



AN ACT CONCERNING SAFE DRINKING WATER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

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

2 (1) "Bottled water" has the same meaning as defined in section 21a-
3 150 of the general statutes;

4 (2) "Drinking water" means water, treated or untreated, intended for
5 human use and consumption, including, but not limited to, drinking,
6 bathing, showering, cooking, dishwashing and maintaining oral
7 hygiene;

8 (3) "Fill station" means a location at which customers of a water
9 company may obtain drinking water from a water company that is not
10 affected by an event impacting the quality or quantity of drinking water
11 being provided to consumers;

12 (4) "Consumer" has the same meaning as provided in section 25a-32a
13 of the general statutes; and

14 (5) "Water company" has the same meaning as provided in section 25-
15 32a of the general statutes.

16 (b) A water company shall provide to its consumers an alternative
17 source of drinking water as a temporary measure when there is a water

18 main break, loss of system pressure or other event that the water
19 company determines may last more than eight consecutive hours and
20 that the Department of Public Health determines may affect the quality
21 or quantity of water being provided to such consumers. Alternative
22 sources of water include bulk water provided by a bulk water hauler
23 licensed pursuant to section 20-278h of the general statutes, bottled
24 water or a fill station. A water company shall update its emergency
25 response plan prepared pursuant to section 25-32d of the general
26 statutes or pursuant to section 19-13-B102 of the regulations of
27 Connecticut state agencies, as applicable, to include information
28 regarding how such water company will comply with this section.

29 Sec. 2. (NEW) (*Effective October 1, 2021*) A water company shall
30 provide tier 1 notices to its consumers in the languages predominantly
31 spoken by the consumers in the water company's service area. A water
32 company shall update its emergency response plan prepared pursuant
33 to section 25-32d of the general statutes or pursuant to section 19-13-
34 B102 of the regulations of Connecticut state agencies to include
35 information regarding the provision of such multilingual
36 communications. For purposes of this section, "water company" has the
37 same meaning as provided in section 25-32a of the general statutes and
38 "tier 1 notices" has the same meaning as provided in section 19-13-B102
39 of the regulations of Connecticut state agencies.

40 Sec. 3. (NEW) (*Effective October 1, 2021*) If the Governor proclaims that
41 a state of civil preparedness emergency, pursuant to section 28-9 of the
42 general statutes, or a public health emergency, pursuant to section 19a-
43 131 of the general statutes, exists, each community water system shall
44 report the community water system's operational status to WebEOC as
45 soon as practicable, but not later than eight hours after the time of such
46 proclamation, and at any time thereafter that the status of such system
47 changes. For purposes of this section, "community water system" means
48 a public water system that serves at least twenty-five residents, and
49 "WebEOC" means a web-based emergency management information
50 system used by the state to document routine and emergency events or

51 incidents and provide a real-time common operating picture and
52 resource request management tool for emergency managers at the local
53 and state levels during exercises, drills, local or regional emergencies or
54 state-wide emergencies.

55 Sec. 4. (NEW) (*Effective October 1, 2021*) (a) As used in this section:

56 (1) "Consumer" has the same meaning as provided in section 25-32a
57 of the general statutes;

58 (2) "Owner" means the person or entity that owns or controls the
59 small community water system; and

60 (3) "Small community water system" has the same meaning as
61 provided in section 19a-37e of the general statutes.

62 (b) Not later than January 1, 2025, each owner of a small community
63 water system shall complete a small community water system capacity
64 implementation plan on a form prescribed by the Department of Public
65 Health demonstrating that such owner has the managerial, technical
66 and financial capacity to continue to own and operate such system and
67 shall implement such plan. Following the completion of the initial small
68 community water system capacity implementation plan, each small
69 community water system shall update such small community water
70 system capacity implementation plan annually and make such small
71 community water system capacity implementation plan available to the
72 department upon request. Such plan shall include:

73 (1) A description of the small community water system, including the
74 number of consumers and persons served, and sources of drinking
75 water;

76 (2) Ownership and management information, including the type of
77 ownership structure and the current names, addresses and telephone
78 numbers of the owners, certified operators and emergency contact
79 persons for the small community water system;

80 (3) Service area maps;

81 (4) Facilities maps, including the location of and specific information
82 regarding sources, storage facilities, treatment facilities, pressure zones,
83 booster pumps, hydrants, distribution lines, valves and sampling
84 points;

85 (5) A description of such system's cross-connection control program;

86 (6) A description of such system's source water protection program;

87 (7) A copy of such system's emergency response plan required
88 pursuant to section 19-13-B102 of the regulations of Connecticut state
89 agencies;

90 (8) A capital improvement program, including the schedule that
91 identifies all capital improvements scheduled for a five-year planning
92 period and capital improvements or major projects scheduled for a
93 twenty-year planning period;

94 (9) Water production and consumption information;

95 (10) Information regarding public water systems that are nearby,
96 including the distance from the small community water system and type
97 of public water system, if any. Such information shall be based on the
98 coordinated water system plan approved by the Commissioner of
99 Public Health pursuant to section 25-33h of the general statutes for the
100 water utility coordinating committee in which such small community
101 water system is located; and

102 (11) Financial capacity information, including:

103 (A) An evaluation of the small community water system's fiscal and
104 assessment management plan prepared pursuant to section 19a-37e of
105 the general statutes;

106 (B) A summary of the income and expenses for the five years
107 preceding the date of submission of the plan;

108 (C) A five-year balanced operation budget;

109 (D) Water rate structure and fees charged, including information
110 regarding how such rates and fees are updated and whether such rates
111 and fees are sufficient to maintain cash flow stability and to fund the
112 capital improvement program, as well as any emergency
113 improvements; and

114 (E) An evaluation that has considered the affordability of water rates.

