

AAC SAFE DRINKING WATER (previously HB-6615)

Section 85. (NEW) (Effective October 1, 2021) (a) As used in this section:

- (1) "Bottled water" has the same meaning as defined in section 21a-150 of the general statutes;
- (2) "Fill station" means a location at which customers of a water company may obtain potable water;
- (3) "Water company" has the same meaning as provided in section 25-32a of the general statutes;
- (4) "Small community water system" has the same meaning as provided in section 19a-37e of the general statutes;
- (5) "Commissioner" means the commissioner of the Department of Public Health or his or her designee; and
- (6) "Department" means the Department of Public Health.

(b) A water company shall update its emergency contingency plan prepared pursuant to section 25-32d of the general statutes and section 25-32d-3 of the regulations of Connecticut state agencies, to include information regarding the provision of alternative sources of potable water for human consumption that can be utilized as a temporary measure when there is a water supply emergency. For purposes of this section, water supply emergency means any event lasting more than twelve consecutive hours that results in the water supplied from the water company to residents that is not in compliance with the regulations of Connecticut state agencies concerning the purity and adequacy of drinking water. Such plan shall identify alternative sources of potable water for possible use at various stages of an emergency, including but not limited to bulk water provided by a bulk water hauler licensed pursuant to section 20-278h of the general statutes, bottled water, a fill station, interconnection or agreement with a nearby public water system for supplemental water supplies in the event of an emergency, other approved public water supply source or mechanism for providing water identified in the emergency contingency plan, or as otherwise approved by the commissioner. The commissioner, in consultation with water companies, shall prepare materials and provide guidance to such water companies to implement the provisions of this subsection. Nothing in this section shall prevent a water company from providing an alternative source of potable water for an event lasting less than 12 hours that may adversely impact the quality or quantity of potable water supplies.

(c) A small community water system shall update its emergency response plan required pursuant to section 19-13-B102 of the regulations of Connecticut state agencies to include information regarding the provision of alternative sources of potable water for human consumption that can be utilized as a temporary measure when there is a water supply emergency. For purposes of this section, water supply emergency means any event lasting more than twelve consecutive hours that results in the water supplied from the small community water system to residents that is not in compliance with the regulations of Connecticut state agencies concerning the purity and adequacy of drinking water. Such plan shall identify alternative sources of potable water for possible use at various stages of an emergency, including but not limited to, bulk water provided by a bulk water hauler licensed pursuant to section 20-278h of the general statutes, bottled water, a fill station,

interconnection or agreement with a nearby public water system for supplemental water supplies in the event of an emergency, or other approved public water supply source or mechanism for providing water identified in the emergency contingency plan. The commissioner, in consultation with water companies, shall prepare materials and provide guidance to such water companies to implement the provisions of this section. Nothing in this section shall prevent a water company from providing an alternative source of potable water for an event lasting less than 12 hours that may adversely impact the quality or quantity of potable water supplies.

Sec. 86. (NEW) (*Effective October 1, 2021*) A water company shall provide tier 1 notices to its consumers in the languages predominantly spoken by the consumers in the water company's service area. A water company shall update its emergency response plan prepared pursuant to section 25-32d of the general statutes or pursuant to section 19-13-B102 of the regulations of Connecticut state agencies to include information regarding the provision of such multilingual communications. For purposes of this section, "water company" has the same meaning as provided in section 25-32a of the general statutes and "tier 1 notices" has the same meaning as provided in section 19-13-B102 of the regulations of Connecticut state agencies.

Sec. 87. (NEW) (*Effective October 1, 2021*) If the Governor proclaims that a state of civil preparedness emergency, pursuant to section 28-9 of the general statutes, or a public health emergency, pursuant to section 19a-131 of the general statutes, exists, each community water system shall report the community water system's operational status to WebEOC as soon as practicable, but not later than eight hours after the time reporting on WebEOC is made available regarding such proclamation, and at any time thereafter that the status of such system significantly changes. For purposes of this section, "community water system" means a public water system that serves at least twenty-five residents, and "WebEOC" means a web-based emergency management information system used by the state to document routine and emergency events or incidents and provide a real-time common operating picture and resource request management tool for emergency managers at the local and state levels during exercises, drills, local or regional emergencies or state-wide emergencies.

