

Senate Bill 442

By: Senators Weber of the 40th, Tolleson of the 20th, Balfour of the 9th, Murphy of the 27th, Adelman of the 42nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated,
2 relating to wells and drinking water, so as to provide a short title; to make legislative
3 findings; to define certain terms; to provide that the Georgia Environmental Facilities
4 Authority shall issue a request for proposal for an engineering study to identify
5 interconnections and redundancies so as to achieve district-wide interconnection within the
6 Metropolitan North Georgia Water Planning District; to provide for a written emergency
7 water supply plan; to provide for the contents of such plan; to provide for coordination of
8 activities; to provide for the completion of such written plan and submission to certain
9 officers; to provide for an exclusion from public disclosure; to provide an effective date; to
10 repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 This Act shall be known and may be cited as the "Water System Interconnection,
14 Redundancy, and Reliability Act."

15 style="text-align:center">**SECTION 2.**

16 Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to wells
17 and drinking water, is amended by adding a new part to read as follows:

18 style="text-align:center">"Part 6

19 12-5-200.

20 The General Assembly finds that:

21 (1) Water is an essential resource, the continued provision of which is necessary for the
22 health, safety, and welfare of the State of Georgia; and

23 (2) It is in the best interests of the State of Georgia for public water systems in
 24 metropolitan North Georgia to evaluate their withdrawal, treatment, and distribution
 25 systems and to take proactive measures to reduce the risk of catastrophic interruptions of
 26 water service during emergencies.

27 12-5-201.

28 As used in this part, the term:

29 (1) 'Authority' means the Georgia Environmental Facilities Authority created by Code
 30 Section 50-23-3.

31 (2) 'District' means the Metropolitan North Georgia Water Planning District created by
 32 Code Section 12-5-572.

33 (3) 'Emergency plan' means the written emergency water supply plan developed as
 34 provided in Code Section 12-5-202.

35 (4) 'Essential water needs' means the minimum amount of water needed for eating,
 36 drinking, toilet flushing, fire fighting, hospital use, and critical asset use and a portion of
 37 the system's unaccounted for water.

38 (5) 'Qualified system' means any nontransient public water system in the district.

39 12-5-202.

40 (a) Not later than September 1, 2010, the authority shall issue a request for proposal for
 41 a thorough and detailed engineering study developing a district-wide emergency plan
 42 covering every qualified system. Such plan shall identify sufficient emergency water
 43 supply sources and detailed steps required to modify a qualified system's operations to
 44 accept or share water with adjacent water providers during emergencies to supply essential
 45 water needs.

46 (b) The emergency plan shall identify and plan for:

47 (1) A district-wide interconnection reliability target for immediate implementation as
 48 follows:

49 (A) For qualified systems utilizing smaller water sources, approximately 35 percent of
 50 the annual average daily demand; and

51 (B) For qualified systems utilizing the major water supply sources of Lake Lanier,
 52 Allatoona Lake, the Chattahoochee River, or the Etowah River, approximately 35
 53 percent of the annual average daily demand when the largest water treatment plant is
 54 offline; and

55 (2) A long-range district-wide interconnection reliability planning goal as follows:

56 (A) For qualified systems utilizing smaller water sources, approximately 65 percent of
 57 the annual average daily demand; and

58 (B) For qualified systems utilizing the major water supply sources of Lake Lanier,
59 Allatoona Lake, the Chattahoochee River, or the Etowah River, approximately 65
60 percent of the annual average daily demand when the largest water treatment plant is
61 offline.

62 (c) Such plan shall be based on the 2035 water demand forecasted by the district in 2009
63 and shall include or be based upon:

64 (1) An evaluation of factors affecting water system reliability, including raw and finished
65 water storage, infrastructure conditions, equipment redundancy, and existing
66 interconnection capability;

67 (2) Detailed hydraulic studies to determine overall distribution system improvements
68 required to meet projected demands;

69 (3) A consideration of various emergency situations, including, without limitation, the
70 failure of the largest water treatment system of a qualified system and the unavailability
71 of any raw water sources;

72 (4) An evaluation of the feasibility and cost effectiveness of providing multidirectional
73 flows at existing and future interconnections with a pipe diameter equal to or greater than
74 12 inches;

75 (5) A continuously updated inventory of distribution system components, including good
76 system maps;

77 (6) Steps that must be taken to receive water from an adjacent utility or to provide water
78 to another utility, including required new infrastructure and the location of such
79 infrastructure for both the interconnection reliability target for immediate implementation
80 and the long-range interconnection planning goal;

81 (7) Consideration of chemical compatibility, treatment requirements, water quality,
82 operating pressure, and impact on water withdrawal permits; and

83 (8) A detailed estimate of the costs of implementation for both the interconnection
84 reliability target for immediate implementation and the long-range interconnection
85 planning goal.

86 (d) Each qualified system shall coordinate with and assist the authority in the development
87 of the emergency plan.

88 12-5-203.

89 (a) The authority shall ensure the completion of the emergency plan not later than July 31,
90 2011, and shall submit the emergency plan to the director of the Environmental Protection
91 Division of the Department of Natural Resources, the director of the Georgia Emergency
92 Management Agency, the Governor, Lieutenant Governor, Speaker of the House of
93 Representatives, and chairpersons of the Senate and House Committees on Natural

94 Resources and Environment and of the Senate and House Committees on Appropriations
95 not later than August 1, 2011.

96 (b) The authority shall update the emergency plan periodically.

97 (c) The emergency plan and all supporting studies and documents shall be considered
98 records that, if disclosed, would compromise security against sabotage or criminal or
99 terrorist acts and the nondisclosure of which is necessary for the protection of life, safety,
100 or public property and, therefore, shall be subject to the exception from public disclosure
101 requirement provided in paragraph (15) of subsection (a) of Code Section 50-18-72.

102 (d) The costs of producing the emergency plan shall be borne by the authority."

103 **SECTION 3.**

104 This Act shall become effective upon its approval by the Governor or upon its becoming law
105 without such approval.

106 **SECTION 4.**

107 All laws and parts of laws in conflict with this Act are repealed.