
DIGEST

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HB 829 Original

2018 Regular Session

Hunter

Abstract: Provides requirements and standards for water testing by public water systems and authorizes a funding source for such testing.

Proposed law requires each public water system to perform a monthly public water supply test based on the maximum contaminant level for iron established by the U.S. Environmental Protection Agency's (hereafter, "EPA") Secondary Standards for drinking water. Provides that a public water system shall be exempt from the iron testing requirement provided in proposed law if the source water of the system exceeds the maximum contaminant level.

Proposed law requires that the tests provided for in proposed law be performed at all high-risk Tier I homes. Provides that if the public water system test for secondary standards exceeds the maximum contaminant level for iron for two consecutive months, the public water system shall do all of the following:

- (1) Within five days, the public water system shall perform a public water supply test of water pathogens and a public water supply test in accordance with the Lead and Copper Rule established by the EPA Primary Standards for drinking water. Requires that the test be performed at high-risk Tier I homes.
- (2) After 10 days, but before the expiration of 30 days, the public water system shall perform a retest of lead and copper and water pathogens at high-risk Tier I homes.
- (3) The public water system shall develop a corrosion control plan and submit that plan for review to the office of public health within one month. The office of public health shall approve or deny the plan within three months. The public water system shall implement the plan within four months.

Proposed law stipulates that if the Primary Standards test for drinking water under the Lead and Copper Rule required by proposed law reflects an exceedance of the maximum contaminant levels, the public water system shall furnish a notice to radio and television stations and daily newspapers serving the area as soon as possible, but not later than 24 hours after the system learns of the exceedance. Requires the system to also ensure that the public notice it prepares is published in a daily or weekly newspaper serving the area as soon as possible, but no later than 48 hours after learning of the exceedance. Requires that the public notice include all of the following information:

- (1) Specific information on the potential adverse health effects of lead contamination on infants,

children, and fetuses.

- (2) The potential sources of lead.
- (3) The compliance history of the public water supply on lead including its most recent testing data.
- (4) The cost and availability of replacement fixtures.
- (5) Contact information for medical assistance.

Proposed law requires each public water system to provide online for public access all of the following:

- (1) All drinking water test data including, but not limited to addresses and dates collected, sampling regimes including collection-site and tier status, directions for homeowner tap water sample collection procedures, and proof of validation of tier status, lead lines, and lead solder presence.
- (2) All corrosion control plans.
- (3) All audits and reviews of the material makeup of the public water system.

Proposed law provides that fines levied against public water systems for noncompliance shall be added to the Drinking Water Revolving Loan Fund provided for in present law, R.S. 40:2824.

Proposed law requires each public water system to perform an annual test of all of the following facilities:

- (1) Each child day care center licensed pursuant to present law, R.S. 17:407.31 et seq.
- (2) Each elementary school, in accordance with the Lead and Copper Rule established by the EPA Primary Standards for drinking water.

Proposed law requires that each test performed by a public water system pursuant to proposed law or the Lead and Copper Rule established by the EPA Primary Standards for drinking water shall conform to the following requirements:

- (1) For each test, the public water system shall provide to homeowners who perform the sampling a notice that complies with requirements of proposed law.
- (2) For each test, the public water system shall abide by the following requirements:
 - (a) The system shall not invalidate any sample after the sample has been analyzed.

- (b) The system shall not provide any small-mouth bottle to collect samples. Requires that bottles for sample collection shall be at least two inches in diameter at the mouth, and that the system shall retain information of bottle size and mouth diameter for all bottles provided to homeowners.
- (c) The system shall require that at least two sample draws be taken for each sampled home.
- (d) The system shall not provide any instruction to the homeowner that contravenes any provision of the mandated notice required by proposed law, and shall not provide any instruction designed to avoid a finding of iron, lead, or copper exceedance.
- (e) The system shall not discard any sample due to any upper limit of stagnation time.
- (f) The system shall not revalidate any sample that was previously invalidated.
- (g) The system shall not discard any sample for any reason without reporting the sample and reason for discard to the office of public health.

Present law, R.S. 40:31.33, establishes the safe drinking water fee. Provides for the amount of the fee and authorized uses of fee amounts collected by the state.

Present law provides that an authorized use of safe drinking water fees is to comply with the provisions of present law relative to inspections and tests of public water supplies. Proposed law revises present law to require that all testing of public water systems required by proposed law shall be funded by proceeds of the safe drinking water fee.

Effective Sept. 1, 2018.

(Amends R.S. 40:31.33(C)(1); Adds R.S. 40:5.6(C)-(H))