House Bill 5186, An Act Concerning Safe Drinking Water

The Department of Public Health (DPH) supports House Bill 5186, which revises the statutes regarding safe drinking water and bottled water. The Department would like to thank the Public Health Committee for raising the Department’s bill, and for the opportunity to testify on these important issues.

Section 1 requires a water company, as defined in section 25-32a of the general statutes, to provide an alternative source of drinking water to its customers when there is a water main break, loss of system pressure or other event that may affect the quality and quantity of drinking water being served when the event will last more than eight hours. Most outage events that DPH is aware of do not last more than eight hours. While many water companies already provide alternative sources of drinking water to their customers when they experience an extended event that may affect the quality and quantity of drinking water being served, not all do. Requiring water companies to provide an alternative source of drinking water, such as bottled water or a water filling station, to customers when there is an extended service interruption will help to ensure that all customers who are impacted by the event, including those customers who are homebound, have access to safe drinking water.

Section 2 proposes that owners of certain small community water companies produce capacity implementation plans (CIPs) to assist in recognizing, funding, and addressing upgrades to their systems prior to a failure of a system component, water quality issue, or development of a system deficiency. Specifically, owners of certain small community public water systems will be required to prepare, by 2026, a CIP regarding the owner’s managerial, technical and financial capacity to own and operate such system. There are approximately 330 small community public water systems, which are public water systems that serve 1,000 or fewer residents, whose owners would be required to produce these plans. Water companies regulated by the Public Utilities Regulatory Authority (PURA), water companies that submit water supply plans to DPH pursuant to section 25-32d of the general statutes, and state agencies will be exempted from the requirement to submit a CIP.
Many owners of small systems wait until they are issued a regulatory violation to conduct needed water system maintenance, which places the customers of these systems in harm’s way and in a position by which they may possibly consume unsafe drinking water. In addition, many systems have aging infrastructure that, if left alone, may result in a water quality violation. The CIP will provide owners of small systems with a roadmap for achieving and maintaining public water system sustainability and resiliency. Once these plans are prepared, DPH staff will, using such plans, coach and provide significant technical assistance to the owners of these small community water systems and their certified operators on the benefits of the plan as a guide to staying in compliance with state and federal public drinking water statutes and regulations. Development of the CIPs by these small community water systems will assist them to assure future system sustainability and proactively avoid future water quality or quantity public health code violations.

Sections 3 and 4 require that bottlers collect samples from and test each DPH-approved bottled water source in Connecticut for unregulated contaminants annually. Results of such testing must be provided to DPH, due to the public health concerns surrounding unregulated contaminants. There are currently four DPH-approved sources for bottled water located in Connecticut, and these are the sources that bottlers would be required to sample and test. If the results of such sampling exceed the levels set by the Commissioner pursuant to section 22a-471 of the general statutes, then DPH may require the bottler to discontinue use until such time as water from such source may be rendered safe to drink. By requiring bottlers who own the four DPH-approved sources in Connecticut to test for unregulated contaminants, the Department can ensure that these sources meet the health advisory limits set by DPH.

Section 5 requires that an environmental laboratory conducting an analysis of a drinking water sample notify both the public water system that requested the analysis and DPH not later than twenty-four hours after obtaining a test result that shows a contaminant at a level that is in violation of the federal Environmental Protection Agency national primary drinking water standards. Requiring the laboratory to notify DPH, in addition to the water system, within twenty-four hours will ensure that DPH is aware of all violations immediately. Learning of such violations immediately enables DPH to work with a water system's operational staff to respond quickly, assure that appropriate corrective actions are being taken to find and quickly address the problem, and ensure that the customers of the system are notified of the violation in a timely manner, as required by the drinking water regulations.

DPH respectfully requests that the following changes be made to House Bill 5186:

Line 26: insert “own or” before “operate” and insert “such system” after “operate” so that it reads “such system’s managerial, technical and financial capacity to own and operate such system”.

Line 29: insert “or sources” after “source” and insert “drinking” before “water” so that it reads “source or sources of drinking water that is supplied to its consumers”.

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Line 70: delete “and” after “capacity” so that it reads “the system capacity implementation plan”.

Lines 117 to 118: replace “each approved source used by such bottler that is located in the state and” with “each source approved by the Department of Public Health pursuant to subdivision (2) of subsection (a) of section 21a-150a of the general statutes used by such bottler and”.

This bill will support the health of all Connecticut residents by ensuring they have access to safe and adequate public drinking water.

Thank you for your consideration of this information. We encourage committee members to reach out to DPH with any questions.