

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1109**

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**Introduced by Assembly Member Chesbro**

February 18, 2011

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An act to amend Section 116380 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1109, as amended, Chesbro. Drinking water: point-of-use devices.

Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems, and requires the State Department of Public Health to adopt regulations for these purposes, as prescribed. Under existing law, regulations adopted by the department are required to include requirements governing the use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment, as provided. ~~Existing law also requires the department to adopt emergency regulations governing the permitted use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment.~~ *Existing law authorizes the department to develop limited emergency regulations governing the permitted use of point-of-entry and point-of-use treatment by public water systems in lieu of centralized treatment and requires that these emergency regulations remain in effect until the earlier of January 1, 2014, or the effective date of the required nonemergency regulations. Existing law limits these regulations to public water systems with less than 200 service connections.*

~~This bill would make technical, nonsubstantive changes to these provisions.~~

*This bill would, instead, limit these regulations to public water systems with less than 2,500 service connections and would permit the emergency regulations to remain in effect until the earlier of January 1, 2016, or the effective date of the required nonemergency regulations.*

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

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

1 SECTION 1. Section 116380 of the Health and Safety Code  
2 is amended to read:

3 116380. (a) In addition to the requirements set forth in Section  
4 116375, regulations adopted by the department pursuant to Section  
5 116375 shall include requirements governing the use of  
6 point-of-entry and point-of-use treatment by public water systems  
7 in lieu of centralized treatment where it can be demonstrated that  
8 centralized treatment is not immediately economically feasible,  
9 limited to the following:

- 10 (1) Water systems with less than ~~200~~ 500 service connections.
- 11 (2) Usage allowed under the federal Safe Drinking Water Act
- 12 and its implementing regulations and guidance.
- 13 (3) Water systems that have submitted preapplications with the
- 14 State Department of Public Health for funding to correct the
- 15 violations for which the point-of-entry and point-of-use treatment
- 16 is provided.

17 (b) The department shall adopt emergency regulations governing  
18 the permitted use of point-of-entry and point-of-use treatment by  
19 public water systems in lieu of centralized treatment.

20 (1) The emergency regulations shall comply with Section  
21 116552, and shall comply with all of the requirements set forth in  
22 subdivision (a) applicable to nonemergency regulations, but shall  
23 not be subject to the rulemaking provisions of the Administrative  
24 Procedure Act (Chapter 3.5 (commencing with Section 11340) of  
25 Part 1 of Division 3 of Title 2 of the Government Code). The  
26 emergency regulations shall take effect when filed with the  
27 Secretary of State, and shall be published in the California Code  
28 of Regulations.

29 (2) The emergency regulations adopted pursuant to this  
30 subdivision shall remain in effect until January 1, ~~2014~~ 2016, or

- 1 the effective date of *nonemergency* regulations adopted pursuant
- 2 to subdivision (a), whichever is earlier.

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