

Reprinted 3/3/86

FEB 17 1986

HOUSE FILE 2303

On Calendar

BY COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

(Formerly House File 2101)

Passed House, Date 2-27-86 (p 477) Passed Senate, Date _____

Vote: Ayes 99 Nays 0 Vote: Ayes _____ Nays _____

Approved May 5

A BILL FOR

1 An Act to require a one-time, extensive test for water
2 contaminants in certain public water supplies.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2303

1 Section 1. Each public water supply system regulated under
2 chapter 455B which serves a city under chapter 362, each
3 benefited water district created under chapter 357 and each
4 rural water district created under chapter 357A shall test the
5 finished water of that water supply for presence of synthetic
6 organic chemicals and pesticides. The department of water,
7 air and waste management shall adopt rules governing the
8 testing under this Act. The rules shall include the
9 procedures for gathering water samples; the synthetic organic
10 chemicals and pesticides, but not more than thirty-five of
11 each, for which the samples are to be tested; the approved
12 analytical methods for conducting the analysis of water
13 samples; and the reporting of the analytical results to the
14 department. The department shall adopt a schedule for the
15 tests which requires that all municipal public water supply
16 systems serving a city of more than one thousand in population
17 shall complete the testing not later than January 1, 1987 and
18 that all others shall complete the testing not later than
19 January 1, 1988. All of the tests shall be conducted by the
20 state hygienic laboratory which shall not charge more than
21 three hundred thirty dollars for the initial test. The state
22 hygienic laboratory shall allow private well samples to
23 undergo the same analysis for the same price. The department
24 shall submit a report to the general assembly by April 1, 1988
25 of the findings of the tests and the conclusions which may be
26 drawn from them.

27 EXPLANATION

28 This bill requires that municipal waterworks, benefited
29 water districts and rural water districts in the state have
30 their water tested for the presence of synthetic organic
31 compounds and pesticides to the extent prescribed by the
32 department of water, air and waste management. The initial
33 tests shall be conducted by the state hygienic laboratory for
34 not more than \$330. Private wells may undergo the same
35 analysis for the same price.

HOUSE FILE 2303

H-5107

1 Amend House File 2303 as follows:

- 2 1. Page 1, by striking lines 15 through 18 and
3 inserting the following: "tests which requires all
4 the systems and districts to complete the testing not
5 later than".
6 2. Page 1, line 22, by inserting after the word
7 "well" the words "and privately-owned public water
8 supply system".

BY MULLINS of Kossuth
VAN CAMP of Scott
OSTERBERG of Linn

H-5107 FILED FEBRUARY 17, 1986
Adopted 2/27 (p. 476)

HOUSE FILE 2303

H-5113

1 Amend House File 2303 as follows:

- 2 1. Page 1, line 2, by inserting after the numeral
3 "362," the following: "each water system serving a state-
4 owned facility regularly housing two hundred or more
5 persons,".

H-5113 FILED FEBRUARY 18, 1986 BY PAULIN of Plymouth
Adopted as amended by 5/6.5 2/27 (476)

HOUSE FILE 2303

H-5151

1 Amend House File 2303 as follows:

- 2 1. Page 1, line 11, by striking the word "tested"
3 and inserting the words "included in the initial
4 test".
5 2. Page 1, line 15, by striking the word "tests"
6 and inserting the words "initial testing".

H-5151 FILED FEBRUARY 24, 1986 BY HUMMEL of Benton

HOUSE FILE 2303

H-5162

1 Amend House File 2303 as follows:

- 2 1. Page 1, line 21, by striking the words
3 "initial test" and inserting the words "test required
4 by this Act".

H-5162 FILED FEBRUARY 25, 1986 BY HUMMEL of Benton
Adopted 2/27 (p. 476)

HOUSE FILE 2303

H-5165

1 Amend amendment H-5113 to House File 2303 as
2 follows:

- 3 1. Page 1, by striking line 3 and inserting the
4 following: "'362" the words "or serves a state-".
5 2. Page 1, line 5, by striking the word
6 "persons," and inserting the word "persons".

H-5165 FILED FEBRUARY 25, 1986 BY SPEAR of Lee
Adopted 2/27 (p. 476)

In compliance with a written request received February 25, 1986, a fiscal note for HOUSE FILE 2303 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

HOUSE FILE 2303 requires municipal waterworks, benefited water districts and rural water districts in the state to have their water tested for the presence of synthetic organic compounds and pesticides to the extent prescribed by the Department of Water, Air and Waste Management. The initial tests shall be conducted by the state hygienic laboratory for not more than \$330. Private wells may undergo the same analysis for the same price.

