



| | | | | | | |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|
| Home | Bill Information | California Law | Publications | Other Resources | My Subscriptions | My Favorites |
|------|------------------|----------------|--------------|-----------------|------------------|--------------|

AB-541 California Safe Drinking Water Act: wildfire aftermath: benzene testing. (2023-2024)

SHARE THIS:  

Date Published: 10/10/2023 09:00 PM

Assembly Bill No. 541

CHAPTER 530

An act to add Section 116596 to the Health and Safety Code, relating to water.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 541, Wood. California Safe Drinking Water Act: wildfire aftermath: benzene testing.

The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health.

This bill would direct the board to require a public water system that has experienced a wildfire event meeting specified criteria to perform sample collection and analysis of its source waters, treatment facilities, conveyance facilities, distribution systems, or a combination thereof, for the presence of benzene as soon as it is safe to do so. The bill would authorize the state board to require a public water system response that includes specified measures if a public water system conducts sampling and finds detectable concentrations of benzene.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Wildfires have been increasing in frequency and severity in California. Recent wildfires have severely damaged critical infrastructure unable to withstand wildfire temperatures, underscoring the need to fire harden critical infrastructure.

(b) Recent fires have left communities such as Santa Rosa and Paradise with unforeseen wildfire recovery challenges due to the presence of contaminants, including benzene, within water system infrastructure.

(c) Benzene is both a natural and human-made compound used as a building block for industrial products such as plastic, lubricants, rubber, detergents, and pesticide. It is also found in crude oil, gasoline, and wildfire smoke. It has been connected to various physical ailments, according to federal warnings, including skin and eye irritation, and vomiting from short-term exposure. Long-term exposure has been linked to anemia and leukemia.

(d) Water transmission and distribution infrastructure can be impacted during wildfires, disrupting the ability to supply safe drinking water to occupancies during postfire recovery.

SEC. 2. Section 116596 is added to the Health and Safety Code, to read:

116596. (a) The state board shall require a public water system that has experienced a wildfire event of 300 acres or more, if the event damaged or destroyed a structure or structures connected to the public water system's water distribution system, to perform sample collection and analysis of its source waters, treatment facilities, conveyance facilities, distribution systems, or a combination thereof, for the presence of benzene as soon as it is safe to do so.

(b) If a public water system conducts sampling and finds detectable concentrations of benzene, the state board may require a public water system response, including all the following:

(1) A requirement that investigation and additional testing be completed in consultation with, or at the direction of, the state board.

(2) Timelines for investigation and additional testing.

(3) Additional testing frequency and duration.

(4) Additional testing locations, such as specific locations within a distribution system.

(5) Flushing prior to confirmed detections of contamination.

(6) Requirements to provide notice to affected customers upon a finding of contamination, including the form and content of the notices and when the notice shall be provided.

(7) Remediation measures if contamination is found in the source waters, treatment facilities, conveyance facilities, distribution systems, or a combination thereof, such as taking sources offline, flushing within the distribution system, repairs, and replacements.

(c) For purposes of this section, "wildfire" has the same meaning as defined in Section 51177 of the Government Code.

(d) This section does not limit the state board's authority under any other law.