Sec. 88. (NEW) (*Effective October 1, 2021*) (a) As used in this section:

- (1) "Consumer" has the same meaning as provided in section 25-32a of the general statutes;
- (2) "Owner" means the person or entity that owns or controls the small community water system; and
- (3) "Small community water system" has the same meaning as provided in section 19a-37e of the general statutes.

(b) Not later than January 1, 2025, each owner of a small community water system shall complete a small community water system capacity implementation plan on a form prescribed by the Department of Public Health demonstrating that such owner has the managerial, technical and financial capacity to continue to own and operate such system and shall implement such plan. Following the completion of the initial small community water system capacity implementation plan, each small community water system shall update such small community water system capacity implementation plan annually and make such small

community water system capacity implementation plan available to the department upon request. Such plan shall include:

- (1) A description of the small community water system, including the number of consumers and persons served, and sources of drinking water;
 - (2) Ownership and management information, including the type of ownership structure and the current names, addresses and telephone numbers of the owners, certified operators and emergency contact persons for the small community water system;
 - (3) Service area maps;
 - (4) Facilities maps, including the location of and specific information regarding sources, storage facilities, treatment facilities, pressure zones, booster pumps, hydrants, distribution lines, valves and sampling points;
 - (5) A description of such system's cross-connection control program;
 - (6) A description of such system's source water protection program;
 - (7) A copy of such system's emergency response plan required pursuant to section 19-13-B102 of the regulations of Connecticut state agencies;
 - (8) A capital improvement program, including the schedule that identifies all capital improvements scheduled for a five-year planning period and capital improvements or major projects scheduled for a twenty-year planning period;
 - (9) Water production and consumption information;
 - (10) Information regarding public water systems that are nearby, including the distance from the small community water system and type of public water system, if any. Such information shall be based on the coordinated water system plan approved by the Commissioner of Public Health pursuant to section 25-33h of the general statutes for the water utility coordinating committee in which such small community water system is located; and
 - (11) Financial capacity information, including:
 - (A) An evaluation of the small community water system's fiscal and assessment management plan prepared pursuant to section 19a-37e of the general statutes;
 - (B) A summary of the income and expenses for the five years preceding the date of submission of the plan;
 - (C) A five-year balanced operation budget;
 - (D) Water rate structure and fees charged, including information regarding how such rates and fees are updated and whether such rates and fees are sufficient to maintain cash flow stability and to fund the capital improvement program, as well as any emergency improvements; and
 - (E) An evaluation that has considered the affordability of water rates.
- (c) On or before July 1, 2025, and annually thereafter, the small community water system shall provide a summary of its small community water system capacity plan in the small community water system's consumer confidence report required by section 19-13-B102 of the regulations of Connecticut state agencies.
- (d) The provisions of this section shall not apply to a small community water system that is (1) regulated by the Public Utilities Regulatory Authority, (2) subject to the requirements set forth in section 25-32d of the general statutes, or (3) a state agency.
- (e) The provisions of this section shall be deemed to relate to the purity and adequacy of water supplies for the purposes of the imposition of a penalty under section 25-32e of the general statutes.

(f) The commissioner may adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to carry out the provisions of this section.

Sec. 89. Section 21a-150b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Qualified employees of a bottler shall collect samples of water from each approved source used by such bottler not less than once annually to test for contaminants for which allowable levels have been established in accordance with 21 CFR 165.110 and regulations adopted pursuant to sections 21a-150 to 21a-150j, inclusive, [as amended by this act](#), and not less than once every three years to test for contaminants for which monitoring is required pursuant to sections 21a-150 to 21a-150j, inclusive, [as amended by this act](#), but for which no allowable level has been established. Qualified employees of an approved laboratory shall analyze such samples to determine whether such source complies with the provisions of sections 21a-150 to 21a-150j, inclusive, [as amended by this act](#), any regulation adopted pursuant to said sections and any allowable contaminant level set forth in 21 CFR 165.110. Microbiological analysis shall be conducted not less than once each calendar quarter if the source of such water is other than a public water supply and shall be in addition to any sampling and analysis conducted by any government agency or laboratory.