ASSUMPTIONS

1. The survey is intended for the sole purpose of developing base data on quality of Iowa's drinking water with emphasis on the presence of synthetic organics and pesticides. It is not intended to be an enforcement or remediation program.
2. The Department of Water, Air and Waste Management will promulgate rules establishing the phasing/scheduling of testing water supplies, the procedures to be followed by water supplies in taking samples and forwarding to the University Hygienic Laboratory, the contaminants for which the samples will be analyzed by the University Hygienic Laboratory and the reporting of results to the Department.
3. Water supply operators will be responsible for taking water samples in accordance with prescribed procedures and forwarding samples to the University Hygienic Laboratory. Each water supply will sample once and test for 35 pesticides and 30 organics at a total charge of \$330 per sample. There are approximately 800 water supplies in Iowa.
4. The University Hygienic Laboratory will mail sample kits and instructions to water supplies. Water supplies will pay the cost of returning the samples to the Laboratory. The Laboratory will conduct all analyses and forward a copy of their findings to the water supply operators and the Department of Water, Air and Waste Management. The costs incurred by the University Hygienic Laboratory will be covered by the \$330 fee on each sample.
5. The Department of Water, Air and Waste Management will compile the data received from the University Hygienic Laboratory. This information along with a brief summary, will constitute the report required by the General Assembly. The Department will not follow-up with water supplies unless the results of the analysis indicate that the quality of the water exceeds established and enforceable standards under the Federal Safe Drinking Water Act. However, many of the contaminants to be analyzed do not have established action levels.

FISCAL EFFECT

The costs to the Department of Water, Air and Waste Management will be spread over two fiscal years. The costs will be associated with initial rule promulgation at the beginning of the program and report compilation at the end of the program. The cost to water supplies is estimated to total \$264,000 (800 water supplies x \$330 water sample testing fee) with each water supply paying a maximum of \$330.

| | (dollars in thousands) | | | | | |
|---------------------|------------------------|-----------------|-----------------------|-------------|-----------------|-----------------------|
| | F.Y. 1987 | | | F.Y. 1988 | | |
| | Current Law | Proposed Law | Increase / (Decrease) | Current Law | Proposed Law | Increase / (Decrease) |
| EXPENDITURES | | | | | | |
| Salaries | \$ 0 | \$ 3,000 | \$ 3,000 | \$ 0 | \$ 3,000 | \$ 3,000 |
| (FTE's) | (0.0) | (0.1) | (0.1) | (0.0) | (0.1) | (0.1) |
| Support | 0 | 1,500 | 1,500 | 0 | 1,500 | 1,500 |
| TOTAL | \$ 0 | \$ 4,500 | \$ 4,500 | \$ 0 | \$ 4,500 | \$ 4,500 |

SOURCE Department of Water, Air and Waste Management (LSB 81904.2 (RLB))

FILED FEBRUARY 25, 1986-

BY DENNIS PROUTY, FISCAL DIRECTOR

~~April 8, 1986~~

STATE OF IOWA

FISCAL NOTE TO
HOUSE FILE 2303LSB No. 8199H.2
Staff ID. RLB

REQ. BY PETERSON

in compliance with a written request received April 2, 1986, a fiscal note for HOUSE FILE 2303 AS PASSED BY HOUSE is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

HOUSE FILE 2303 requires municipal waterworks, benefited water districts, and rural water districts in the state to have their water tested for the presence of synthetic organic compounds and pesticides to the extent prescribed by the Department of Water, Air and Waste Management. The initial tests shall be conducted by the state hygienic laboratory for not more than \$330. Private wells may undergo the same analysis for the same price.

ASSUMPTIONS

1. The survey is intended for the sole purpose of developing base data on quality of Iowa's drinking water with emphasis on the presence of synthetic organics and pesticides. It is not intended to be an enforcement or remediation program.
2. The Department of Water, Air and Waste Management will promulgate rules establishing the phasing/scheduling of testing water supplies; the procedures to be followed by water supplies in taking samples and forwarding to the University Hygienic Laboratory; the contaminants for which the samples will be analyzed by the University Hygienic Laboratory and the reporting of results to the Department.
3. Water supply operators will be responsible for taking water samples in accordance with prescribed procedures and forwarding samples to the University Hygienic Laboratory. Each water supply will sample once and test for 35 pesticides and 30 organics at a total charge of \$330 per sample. There are approximately 800 water supplies in Iowa.
4. The University Hygienic Laboratory will mail sample kits and instructions to water supplies. Water supplies will pay the cost of returning the samples to the Laboratory. The Laboratory will conduct all analyses and forward a copy of their findings to the water supply operators and the Department of Water, Air and Waste Management. The costs incurred by the University Hygienic Laboratory will be covered by the \$330 fee on each sample.
5. The Department of Water, Air and Waste Management will compile the data received from the University Hygienic Laboratory. This information, along with a brief summary, will constitute the report required by the General Assembly. The Department will not follow-up with water supplies unless the results of the analysis indicate that the quality of the water exceeds established and enforceable standards under the Federal Safe Drinking Water Act. However, many of the contaminants to be analyzed do not have established action levels.

FISCAL EFFECT

The costs to the Department of Water, Air and Waste Management will be spread over two fiscal years. The costs will be associated with initial rule promulgation at the beginning of the program and report compilation at the end of the program. The cost to water supplies is estimated to total \$264,000 (800 water supplies x \$330 water sample testing fee) with each water supply paying a maximum of \$330.

