

House Bill 1501

By: Representatives Gisler of the 121st, Frye of the 122nd, McClain of the 109th, Tran of the 80th, Oliver of the 84th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to counties and municipal corporations, so as to require that the
3 Environmental Protection Division of the Department of Natural Resources maintain a public
4 website for monitoring levels of certain contaminants in public water systems; to provide for
5 annual reports and recommendations to the General Assembly; to provide for notice to water
6 utility companies operating public water systems when contaminant levels exceed certain
7 thresholds; to require that water utility companies in receipt of such notice notify all residents
8 receiving water from the affected public water system; to provide for definitions; to provide
9 for related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general
13 provisions applicable to counties and municipal corporations, is amended by adding a new
14 Code section to read as follows:

15 "36-60-34.

16 (a) As used in this Code section, the term:

H. B. 1501

17 (1) 'Division' means the Environmental Protection Division of the Department of Natural
18 Resources.

19 (2) 'Hazard index' means a sum of fractions in which each fraction compares the level
20 of each PFAS measured in the water to the highest level below which there is no risk of
21 health effects.

22 (2) 'Maximum contaminant level' or 'MCL' means the legal threshold limit on the amount
23 of a substance that is allowed in a public water system.

24 (3) 'PFAS' means any perfluoroalkyl or polyfluoroalkyl substance, any substance that
25 degrades to a perfluoroalkyl or polyfluoroalkyl substance, and any precursor of a
26 perfluoroalkyl or polyfluoroalkyl substance.

27 (4) 'Public water system' shall have the same meaning as set forth in Code
28 Section 12-5-172.

29 (b) The MCLs for the PFAS regulated under this Code section shall be as follows:

30 (1) For perfluorooctanoic acid (PFOA), an MCL of 4.0 parts per trillion;

31 (2) For perfluorooctanesulfonic acid (PFOS), an MCL of 4.0 parts per trillion;

32 (3) For perfluorohexanesulfonic acid (PFHxS), an MCL of 10.0 parts per trillion;

33 (4) For perfluorononanoic acid (PFNA), an MCL of 10.0 parts per trillion;

34 (5) For hexafluoropropylene oxide-dimer acid (HFPO-DA), commonly known as GenX
35 chemicals, an MCL of 10.0 parts per trillion; and

36 (6) For mixtures containing two or more of PFHxS, PFNA, HFPO-DA, or
37 perfluorobutanesulfonic acid (PFBS), a hazard index MCL of 1;

38 provided, however, that the division shall, at least once per year, assess whether the United
39 States Environmental Protection Agency has established an MCL different than the MCL
40 for any substance under this subsection and submit a report to the General Assembly by
41 December 31 of each year documenting its findings and providing recommendations for
42 revising or maintaining the MCLs for substances under this subsection.

43 (c) The division shall develop and maintain a website that the public may access to find
44 the levels of PFAS in each public water system in this state. Such website shall:

45 (1) Be accessible using a prominently displayed link on the Drinking Water web page
46 of the division's website;

47 (2) Include a chart or link to a chart showing the MCL thresholds so as to allow users to
48 monitor their public water system's PFAS levels relative to the MCLs; and

49 (3) Include PFAS levels for every public water system, to the extent that such
50 information is available to the division. Where PFAS levels are not available to the
51 division, the website shall indicate the approximate date on which PFAS levels will be
52 available online and shall post the PFAS levels online as soon as they are available.

53 (d) If, in the division's monitoring of PFAS for purposes of compliance with this Code
54 section, the division finds any PFAS in a public water system that exceeds the MCL, the
55 division shall promptly notify the water utility company that operates the affected public
56 water system.

57 (e) Upon receiving notice from the division that a PFAS MCL has been exceeded in a
58 public water system, the water utility company that operates such public water system shall
59 provide prompt notice of the excess PFAS levels to all residents of this state who receive
60 water from such public water system.

61 (f) The notice to residents required under subsection (e) of this Code section shall:

62 (1) Be sent through the United States Postal Service to the address at which each resident
63 is receiving water from the public water system;

64 (2) Include a brochure that the division shall develop explaining PFAS and including a
65 chart showing the MCLs;

66 (3) Inform the resident that PFAS in excess of MCLs have been detected in the resident's
67 water supply; and

68 (4) Provide the exact level of each PFAS chemical that exceeds the MCLs."

69

SECTION 2.

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