
DIGEST

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HB 533 Engrossed

2017 Regular Session

Hunter

Abstract: Requires enforcement of the primary and secondary drinking water standards established by the U.S. Environmental Protection Agency.

Present law provides for the inspection and testing of public drinking water to enforce the federal Safe Drinking Water Act.

Proposed law retains present law and requires the Dept. of Environmental Quality (DEQ), the La. Dept. of Health (LDH), and the Public Service Commission (PSC) to ensure that the potable water provided to the public for use and consumption meets all of the primary drinking water standards and the secondary drinking water standards for contaminants which may potentially be harmful established by the U.S. Environmental Protection Agency.

Proposed law requires DEQ, LDH, and the PSC to conduct random unannounced inspections at sufficient intervals to determine compliance with proposed law or when deemed necessary and to post and maintain the results of the inspections conducted pursuant to proposed law on their respective internet website.

Proposed law requires each water utility system to conduct tests to confirm compliance with proposed law and to submit a report of the results of the inspection to DEQ, LDH, and the PSC, who shall post and maintain the reports on their respective internet websites.

Proposed law authorizes LDH, if the results of a test show an imminent danger to human health, to appoint a fiscal administrator for the water utility system who shall immediately consult with the chief executive of the entity that owns the water utility system to determine the appropriate action to take to ensure the safety of the drinking water.

Proposed law requires DEQ, LDH, and the PSC to promulgate appropriate penalties, including but not limited to civil fines, for any violation of proposed law. In the absence of promulgated penalties, proposed law requires imposition of the civil fines established by the U.S. Environmental Protection Agency.

Proposed law authorizes a request for an appropriation through the Interim Emergency Board for any funding necessary to take the appropriate action to bring a water utility system into compliance with proposed law and sets the funding priority.

Proposed law provides for a credit on a customer's water utility bill for each day that the water

supplied to the consumer did not meet the standards required by proposed law.

Proposed law applies exclusively to any municipality with a population greater than 1,100 but less than 1,180 located within a parish with a population less than 6,000 as of the latest federal decennial census.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 40:5.6.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Limit the applicable secondary drinking water standards to color, corrosivity, iron, and manganese.
2. Change the required testing frequency from monthly to the regular testing schedule established by federal and state law, rules, and regulations.
3. Specify that public notice is required in an effort to mitigate liability and provide adequate notice.
4. Change the requirement that LDH appoint a fiscal administrator to an authorization.
5. Change the required time period for the appointed fiscal administrator to consult with the chief executive from timely to within 48 hours.
6. Specify that the fiscal administrator shall limit his duties to an advisory oversight capacity for a private entity.
7. Limit applicability of proposed law.
8. Make proposed law effective upon signature of the governor.