

ASSEMBLY BILL

No. 2022

Introduced by Assembly Member Gordon

February 16, 2016

An act to add Section 13570 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2022, as introduced, Gordon. Advanced purified demonstration water.

Existing law requires the State Department of Public Health to, on or before December 31, 2013, adopt uniform water recycling criteria for indirect potable reuse for groundwater recharge and to investigate and, on or before December 31, 2016, report to the Legislature on the feasibility of developing uniform water recycling criteria for direct potable reuse. Existing law transferred these powers and responsibilities to the State Water Resources Control Board on July 1, 2014.

Under existing law, the State Department of Public Health licenses and regulates water bottlers, distributors, and vendors. Existing law prescribes various quality and labeling standards for bottled water and limits the levels of certain contaminants that may be contained in those water products. Violation of these provisions is a crime.

This bill would authorize the operator of a facility producing advanced purified demonstration water, as defined, to cause that water to be bottled and distributed as samples for educational purposes and to promote water recycling. The bill would prohibit the advanced purified demonstration water from being distributed unless the water meets or is superior to all federal and state drinking water standards. The bill would authorize advanced purified demonstration water to be bottled at a licensed water-bottling plant in compliance with specified

provisions. The bill would further establish bottling and labeling requirements for advanced purified demonstration water and would prohibit a facility from bottling more than 2,500 gallons of the water in a calendar year. The bill would specify that a violation of these provisions does not constitute a crime.

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 13570 is added to the Water Code, to
 2 read:
 3 13570. (a) As used in this section, “advanced purified
 4 demonstration water” means product water from an advanced water
 5 purification facility that satisfies both of the following
 6 requirements:
 7 (1) The product water is treated by means of all of the following
 8 treatment processes:
 9 (A) Microfiltration, ultrafiltration, or other filtration processes
 10 to remove particulates before reverse osmosis.
 11 (B) Reverse osmosis.
 12 (C) Advanced oxidation.
 13 (2) The product water meets or is superior to all federal and
 14 state drinking water standards.
 15 (b) An advanced water purification facility may use an
 16 alternative treatment process in lieu of a process specified in
 17 subdivision (a) if the facility demonstrates to the Division of
 18 Drinking Water of the State Water Resources Control Board that
 19 the proposed alternative ensures at least the same level of protection
 20 to public health.
 21 (c) Except as expressly set forth in this section, the operator of
 22 a facility producing advanced purified demonstration water may
 23 cause that water to be bottled and distributed as samples for
 24 educational purposes and to promote water recycling, without
 25 complying with the requirements of Article 12 (commencing with
 26 Section 111070) of Chapter 5 of Part 5 of Division 104 of the
 27 Health and Safety Code.
 28 (d) Any operator seeking to bottle advanced purified
 29 demonstration water shall collect water samples prior to the
 30 commencement of the bottling process, and test that water in

1 accordance with Section 111165 of the Health and Safety Code.
2 Advanced purified demonstration water shall not be distributed
3 unless that water meets or is superior to all federal and state
4 drinking water standards, all maximum contaminant levels
5 established by the Division of Drinking Water of the State Water
6 Resources Control Board for public drinking water, and all water
7 purification requirements imposed by regulatory agencies on the
8 water reclamation facility that produces the product water being
9 used as advanced purified demonstration water.

10 (e) Advanced purified demonstration water may be bottled only
11 at a licensed water-bottling plant in compliance with Sections
12 111080, 111120, 111145, and 111155 of the Health and Safety
13 Code.

14 (f) Advanced purified demonstration water shall be handled
15 from the point of production to the completion of bottling in
16 accordance with all regulations governing the transportation,
17 bottling, and handling of bottled water, as defined in subdivision
18 (a) of Section 111070 of the Health and Safety Code, including,
19 but not limited to, subdivisions (b), (f), and (h) of Section 111075
20 of the Health and Safety Code. A water bottling plant that bottles
21 advanced purified demonstration water in accordance with this
22 section may also bottle other potable water, subject to compliance
23 with Article 12(commencing with Section 111070)of Chapter 5
24 of Part 5 of Division 104 of the Health and Safety Code.

25 (g) Advanced purified demonstration water shall be bottled in
26 nonreturnable (one-way) bottles or packages with labels containing
27 the following information in an easily readable format that
28 complies with all of the following:

29 (1) The label shall state “sample water--not for sale” and
30 “advanced purified water meeting all federal and state drinking
31 water standards.”

32 (2) The label shall set forth the name, address, telephone
33 number, and Internet Web site of the operator of the facility
34 producing the advanced purified demonstration water.

35 (3) The label shall include a brief description of the advanced
36 purified demonstration water, including its source and the treatment
37 processes to which the water is subjected.

38 (h) A single water purification facility may not bottle more than
39 2,500 gallons of advanced purified demonstration water in a
40 calendar year.

- 1 (i) Advanced purified demonstration water shall not be sold or
- 2 otherwise distributed in exchange for financial consideration.
- 3 (j) A violation of this section shall not be subject to Section
- 4 111825 of the Health and Safety Code.

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