115 (c) On or before July 1, 2025, and annually thereafter, the small
116 community water system shall provide a summary of its small
117 community water system capacity plan in the small community water
118 system's consumer confidence report required by section 19-13-B102 of
119 the regulations of Connecticut state agencies.

120 (d) The provisions of this section shall not apply to a small
121 community water system that is (1) regulated by the Public Utilities
122 Regulatory Authority, (2) subject to the requirements set forth in section
123 25-32d of the general statutes, or (3) a state agency.

124 (e) The provisions of this section shall be deemed to relate to the
125 purity and adequacy of water supplies for the purposes of the
126 imposition of a penalty under section 25-32e of the general statutes.

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

130 Sec. 5. Section 21a-150b of the general statutes is repealed and the
131 following is substituted in lieu thereof (*Effective October 1, 2021*):

132 (a) Qualified employees of a bottler shall collect samples of water
133 from each approved source used by such bottler not less than once
134 annually to test for contaminants for which allowable levels have been
135 established in accordance with 21 CFR 165.110 and regulations adopted
136 pursuant to sections 21a-150 to 21a-150j, inclusive, as amended by this

137 act, and not less than once every three years to test for contaminants for
138 which monitoring is required pursuant to sections 21a-150 to 21a-150j,
139 inclusive, as amended by this act, but for which no allowable level has
140 been established. Qualified employees of an approved laboratory shall
141 analyze such samples to determine whether such source complies with
142 the provisions of sections 21a-150 to 21a-150j, inclusive, as amended by
143 this act, any regulation adopted pursuant to said sections and any
144 allowable contaminant level set forth in 21 CFR 165.110. Microbiological
145 analysis shall be conducted not less than once each calendar quarter if
146 the source of such water is other than a public water supply and shall
147 be in addition to any sampling and analysis conducted by any
148 government agency or laboratory.

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

157 (c) On or before January 1, 2022, and annually thereafter, qualified
158 employees of a bottler shall (1) collect samples of water from each
159 approved source that is located in the state, that has been inspected and
160 approved by the Department of Public Health pursuant to subdivision
161 (2) of subsection (a) of section 21a-150a and is used by such bottler, prior
162 to any treatment, to test for perfluoroalkyl substances and other
163 unregulated contaminants, and (2) have such samples analyzed by an
164 environmental laboratory registered by the Department of Public
165 Health pursuant to section 19a-29a that has the Environmental
166 Protection Agency approved certification to conduct such analysis. For
167 purposes of this subsection, "unregulated contaminant" means a
168 contaminant for which the Commissioner of Public Health, pursuant to
169 section 22a-471, has set a level at which such contaminant creates or can

170 reasonably be expected to create an unacceptable risk of injury to the
171 health or safety of persons drinking such source of water.

172 Sec. 6. Section 21a-150d of the general statutes is repealed and the
173 following is substituted in lieu thereof (*Effective October 1, 2021*):

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

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

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

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

201 Public Health, pursuant to section 22a-471, has set a level at which such
202 contaminant creates or can reasonably be expected to create an
203 unacceptable risk of injury to the health or safety of the persons drinking
204 such source of water.

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

209 Sec. 7. Section 25-40a of the general statutes is repealed and the
210 following is substituted in lieu thereof (*Effective October 1, 2021*):

211 (a) Not later than twenty-four hours after obtaining a public water
212 system test result that shows a contaminant at a level that is in violation
213 of the federal Environmental Protection Agency national primary
214 drinking water standards, the environmental laboratory that performed
215 the test shall notify any persons who requested such test and the
216 Department of Public Health, in a form and manner prescribed by the
217 Commissioner of Public Health, of such test result. For purposes of this
218 subsection, "contaminant" means e. coli, lead, nitrate and nitrite.

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

227 Sec. 8. (NEW) (*Effective October 1, 2021*) Each health care institution,
228 as defined in section 19a-490 of the general statutes, required to obtain
229 potable water as a temporary measure to alleviate a water supply
230 shortage shall obtain such potable water from (1) a bulk water hauler,
231 licensed pursuant to section 20-278h of the general statutes, or (2) a

232 bottler, as defined in section 21a-150 of the general statutes.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2021</i> | New section |
| Sec. 2 | <i>October 1, 2021</i> | New section |
| Sec. 3 | <i>October 1, 2021</i> | New section |
| Sec. 4 | <i>October 1, 2021</i> | New section |
| Sec. 5 | <i>October 1, 2021</i> | 21a-150b |
| Sec. 6 | <i>October 1, 2021</i> | 21a-150d |
| Sec. 7 | <i>October 1, 2021</i> | 25-40a |
| Sec. 8 | <i>October 1, 2021</i> | New section |

PH *Joint Favorable Subst.*

ENV *Joint Favorable*