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LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, Duvall.
General Subject: Potable reuse demonstration water.



Under existing law, the State Department of Public Health licenses and regulates water bottlers, distributors, and vendors. Existing law prescribes various quality and labeling standards for bottled water and limits the levels of certain contaminants that may be contained in those water products. Violation of these provisions is a crime.

This bill would allow the bottling of potable reuse demonstration water, as defined, to be distributed, free of charge, for educational purposes or to promote water recycling. The bill would establish specific bottling, labeling, and sanitation for potable reuse demonstration water. Because this bill would create a new crime, it imposes a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

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This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.



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An act to add Section 111187 to the Health and Safety Code, relating to bottled water.



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

SECTION 1. Section 111187 is added to the Health and Safety Code, to read:

111187. (a) As used in this section, "potable reuse demonstration water" means secondary effluent from a wastewater treatment facility operated by a wastewater treatment agency with a source control program that goes beyond conventional source control, and that satisfies both of the following requirements:

(1) The secondary effluent is treated by means of all of the following treatment processes:

(A) Microfiltration, ultrafiltration, or other filtration processes to remove particulates before reverse osmosis.

(B) Reverse osmosis.

(C) Advanced oxidation by means of ultraviolet light and peroxide.

(2) The secondary effluent meets or exceeds all federal and state drinking water standards, and all maximum contaminant levels set by the department for public drinking water.

(b) Except as expressly set forth in this section, the operator of a facility producing potable reuse demonstration water may cause that water to be bottled and distributed for educational purposes and to promote water recycling, without complying with the requirements of this article.

(c) Any operator seeking to bottle potable reuse demonstration water shall collect water samples prior to the commencement of the bottling process, and test that water in accordance with Section 111165. Potable reuse demonstration water shall not be distributed unless that water meets or exceeds all federal and state drinking water



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standards, all maximum contaminant levels established by the department for public drinking water, and all conditions imposed by regulatory agencies on the water quality of the product water being used as potable reuse demonstration water.

(d) Potable reuse demonstration water may only be bottled at a licensed water-bottling plant in compliance with Sections 111120, 111145, and 111155.

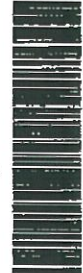
(e) Potable reuse demonstration water shall be handled from the point of production to the completion of bottling in accordance with all regulations governing the transportation, bottling, and handling of bottled water, as defined in subdivision (a) of Section 111070, including, but not limited to, subdivisions (b), (f), and (h) of Section 111075. A water bottling plant that bottles potable reuse demonstration water in accordance with this section may also bottle other potable water, subject to compliance with this article.

(f) Potable reuse demonstration water shall be bottled in nonreturnable (one-way) bottles or packages with labels containing the following information in an easily readable format that complies with all of the following:

(1) The label shall state "not for sale" and "highly treated recycled wastewater meeting all federal and state drinking water standards."

(2) The label shall set forth the name, address, telephone number, and Internet Web site of the operator of the facility producing the potable reuse demonstration water.

(3) The label shall include a brief description of the potable reuse demonstration water, including its source and the treatment processes to which the water is subjected.



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(g) A specific water recycling facility may bottle not more than ___ gallons of potable reuse demonstration water in a calendar year.

(h) No potable reuse demonstration water shall be sold or otherwise distributed in exchange for financial consideration.

(i) Bottled potable reuse demonstration water may be distributed at no cost for educational purposes or to promote water recycling.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

