# STATE OF NEW YORK

10927

# IN ASSEMBLY

May 29, 2018

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to notification levels of emerging contaminants

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Subdivisions 6, 7 and 9 of section 1112 of the public health law, as added by section 1 of part M of chapter 57 of the laws of 2017, are amended to read as follows:

6. The commissioner shall promulgate regulations establishing notification levels for any emerging contaminant listed pursuant to subdivision three of this section. Any notification level established pursuant to this subdivision shall be equal to or lower than any federal lifetime health advisory level established pursuant to the federal Safe Drinking Water Act (42 U.S.C. § 300g-1). If no federal lifetime health advisory level has been established, the commissioner shall establish notification levels based upon the available scientific information, and may take into consideration recommendations of the drinking water quality council established pursuant to section eleven hundred thirteen of this title. **Such notification levels shall be made easily accessible to the public through a link that is posted on the department's website and updated regularly.**

7. Notwithstanding subdivision three of this section, the commissioner may, by declaration, add any physical, chemical, microbiological or radiological substance to the list of emerging contaminants established pursuant to subdivision three of this section, establish a notification level, and require testing for such substance, if the commissioner determines that: (i) such substance poses or has the potential to pose a significant hazard to human health when present in drinking water; (ii) such substance was recently detected in a public water system and has the potential to be present in other public water systems; and (iii) it appears to be prejudicial to the interests of the people to delay action by preparing and filing regulations. The commissioner shall, however, promulgate regulations adding such new emerging contaminant or estab-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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lishing such notification level within one year of such declaration. Such declaration shall clearly state where and the date by which such testing must occur. After the commissioner promulgates regulations adding such emerging contaminant, such regulations shall supersede the declaration issued pursuant to this subdivision. **Until such notification levels are posted on the department's website pursuant to subdivision six of this section, the commissioner shall post the notification levels established by declaration on such website so that they are easily accessible through a link to the public.**

9. The commissioner shall work in consultation with the commissioner of the department of environmental conservation to develop educational materials, and may take into consideration recommendations of the drinking water quality council established pursuant to section eleven hundred thirteen of this title. Such educational materials shall be made available **through a link on the department's website that is easily accessible** to the covered public water system and the general public, relating to methodologies for reducing exposure to emerging contaminants and potential actions that may be taken to mitigate or remediate emerging contaminants. **Such link shall also include information relating to notification levels established by declaration pursuant to subdivision seven of this section and by regulation pursuant to subdivision six of this section. The commissioner shall coordinate with the United States Environmental Protection Agency to ensure that the information available on the EPA's Drinking Water Watch website is available to public water systems and that information available on the EPA's Safe Drinking Water Information System is available to the public through an easily accessible link on the department's website. The website and such links shall allow, to the extent practicable, the public to easily access information including but not limited to, basic water system information, including system identification number, name and type, department contacts, public notices, violations and enforcement actions taken by the state and federal government. The website and such links shall be monitored and updated regularly by the department.** The commissioner shall also provide the covered public water system with information relating to potential funding sources provided by the state and federal government for mitigation or remedial activities, and to reduce the exposure to emerging contaminants.

§ 2. This act shall take effect immediately.