

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE DEFINITION OF A PUBLIC WATER SUPPLY
5 SYSTEM TO INCLUDE COMMERCIAL ENTERPRISES; AMENDING SECTION 75-6-102, MCA; AND
6 PROVIDING AN EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 75-6-102, MCA, is amended to read:

11 **"75-6-102. Definitions.** As used in this part, unless the context clearly indicates otherwise, the following
12 definitions apply:

- 13 (1) "Board" means the board of environmental review provided for in 2-15-3502.
- 14 (2) "Certified source water protection area" means an area certified by the department that identifies the
15 surface and subsurface area surrounding a source of water for a public water supply system through which
16 contaminants may move toward and reach the source of supply.
- 17 (3) "Community water system" means a public water supply system that serves at least 15 service
18 connections used by year-round residents or that regularly serves at least 25 year-round residents.
- 19 (4) "Contamination" means impairment of the quality of state waters by sewage, industrial waste, or other
20 waste creating a hazard to human health.
- 21 (5) "Cross-connection" means a connection between a public water supply system and another water
22 supply system, either public or private, or a wastewater or sewerline or other potential source of contamination
23 so that a flow of water into or contamination of the public water supply system from the other source of water or
24 contamination is possible.
- 25 (6) "Department" means the department of environmental quality provided for in 2-15-3501.
- 26 (7) "Drainage" means rainfall, surface, and subsoil water.
- 27 (8) "Industrial waste" means any waste substance from the processes of business or industry or from
28 the development of a natural resource, together with any sewage that may be present.
- 29 (9) "Maximum contaminant level" means the maximum permissible level of a contaminant in water that
30 is delivered to a user of a public water supply system.

1 (10) "Other waste" means garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime,
2 sand, ashes, offal, night soil, oil, grease, tar, heat, chemicals, dead animals, sediment, wrecked or discarded
3 equipment, radioactive materials, solid waste, and all other substances that may pollute state waters.

4 (11) "Person" means an individual, firm, partnership, company, association, corporation, city, town, local
5 government entity, federal agency, or any other governmental or private entity, whether organized for profit or
6 not.

7 (12) (a) "Pollution" means contamination or other alteration of the physical, chemical, or biological
8 properties of state waters that exceeds that which is permitted by Montana water quality standards, including but
9 not limited to standards relating to change in temperature, taste, color, turbidity, or odor or the discharge or
10 introduction of a liquid, gaseous, solid, radioactive, or other substance into state water that will or is likely to
11 create a nuisance or render the waters harmful, detrimental, or injurious to public health, recreation, safety, or
12 welfare, to livestock, or to wild animals, birds, fish, or other wildlife.

13 (b) A discharge that is authorized under the pollution discharge permit rules of the board is not pollution
14 under this chapter.

15 (13) "Public sewage system" means a system of collection, transportation, treatment, or disposal of
16 sewage that serves 15 or more families or 25 or more persons daily for any 60 or more days in a calendar year.

17 (14) "Public water supply system" means a system for the provision of water for human consumption from
18 a community well, water hauler for cisterns, water bottling plant, water dispenser, or other water supply that:

19 (a) has at least 15 service connections or that regularly serves at least 25 persons daily for any 60 or
20 more days in a calendar year; or

21 (b) is for a commercial enterprise where water is consumed by the public.

22 (15) "Reclaimed wastewater" means wastewater that is treated by a public sewage system for reuse for
23 private, public, or commercial purposes.

24 (16) "Safe Drinking Water Act" means 42 U.S.C. 300f and regulations set forth in 40 CFR, parts 141 and
25 142.

26 (17) "Sewage" means water-carried waste products from residences, public buildings, institutions, or
27 other buildings, including discharge from human beings, together with ground water infiltration and surface water
28 present.

29 (18) "Source water protection program" means a program administered by the department to certify
30 source water protection delineation and assessment reports and source water protection plans and to review

1 source water protection ordinances.

2 (19) "State waters" means a body of water, irrigation system, or drainage system, either surface or
3 underground.

4 (20) "Transient noncommunity water system" means a public water supply system that is not a community
5 water system and that does not regularly serve at least 25 of the same persons for at least 6 months a year."

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7 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2015.

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