

**Assembly Bill No. 1168**

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Passed the Assembly September 6, 2005

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*Chief Clerk of the Assembly*

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Passed the Senate September 1, 2005

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2005, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

CHAPTER \_\_\_\_\_

An act to add Section 116294 to the Health and Safety Code, relating to public water systems.

LEGISLATIVE COUNSEL'S DIGEST

AB 1168, Saldana. Drinking water standards.

Existing law, the Calderon-Sher Safe Drinking Water Act of 1996, requires the State Department of Health Services to adopt regulations covering water testing, the monitoring of contaminants, the frequency and method of sampling and testing, the reporting of results, and other matters as may be necessary to determine and ensure the quality of domestic water supplies. Existing law, in part, defines "public water system," for this purpose, to mean a system for the provision of piped water to the public for human consumption which has 5 or more service connections.

This bill would require the department, when reviewing an application for a water system operating permit for a groundwater or ocean water desalination project, to identify potential contaminants and sources of contamination and ensure the safety and effectiveness of treatment processes.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) An increasing number of communities are looking at desalinating seawater as a potential new water supply.

(b) Millions of Californians, including infants and the elderly, could receive some of their drinking water from desalinated seawater.

(c) Currently, California has little experience with seawater desalination. There are only a few small-scale plants in operation.

(d) Potential contaminants in seawater are different from what is found in water drawn from rivers and lakes. For instance, some algal toxins, such as the "Red Tide," are found in seawater.

(e) It is vital for health and safety to ensure that the public knows that desalination processes will remove potentially dangerous contaminants.

(f) In addition, new desalination projects cost hundreds of millions of dollars to construct. It is important to know what contaminants must be removed before the projects are designed and constructed.

SEC. 2. Section 116294 is added to the Health and Safety Code, to read:

116294. (a) As part of its review of an application for a water system operating permit, pursuant to Section 116525, for a groundwater or ocean water desalination project, the department shall do all of the following:

(1) Identify potential sources of contamination, including municipal and industrial waste discharges, runoff, and any naturally occurring sources of contamination such as toxins produced by algae.

(2) Identify contaminants that may pose a potential health risk, including microbiological agents such as viruses and parasites, chemical contaminants such as endocrine disruptors, algal toxins, and naturally occurring constituents.

(3) Evaluate proposed treatment processes to ensure they will remove contaminants to safe levels.

(4) Evaluate the means proposed to ensure the reliability and security of treatment processes.

(5) Include in any public water system operating permit for a desalination project, measures that will ensure the reliability and security of the treatment processes.

(b) The department may adopt regulations necessary to implement this section.

Approved \_\_\_\_\_, 2005

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*Governor*