
OLR Bill Analysis

sHB 5530

AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING BULK WATER HAULERS.

SUMMARY:

Starting October 1, 2014, this bill requires bulk water haulers to be licensed with the Department of Public Health (DPH). "Bulk water hauling" is the transportation of more than 250 gallons of water to a system in which it is likely to be used or ingested by humans. It permits bulk water hauling only as a temporary measure to alleviate a short-term water shortage. The bill authorizes the DPH commissioner to adopt regulations to ensure the safety of water hauled by bulk and to implement the licensure process.

Under the bill, an individual who violates any bulk water hauling laws or regulations is guilty of a class C misdemeanor, punishable by imprisonment for up to three months, a fine of up to \$500, or both.

EFFECTIVE DATE: Upon passage

BULK WATER HAULING

Licensure

Applications for a bulk water hauler license must be made on a DPH form and include satisfactory evidence that the applicant is qualified to engage in bulk water hauling. Applications and renewals (every two years) cost \$100. The bill prohibits granting a license to any applicant with a pending professional disciplinary action or unresolved complaint in Connecticut or another jurisdiction.

Under the bill, DPH must establish the qualifications for licensure as well as requirements designed to ensure that any water transported in bulk is fit for human use and consumption.

Safety Requirements

Any water transported in bulk must meet the laws and DPH regulations governing water quality, including the physical, radiological and microbiological standards set for public drinking water. In addition, the bill prohibits delivering bulk water to any consumer without first notifying his or her water company.

The bill also allows the commissioner to periodically inspect any equipment or material used in connection with bulk water hauling as well as the water supply from which the water originated. She may issue any order necessary to protect the public health. Such an order may not be stayed upon appeal by a licensee.

Enforcement of Noncompliance

The commissioner may take disciplinary action against a bulk water hauler for (1) fraud or deceit in obtaining or renewing a license; (2) fraud or deceit in rendering services under the license; (3) negligent, incompetent, or wrongful conduct; or (4) violating any bulk water hauling laws or regulations. The commissioner may take appropriate disciplinary action, including revoking or suspending license, after providing notice and an opportunity for a hearing.

BACKGROUND

Related Bills

SB 306, reported favorably by the Environment and Appropriations committees, requires the Department of Energy and Environmental Protection (DEEP) commissioner, within available appropriations, to arrange for potable drinking water to be transported to residential and school buildings affected by pollution.

sHB 5420, File 407, reported favorably by the Environment Committee, requires the DEEP commissioner to make water available for the firefighting and public health needs of certain communities affected by pollution. It requires DEEP to cover the full cost of providing such water.

sHB 5424, File 467, reported favorably by the Environment Committee, requires the Water Planning Council to develop water

emergency response plans.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/21/2014)