(b) Qualified employees of a bottler shall collect samples of water from any source used by such bottler when such bottler knows or has reason to believe that water obtained from such source contains an unregulated contaminant in an amount which may adversely affect the health or welfare of the public. Qualified employees of an approved laboratory shall analyze such samples periodically to determine whether water obtained from any such source is safe for public consumption or use.

[\(c\) On or before January 1, 2022, and annually thereafter, qualified employees of a bottler shall \(1\) collect samples of water from each approved source that is located in the state, that has been inspected and approved by the Department of Public Health pursuant to subdivision \(2\) of subsection \(a\) of section 21a-150a and is used by such bottler, prior to any treatment, to test for perfluoroalkyl substances and other unregulated contaminants, and \(2\) have such samples analyzed by an environmental laboratory registered by the Department of Public Health pursuant to section 19a-29a that has the Environmental Protection Agency approved certification to conduct such analysis. For purposes of this subsection, "unregulated contaminant" means a contaminant for which the Commissioner of Public Health, pursuant to section 22a-471, has set a level at which such contaminant creates or can reasonably be expected to create an unacceptable risk of injury to the health or safety of persons drinking such source of water.](#)

Sec. 90. Section 21a-150d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) A laboratory which analyzes any water sample in accordance with any provision of sections 21a-150 to 21a-150j, inclusive, [as amended by this act](#), shall report the results of such analysis to the bottler of such water.

(b) Such results shall be available for inspection by the Department of Consumer Protection.

(c) A bottler shall report any result which indicates that a water sample contains contaminants in an amount exceeding any applicable standard to the Department of Consumer Protection not later than twenty-four hours after learning of such result.

(d) A bottler shall report the results of the analysis conducted pursuant to subsection (c) of section 21a-150b, as amended by this act, to the Department of Public Health and the Department of Consumer Protection not later than nine calendar days after receipt of the results from the environmental laboratory. If such results exceed the level set by the Commissioner of Public Health pursuant to section 22a-471 for such perfluoroalkyl substances and other unregulated contaminants, the Department of Public Health may require such bottler to discontinue use of its approved source until such source no longer creates an unacceptable risk of injury to the health or safety of persons drinking the bottled water that comes from such source. The Department of Public Health shall notify the Department of Consumer Protection of any source for which the Department of Public Health has discontinued use until such source no longer creates an unacceptable risk of injury to the health or safety of the persons drinking the bottled water that comes from such source. For purposes of this section, "unregulated contaminant" means a contaminant for which the Commissioner of Public Health, pursuant to section 22a-471, has set a level at which such contaminant creates or can reasonably be expected to create an unacceptable risk of injury to the health or safety of the persons drinking such source of water.

~~(d)~~ (e) All records of any sampling or analysis conducted in accordance with the provisions of sections 21a-150 to 21a-150j, inclusive, as amended by this act, shall be maintained on the premises of the bottler for not less than five years.

Sec. 91. Section 25-40a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Not later than twenty-four hours after obtaining a public water system test result that shows a contaminant at a level that is in violation of the federal Environmental Protection Agency national primary drinking water standards for a public water system that does not submit a water supply plan pursuant to section 25-32d of the general statutes, the environmental laboratory that performed the test shall notify any persons who requested such test or such person's designee, in a form and manner prescribed by the Commissioner of Public Health, of such test result. Such person shall notify the Department of Public Health in a form and manner prescribed by the Commissioner of Public Health not later than twenty-four hours after obtaining such notification. For purposes of this subsection, "contaminant" means e. coli, lead, nitrate and nitrite.

(b) Not later than five business days after receiving notice that a public water system is in violation of the federal Environmental Protection Agency national primary drinking water standards, the Commissioner of Public Health, or the commissioner's designee, shall give written or electronic notification of such violation to the chief elected official of the municipality where such public water system is located and of any municipality that is served by such public water system.

Sec. 92. (NEW) (*Effective October 1, 2021*) Each health care institution, as defined in section 19a-490 of the general statutes, required to obtain potable water as a temporary measure to alleviate a water supply shortage shall obtain such potable water from (1) a bulk water hauler, licensed pursuant to section 20-278h of the general statutes, or (2) a bottler, as defined in section 21a-150 of the general statutes.