



Ohio Legislative Service Commission

Bill Analysis

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S.B. 269

131st General Assembly
(As Introduced)

Sens. Schiavoni, Yuko, Cafaro, Brown, Gentile, Thomas, Sawyer, Skindell

BILL SUMMARY

Notice of lead contamination in drinking water

- Requires a public water system to notify the Director of Environmental Protection not later than 24 hours after becoming aware that lead contamination may affect the system's drinking water.
- Requires a public water system to provide notice to persons that may be affected by lead contamination not later than 30 days after the system becomes aware that lead contamination may affect the system's drinking water.
- If a public water system fails to meet the 30-day notice deadline, requires the Director to provide the notice within five days of the system's failure to meet the deadline.
- If the Director provides the notice, requires the Director to ensure that staff of the Environmental Protection Agency conduct testing of the public water system's water and provide on-site assistance to the public water system.

Monitoring lead and copper in drinking water

- Requires the Director to adopt rules governing the monitoring frequency for lead and copper that apply under specified circumstances.

CONTENT AND OPERATION

Notice of lead contamination in drinking water

The bill requires a public water system to notify the Director of Environmental Protection not later than 24 hours of becoming aware that lead contamination may

affect the system's drinking water. The Director then may order the public water system to conduct appropriate actions regarding the lead contamination.¹ The bill also requires the public water system to provide notice to persons that may be affected by the lead contamination not later than 30 days after the system becomes aware that the lead contamination may affect the system's drinking water. Current law requires a public water system to identify and provide notice to potential affected persons, but does not establish a deadline by which a system must accomplish such identification and notification.²

If the public water system fails to provide the required notice to potentially affected persons, the Director must provide the notice within five days of the system's failure to meet the notice deadline.³ After the Director provides the notice, the bill requires the Director to ensure that a member or members of the staff of the Environmental Protection Agency regularly conduct testing for lead in the public water system's water and provide continuing on-site assistance to the public water system to ensure compliance with the Safe Drinking Water Law.⁴

Monitoring lead and copper in drinking water

The bill requires the Director to adopt rules governing the monitoring frequency for lead and copper that apply under specified circumstances. While current law requires every owner or operator of a public water system to have analyses of the water made at such intervals and in such manner as may be ordered by the Environmental Protection Agency,⁵ the bill establishes specific requirements that the Director must adopt governing the analyses.

Specifically, not later than 120 days after the bill's effective date, the Director must adopt rules that require a public water system to conduct monitoring for lead and copper at a frequency of not less than one monitoring period every six months and require a new or updated corrosion control treatment plan when any of the following applies:

- (1) The public water system changes the source from which water is obtained;

¹ R.C. 6109.10(C).

² R.C. 6109.10(D)(1).

³ R.C. 6109.10(D)(3).

⁴ R.C. 6109.10(D)(3).

⁵ R.C. 6109.12(A).

(2) The public water system makes substantial renovations or repairs to any water treatment plant or system; or

(3) Any other event occurs that could potentially impact the quality or corrosiveness of water in the public water system.

In addition, the Director must continue to require the monitoring at a frequency of not less than one monitoring period every six months until at least two consecutive monitoring periods have shown that lead or copper levels do not exceed standards for lead or copper established under rules adopted under the Safe Drinking Water Law.⁶

HISTORY

ACTION	DATE
Introduced	02-01-16

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⁶ R.C. 6109.12(B).

