the board.

15 (2) A Except as provided in subsection (3), a variance or exemption granted pursuant to this section ~~shall~~
16 must be accompanied by a compliance plan specifying a time schedule for compliance.

17 (3) The department shall grant a variance or exemption for a public water system to use bottled water
18 to achieve compliance with a maximum contaminant level FOR NITRATE. The variance or exemption must include
19 the requirement that the owner of the public water system post signs warning the public that the tap water is not
20 potable and could pose a health risk if consumed.

21 (4) A person aggrieved by a decision of the department to grant, deny, revoke, or modify a variance or
22 exemption may appeal the department's decision to the board as provided in the Montana Administrative
23 Procedure Act."

24 - END -