

ASSEMBLY BILL

No. 1109

Introduced by Assembly Member Chesbro

February 18, 2011

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1109, as introduced, 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.

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

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 116380 of the Health and Safety Code
2 is amended to read:

1 116380. (a) In addition to the requirements set forth in Section
2 116375, ~~the~~ regulations adopted by the department pursuant to
3 Section 116375 shall include requirements governing the use of
4 point-of-entry and point-of-use treatment by public water systems
5 in lieu of centralized treatment where it can be demonstrated that
6 centralized treatment is not immediately economically feasible,
7 limited to the following:

8 (1) Water systems with less than 200 service connections.

9 (2) Usage allowed under the federal Safe Drinking Water Act
10 and its implementing regulations and guidance.

11 (3) Water systems that have submitted preapplications with the
12 State Department of Public Health for funding to correct the
13 violations for which the point-of-entry and point-of-use treatment
14 is provided.

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

18 (1) The emergency regulations shall comply with Section
19 116552, and shall comply with all of the requirements set forth in
20 subdivision (a) applicable to nonemergency regulations, but shall
21 not be subject to the rulemaking provisions of the Administrative
22 Procedure Act (Chapter 3.5 (commencing with Section 11340) of
23 Part 1 of Division 3 of Title 2 of the Government Code). The
24 emergency regulations shall take effect when filed with the
25 Secretary of State, and shall be published in the California Code
26 of Regulations.

27 (2) The emergency regulations adopted pursuant to this
28 subdivision shall remain in effect until ~~the earlier of~~ January 1,
29 2014, or the effective date of regulations adopted pursuant to
30 subdivision (a), *whichever is earlier*.