

By: Senator(s) Hopson

To: Public Health and Welfare

SENATE BILL NO. 2494

1 AN ACT TO REQUIRE PUBLIC WATER SYSTEMS TO PROVIDE CERTAIN
 2 NOTICE OF BOIL WATER NOTICES AND VIOLATIONS OF DRINKING WATER
 3 QUALITY STANDARDS; TO PROVIDE THAT THE NOTICE REQUIRED BY THIS ACT
 4 SHALL BE IN ADDITION TO ANY OTHER NOTICE REQUIRED BY STATE OR
 5 FEDERAL LAW; TO REQUIRE THE BOIL WATER NOTICE BE PROVIDED TO THE
 6 MAYOR AND MUNICIPAL CLERK OF EACH MUNICIPALITY THAT RECEIVES WATER
 7 FROM THE PUBLIC WATER SYSTEM; TO REQUIRE A PUBLIC WATER SYSTEM TO
 8 POST THE BOIL WATER NOTICE ON ANY WEBSITE AND SOCIAL MEDIA
 9 ACCOUNTS THAT THE SYSTEM MAINTAINS FOR THE PUBLIC OR ITS
 10 CUSTOMERS; TO PRESCRIBE THE REQUIRED INFORMATION TO BE GIVEN IN
 11 THE NOTICE; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** (1) Whenever any public water system experiences
 14 an emergency or other condition that requires the issuance of a
 15 boil water notice, the owner or operator of the public water
 16 system shall provide notice that a boil water notice is in effect
 17 to:

18 (a) The mayor and municipal clerk of each municipality
 19 that receives water from the public water system; and

20 (b) The affected customers.

21 (2) (a) The notice required to be given to a mayor and
 22 municipal clerk pursuant to subsection (1)(a) of this section



23 shall be provided as soon as possible, but in no case later than
24 one (1) hour after the public water system learns of the emergency
25 or other condition that required the issuance of a boil water
26 notice.

27 (b) The notice required to be given to affected
28 customers pursuant to subsection (1)(b) of this section shall be
29 given as soon as possible, but in no case later than twenty-four
30 (24) hours after the public water system learns of the emergency
31 or other condition that required the issuance of a boil water
32 notice. Beginning October 1, 2019, the owner or operator of the
33 public water system shall notify its customers of a boil water
34 notice via the preferred means of direct contact for each customer
35 as provided pursuant to subsection (3) of this section.

36 (c) The notice required to be given pursuant to
37 subsection (1) of this section shall be issued in addition to any
38 other notice required by state or federal law.

39 (d) The notice required to be given pursuant to
40 subsection (1) of this section shall contain the following
41 information:

- 42 (i) The name of the public water system affected;
- 43 (ii) The geographical area affected;
- 44 (iii) The date of the occurrence;
- 45 (iv) The consumer corrective measures to be taken
46 by consumers of the water from the public water system; and



47 (v) A telephone number where the mayor, the
48 municipal clerk, and customers may reach an appropriate party to
49 address questions or other concerns about the boil water notice or
50 the situation necessitating issuance of the notice.

51 (e) Upon rescission of the boil water notice, the owner
52 or operator of the public water system shall provide notice of the
53 rescission to (i) the mayor and municipal clerk of each
54 municipality that receives water from the public water system, and
55 (ii) the affected customers.

56 (f) The public water system shall also post notice of
57 the boil water notice on any website and social media accounts
58 that the public water system maintains for the public or its
59 customers.

60 (g) As used in this section, "boil water notice" means
61 a Tier 1 Public Notice required pursuant to the United States
62 Environmental Protection Agency's National Primary Drinking Water
63 Regulations at Section 141, Subpart Q of Title 40, Code of Federal
64 Regulations.

65 (3) (a) Before September 1, 2019, the owner or operator of
66 each public water system shall include in the water bills issued
67 by the system for each customer a solicitation for the customer's
68 preferred means of direct contact, from the options made available
69 to each customer by the owner or operator. It shall be the
70 responsibility of the customer to notify the owner or operator of



71 the public water system of a change in the preferred method of
72 direct contact provided pursuant to this subsection.

73 (b) If a customer does not return the solicitation
74 provided for in paragraph (a) of this subsection or otherwise
75 specify a preferred means of direct contact, and the public water
76 system has a telephone number on file for the account, the owner
77 or operator of the public water system shall attempt to notify the
78 customer via telephone or other means of direct contact, at the
79 discretion of the owner or operator.

80 (c) A public water system shall have or acquire the
81 capability to notify its customers by direct contact, which may
82 include telephone, electronic mail or text message.

83 (4) (a) In addition to any other notice required by state
84 or federal law, the owner or operator of a public water system
85 shall immediately notify, by telephone and electronic mail, the
86 governing body and municipal clerk of a municipality and the chief
87 administrator of every school district, charter school and
88 nonpublic school located within the municipality whenever the
89 public water system violates any drinking water quality standard
90 for drinking water supplied by the public water system within the
91 municipality.

92 (b) The notification required pursuant to this
93 subsection (4) shall provide:

94 (i) The name of any contaminant that exceeds a
95 drinking water quality standard;



96 (ii) The maximum contaminant level or the action
97 level, as appropriate, for the contaminant;
98 (iii) The dates when the tests were performed;
99 (iv) The level of the contaminant found on each
100 date;
101 (v) The location of each sample tested; and
102 (vi) Information on suggested remedies that a
103 customer may take to address the violation.

104 **SECTION 2.** This act shall take effect and be in force from
105 and after July 1, 2019.

