

Introduced by Senator AndersonFebruary 18, 2011

An act to amend Section 116380 of the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 877, as introduced, Anderson. Public water systems: point-of-use treatment.

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. 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, where feasible. 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 connection.

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: yes.
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares that there are
2 many limitations to providing the small, unincorporated
3 communities in California access to safe drinking water.

4 SEC. 2. Section 116380 of the Health and Safety Code is
5 amended to read:

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

13 (1) Water systems with less than ~~200~~ 2,500 service connections.

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

16 (3) Water systems that have submitted preapplications with the
17 State Department of Public Health for funding to correct the
18 violations for which the point-of-entry and point-of-use treatment
19 is provided.

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

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

32 (2) The emergency regulations adopted pursuant to this
33 subdivision shall remain in effect until the earlier of January 1,
34 ~~2014~~ 2016, or the effective date of *nonemergency* regulations
35 adopted pursuant to subdivision (a).

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