

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-6615

Title: AN ACT CONCERNING SAFE DRINKING WATER.

Vote Date: 3/26/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/17/2021

File No.: 439

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SPONSORS OF BILL:

PUBLIC HEALTH COMMITTEE
DEPARTMENT OF PUBLIC HEALTH

REASONS FOR BILL:

To improve the availability of clean safe drinking water for Connecticut citizens, HB 6615 makes revisions to existing general statutes regarding safe drinking water and bottled water.

Substitute language begins at Line 55 (Section 4) and does not propose repeal of Section 19a-37f of the General Statutes. It also proposes a definition for a small community water system, consistent with Section 19a-37e of the General Statutes. It instructs owners of small community water systems to develop an implementation plan that covers operational, financial, and administrative requirements.

RESPONSE FROM ADMINISTRATION/AGENCY:

Deidre S. Gifford, MD, MPH, Acting Commissioner, Connecticut Department of Public Health

Section 1: While many water companies already provide alternative sources of drinking water to their customers when they experience such an extended event, 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: This new communication requirement will assure health equity by ensuring that most if not all customers of the community served by the water company are adequately notified of drinking water precautions that need to be exercised by the consumer.

Section 3: The emergency reporting of operational status via WebEOC will promptly notify all agencies and entities participating in the Emergency Operation Center (EOC), and the incident command of a water supply incident that needs coordinated response from multiple agencies with various jurisdictional capacity.

Section 5: Many owners of small systems wait until issued a public health code 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. Once capacity implementation 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 water system operators on the benefits of the plan as a guide to staying in compliance with state and federal public drinking water statutes and regulations.

Sections 6,7: 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 8: Requiring the testing laboratory to notify DPH, in addition to the water system, within twenty-four hours will ensure that the Department is aware of all violations immediately. Learning of such violations immediately enables DPH to work with the water system's operational staff to respond to a violation rapidly, 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.

Section 9: Requiring health care institutions to obtain potable water as a temporary measure is done to ensure that some of Connecticut's most vulnerable residents continuously receive quality drinking water.

DPH requests substitute language for Section 4 as assessment fee language already is included in the Governor's bill, HB 6443

NATURE AND SOURCES OF SUPPORT:

Alison K. McHorney, Save The Sound

Water is our most crucial resource and it is of vital importance to our environment and public health. Under this bill, water companies must provide an alternative source of drinking water to consumers in the event of a water main break, loss of system pressure, or any event which the Department of Public Health determines will affect the quality and quantity of the water provided to consumers.

HB 6615 will require water bottlers to annually test their approved sources within the state for perfluoroalkyl substances (PFAS) and other unregulated contaminants. PFAS are known to have adverse health effects on humans including low birth weights, hormone disruption, and effects on the immune system. This bill will also require small community water systems to prepare capacity implementation plans which will ensure proper functioning and oversight of the water systems.

NATURE AND SOURCES OF OPPOSITION:

Elizabeth Gara Connecticut Water Works Association (CWWA)

Section 1: As drafted, Section 1 of HB-6615 imposes a difficult and impractical compliance burden on Connecticut's water companies which will undermine efforts to address water supply disruptions occurring due to water main breaks or other events. The language triggering the requirement to provide alternative water supplies is overly broad and could apply to hundreds of situations, at considerable cost

Section 2: As drafted, this creates several compliance issues. How are water companies expected to determine which languages are predominately spoken in the service area? How is service area, which may include several towns or portions of towns, delineated? Given the various distribution methods, how can water companies satisfy this requirement?

Section 4: CWWA would like this section removed as it is already covered in the Governor's Bill, HB 6443.

Section 5: CWWA is concerned that the bill will require DPH to use limited staff and resources to develop and administer a comprehensive reporting requirement on small systems rather than relying on existing regulatory tools and processes to address these issues.

Section 8: CWWA believes the language should be clarified to ensure that it does not have unintended consequences.

John Walsh, P.E., Vice-President of Operations & Utility Innovation, Aquarion Water Company

Section 1: This Section would place a difficult to administer compliance requirement on water company resources tasked with quickly restoring water service to consumers.

Section 2: This Section imposes a difficulty in determining appropriate languages by service areas based on the definitions provided in this section.

Section 4: As drafted, this legislation would permanently shift the burden of primacy program costs to water company customers via higher water rates. Given the state's continued budget challenges, we are also concerned that revenues generated from the assessment may be used to support other non-primacy related activities and/or staff within the department, unfairly burdening customers when they are already facing COVID-19 related financial difficulties.

Additional Sources of Testimony in Opposition:

Connecticut Water Company (CWC)
South Central Connecticut Regional Water Authority

Reported by: David Rackliffe

Date: April 20, 2021