

ASSEMBLY BILL

No. 2727

Introduced by Assembly Member House

February 22, 1996

An act to amend and renumber Section 4010.1 of the Health and Safety Code, relating to public water systems.

LEGISLATIVE COUNSEL'S DIGEST

AB 2727, as introduced, House. Public water systems.

Existing law, the Safe Drinking Water Act of 1989, requires the State Department of Health Services to administer provisions relating to the regulation of drinking water and public water systems, as defined, so as to protect public health, including, but not limited to, the conduct of research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water.

Existing law requires the department to enforce the federal Safe Drinking Water Act, to adopt enforcement regulations, and to conduct studies and investigations to assess the quality of water in domestic water supplies.

Existing law defines "public water system" for this purpose to mean a system for the provision of piped water to the public for human consumption that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

Existing law defines "noncommunity water system" as a public water system that either (1) serves drinking water to at least 25 nonresident individuals daily at least 60 days of the year, but not more than 24 yearlong residents, or (2) serves

15 or more service connections and any number of nonresident individuals at least 60 days of the year, but no yearlong residents.

This bill would add to the definition of noncommunity water systems any public water system with at least 15 and no more than 24 service connections if the public water system is operated only as a component of a business operating a food facility, as defined.

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

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

1 SECTION 1. Section 4010.1 of the Health and Safety
2 Code is amended and renumbered to read:
3 ~~{116275}4010.1.~~
4 116275. As used in this chapter:
5 (a) "Contaminant" means any physical, chemical,
6 biological, or radiological substance or matter in water.
7 (b) "Department" means the State Department of
8 Health Services.
9 (c) "Primary drinking water standards" means:
10 (1) Maximum levels of contaminants that, in the
11 judgment of the department, may have an adverse effect
12 on the health of persons.
13 (2) Specific treatment techniques adopted by the
14 department in lieu of maximum contaminant levels
15 pursuant to subdivision (c) of Section ~~4023.1~~ 116365.
16 (3) The monitoring and reporting requirements as
17 specified in regulations adopted by the department that
18 pertain to maximum contaminant levels.
19 (d) "Secondary drinking water standards" means
20 standards that specify maximum contaminant levels that,
21 in the judgment of the department, are necessary to
22 protect the public welfare. Secondary drinking water
23 standards may apply to any contaminant in drinking
24 water that may adversely affect the odor or appearance
25 of the water and may cause a substantial number of
26 persons served by the public water system to discontinue
27 its use, or that may otherwise adversely affect the public



1 welfare. Regulations establishing secondary drinking
2 water standards may vary according to geographic and
3 other circumstances and may apply to any contaminant
4 in drinking water that adversely affects the taste, odor, or
5 appearance of the water when the standards are
6 necessary to assure a supply of pure, wholesome, and
7 potable water.

8 (e) “Human consumption” means the use of water for
9 drinking, bathing or showering, hand washing, food
10 preparation, cooking, or oral hygiene.

11 (f) “Maximum contaminant level” means the
12 maximum permissible level of a contaminant in water.

13 (g) “Person” means an individual, corporation,
14 company, association, partnership, limited liability
15 company, municipality, public utility, or other public
16 body or institution.

17 (h) “Public water system” means a system for the
18 provision of piped water to the public for human
19 consumption that has 15 or more service connections or
20 regularly serves at least 25 individuals daily at least 60 days
21 out of the year. A public water system includes the
22 following:

23 (1) Any collection, treatment, storage, and
24 distribution facilities under control of the operator of the
25 system which are used primarily in connection with the
26 system.

27 (2) Any collection or pretreatment storage facilities
28 not under the control of the operator that are used
29 primarily in connection with the system.

30 (3) Any water system that treats water on behalf of
31 one or more public water systems for the purpose of
32 rendering it safe for human consumption.

33 (i) “Community water system” means a public water
34 system that serves at least 15 service connections used by
35 yearlong residents or regularly serves at least 25 yearlong
36 residents.

37 (j) (1) “Noncommunity water system” means a
38 public water system that meets one of the following
39 criteria:

40 (1)



1 (A) Serves drinking water to at least 25 nonresident
2 individuals daily at least 60 days of the year, but not more
3 than 24 yearlong residents.

4 ~~(2)~~

5 (B) Serves 15 or more service connections and any
6 number of nonresident individuals at least 60 days of the
7 year, but no yearlong residents.

8 (2) *“Noncommunity water system” also includes any*
9 *public water system with at least 15 and no more than 24*
10 *service connections, if the water system is operated only*
11 *as a component of a food facility as defined in Section*
12 *113785.*

13 (k) *“Local health officer” means a local health officer*
14 *appointed pursuant to Section ~~451~~—101000 or a local*
15 *comprehensive health agency designated by the board of*
16 *supervisors pursuant to Section ~~455.5~~—101275 to carry out*
17 *the drinking water program.*

18 (l) *“Significant rise in the bacterial count of water”*
19 *means a rise in the bacterial count of water that the*
20 *department determines, by regulation, represents an*
21 *immediate danger to the health of water users.*

22 (m) *“State small water system” means a system for the*
23 *provision of piped water to the public for human*
24 *consumption that serves at least five, but not more than*
25 *14, service connections and does not regularly serve*
26 *drinking water to more than an average of 25 individuals*
27 *daily for more than 60 days out of the year.*

28 (n) *“User” means any person using water for domestic*
29 *purposes. User does not include any person processing,*
30 *selling, or serving water or operating a public water*
31 *system.*

32 (o) *“Waterworks standards” means regulations*
33 *adopted by the department that take cognizance of the*
34 *latest available “Standards of Minimum Requirements for*
35 *Safe Practice in the Production and Delivery of Water for*
36 *Domestic Use” adopted by the California section of the*
37 *American Water Works Association.*

38 (p) *“Local primacy agency” means any local health*
39 *officer that has applied for and received primacy*



1 delegation from the department pursuant to Section
2 ~~4010.7-116330~~.

3 (q) “Service connection” means the point of
4 connection between the customer’s piping or ditch, and
5 the public community water system’s meter, service
6 pipe, or ditch.

7 (r) “Resident” means a person who physically
8 occupies, whether by ownership, rental, lease or other
9 means, the same dwelling for at least 60 days of the year.

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