

AMENDED IN ASSEMBLY APRIL 17, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1127

Introduced by Assembly Member Carter
(Principal coauthor: Senator Negrete McLeod)

February 23, 2007

An act relating to public health to add Section 116365.6 to the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1127, as amended, Carter. Public health: percholorate: ~~state standards: report.~~ *drinking water standards: City of Realto: perchlorate.*

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.

Effective July 1, 2007, responsibility for the administration of the above-described provisions will be transferred to the State Department of Public Health.

The bill would authorize the department to contract with the Santa Ana Watershed Project Authority for the purposes of assessing and treating drinking water for perchlorate contamination in and around the City of Rialto, including the identification of perchlorate contamination in drinking water sources, the assessment and identification of inorganic and organic perchlorate in those sources, and the treatment of drinking water to meet primary drinking water standards for the protection of public health.

~~Existing law, the Perchlorate Contamination Prevention Program, required the Department of Toxic Substances Control to adopt regulations by December 31, 2005, specifying the best management practices for managing perchlorate materials after the effective date of those regulations, except in compliance with the best management practices specified in those regulations.~~

~~This bill would require the State Department of Public Health, no later than June 30, 2008, to prepare and submit to the Legislature a report reviewing state standards for perchlorate in drinking water that currently limit the amount of perchlorate in drinking water to 6 parts per billion, containing specified information and recommendations.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.~~

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

1 SECTION 1. Section 116365.6 is added to the Health and
2 Safety Code, to read:

3 116365.6. The department may contract with the Santa Ana
4 Watershed Project Authority for the purposes of assessing and
5 treating drinking water for perchlorate contamination in and
6 around the City of Rialto, including the identification of perchlorate
7 contamination in drinking water sources, the assessment and
8 identification of inorganic and organic perchlorate in those
9 sources, and the treatment of drinking water to meet primary
10 drinking water standards for the protection of public health.

11 SEC. 2. The Legislature finds and declares that the drinking
12 water of the City of Rialto and the surrounding communities has
13 been seriously impaired by perchlorate contamination in
14 groundwater aquifers, and that state funds may be advanced for
15 the purposes of providing the citizens of that area with pure and
16 potable water consistent with the requirements of Chapter 4
17 (commencing with Section 116270) of Part 12 of Division 104 of
18 the Health and Safety Code. It is therefore declared that a general
19 law cannot be made applicable within the meaning of Section 16
20 of Article IV of the Constitution, and that the enactment of this act
21 as a special law is necessary.

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

1 (a) After many months of review, the State Department of Public
2 Health has adopted a public health goal for reducing the maximum
3 allowable limit for perchlorate in drinking water to 6 parts per
4 billion (ppb).

5 (b) On October 5, 2006, the federal Centers for Disease Control
6 (CDC) issued a report stating that the health threat to women,
7 pregnant women, and fetuses from perchlorate contamination is
8 more serious than earlier believed.

9 (c) The state's adoption of a limit of 6 ppb for perchlorate in
10 drinking water was determined before the results of the CDC study
11 were available for public review.

12 (d) The State of Massachusetts, after due deliberation, has
13 recently adopted a state standard for drinking water that limits
14 perchlorate to 2 ppb, and has determined that this lower allowable
15 limit for perchlorate is necessary to ensure that drinking water is
16 safe for human consumption.

17 SEC. 2. (a) The State Department of Public Health shall, no
18 later than June 30, 2008, prepare and submit to the Legislature, a
19 report on state standards for perchlorate in drinking water that
20 currently limit the amount of perchlorate in drinking water to 6
21 parts per billion, taking into consideration the findings of a federal
22 Centers for Disease Control (CDC) study on perchlorate that was
23 issued on October 5, 2006. The report shall also consider a recently
24 adopted Massachusetts state standard for perchlorate that limits
25 the levels of perchlorate in drinking water in Massachusetts to 2
26 ppb.

27 (b) The report shall discuss its findings with regard to both the
28 CDC study and the Massachusetts state standard for perchlorate
29 described in subdivision (a), and shall make recommendations
30 concerning any changes that should be made in existing state
31 standards for perchlorate in drinking water.