

By: Senator(s) Moffatt

To: Environment Prot, Cons
and Water Res

SENATE BILL NO. 2539

1 AN ACT TO AMEND SECTION 41-26-8, MISSISSIPPI CODE OF 1972, TO
2 REMOVE THE REPEALER ON CORROSION INHIBITOR LEVELS IN PUBLIC WATER
3 SYSTEMS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 41-26-8, Mississippi Code of 1972, is
6 amended as follows:

7 41-26-8. (1) The director shall exercise general
8 supervision over the construction and operation of public water
9 systems throughout the state. The general supervision shall
10 include all of the features of construction and operation of
11 public water systems which do or may affect the sanitary quality
12 or the quantity of the water supply.

13 (2) (a) No person shall construct or change any community
14 public water system or nontransient, noncommunity public water
15 system until the plans for that construction or change have been
16 submitted to and approved by the director. Plans for the
17 construction or change must be prepared by a professional engineer
18 registered in this state.

19 (b) In addition, each applicant for a new community
20 public water system or nontransient, noncommunity public water
21 system shall submit an operation and maintenance plan for review
22 and approval by the director. The plan must be approved before
23 beginning construction.

24 (c) In granting any approval under this section, the
25 director may specify any modifications, conditions or limitations
26 as may be required for the protection of the public health and
27 welfare.

28 (d) The director may also review the source of the
29 water and the quantity of water to be withdrawn.

30 (e) Records of construction, including plans and
31 descriptions of existing portions of a public water system, shall
32 be made available to the department upon request.

33 (f) Each applicant for a new community public water
34 system or nontransient, noncommunity public water system shall
35 submit financial and managerial information as required by the
36 public utilities staff. Following review of that information, the
37 executive director of the public utilities staff shall certify in
38 writing to the director the financial and managerial viability of
39 the system if the executive director determines the system is
40 viable. The director shall not approve the construction until
41 that certification is received.

42 (g) The director shall not approve any plans for
43 changes to an existing community public water system or
44 nontransient, noncommunity public water system, if the director
45 determines the changes would threaten the viability of the system
46 or if the changes may overload the operational capabilities of the
47 system.

48 (h) Those public water systems determined by the
49 director to be appropriately providing corrosion control treatment
50 shall effectively operate and maintain the system's water
51 treatment facilities in order to continuously provide the optimum
52 pH of the treated water or optimum dosage of corrosion
53 inhibitor. * * *

54 (3) Each semipublic water system shall notify the department
55 of its location, a responsible party and the number of connections
56 served. The department shall, to the extent practicable, take
57 appropriate actions to ensure that records on semipublic water
58 systems are up-to-date. The board may require water well drillers
59 to provide information on wells drilled for use by semipublic
60 water systems. The department shall at least annually collect a

61 sample from each semipublic water system and shall analyze that
62 sample at no cost to the semipublic water system for
63 microbiological contaminants and any other contaminants deemed
64 appropriate by the department. If the department finds levels of
65 contaminants exceeding the Mississippi Primary Drinking Water
66 Standards, the department shall notify the responsible party and
67 shall provide technical assistance to the system to correct the
68 problem. No semipublic water system shall be subject to the
69 penalty provided under Section 41-26-31, Mississippi Code of 1972.

70 **SECTION 2.** This act shall take effect and be in force from
71 and after its passage.