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TO HF 2303 Page 2

| | F.Y. 1987 | | | F.Y. 1988 | | |
|---------------------|----------------|-----------------|--------------------------|----------------|-----------------|--------------------------|
| | Current Law | Proposed Law | Increase / (Decrease) | Current Law | Proposed Law | Increase / (Decrease) |
| <u>EXPENDITURES</u> | | | | | | |
| Salaries | \$ 0 | \$ 3,000 | \$ 3,000 | \$ 0 | \$ 3,000 | \$ 3,000 |
| FTE's) | (0.0) | (0.1) | (0.1) | (0.0) | (0.1) | (0.1) |
| Support | 0 | 1,500 | 1,500 | 0 | 1,500 | 1,500 |
| TOTAL | \$ 0 | \$ 4,500 | \$ 4,500 | \$ 0 | \$ 4,500 | \$ 4,500 |

SOURCE: Department of Water, Air and Waste Management (LSB 8190H.2. RLB)

by the Sec. of the Senate April 7, 1986 DENNIS C. PROUTY, DIRECTOR
LEGISLATIVE FISCAL BUREAU

NATURAL RESOURCES: Peterson, Chair; Hester and Hannon

HOUSE FILE 2303

BY COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

(As Amended and Passed by the House February 27, 1986)

Passed House, Date 4-18-86 (p. 11561) Passed Senate, Date 4-16-86 (p. 1173)

Vote: Ayes 95 Nays 0 Vote: Ayes 46 Nays 9

Approved May 5 1986
Motion to reconsider (p. 1153) w/d 4/15

A BILL FOR

1 An Act to require a one-time, extensive test for water
2 contaminants in certain public water supplies.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. Each public water supply system regulated under
2 chapter 455B which serves a city under chapter 362 or serves a
3 state-owned facility regularly housing two hundred or more
4 persons, each benefited water district created under chapter
5 357 and each rural water district created under chapter 357A
6 shall test the finished water of that water supply for
7 presence of synthetic organic chemicals and pesticides. The
8 department of water, air and waste management shall adopt
9 rules governing the testing under this Act. The rules shall
10 include the procedures for gathering water samples; the
11 synthetic organic chemicals and pesticides, but not more than
12 thirty-five of each, for which the samples are to be tested;
13 the approved analytical methods for conducting the analysis of
14 water samples; and the reporting of the analytical results to
15 the department. The department shall adopt a schedule for the
16 tests which requires all the systems and districts to complete
17 the testing not later than January 1, 1988. All of the tests
18 shall be conducted by the state hygienic laboratory which
19 shall not charge more than three hundred thirty dollars for
20 the test required by this Act. The state hygienic laboratory
21 shall allow private well and privately-owned public water
22 supply system samples to undergo the same analysis for the
23 same price. The department shall submit a report to the
24 general assembly by April 1, 1988 of the findings of the tests
25 and the conclusions which may be drawn from them.

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SENATE AMENDMENT TO HOUSE FILE 2303

H-5830

- 1 Amend House File 2303 as amended, passed and
2 reprinted by the House as follows:
- 3 1. Page 1, line 9, by striking the words "rules
4 governing" and inserting the words "rules under
5 chapter 17A governing".
- 6 2. Page 1, line 10, by inserting after the word
7 "procedures" the following: "and months".
- 8 3. Page 1, by striking lines 17 through 20 and
9 inserting the following: "the testing not later than
10 January 1, 1988. All of the tests shall be conducted
11 by a single laboratory. The laboratory shall be
12 selected by the department on the basis of competitive
13 bids, however, the laboratory selected shall not
14 charge more than three hundred thirty dollars for the
15 initial test required by this Act. The laboratory
16 selected".
- 17 4. Page 1, by inserting after line 25 the
18 following:
- 19 "Sec. 2. Section 455B.309, subsection 2, Code
20 Supplement 1985, is amended by adding the following
21 new lettered paragraph:
- 22 NEW LETTERED PARAGRAPH. e. Grants to public water
23 supply systems to abate or eliminate threats to public
24 health and safety resulting from contamination of the
25 water supply source.
- 26 Sec. 3. Section 455B.309, Code Supplement 1985, is
27 amended by adding the following new subsection:
- 28 NEW SUBSECTION. 3. An amount equal to twenty-five
29 percent of the moneys received from the tonnage fee
30 imposed under section 455B.310 in each fiscal year
31 shall be reserved for the purpose of providing grants
32 to public water supply systems to abate or eliminate
33 threats to public health and safety resulting from
34 contamination of the water supply source. However, a
35 public water supply shall not receive a grant for more
36 than ten percent of the moneys available for those
37 purposes in any given year. Any moneys not expended
38 under this subsection at the end of each fiscal year
39 shall be available for any of the uses authorized in
40 subsection 2."
- 41 5. Title page, by striking lines 1 and 2 and
42 inserting the following: "An Act relating to the
43 contamination of public water supply systems by
44 providing for a testing program, authorizing the use
45 of ground water funds for grants to eliminate or abate
46 contamination, and dedicating part of the ground water
47 fund to such grants."
- 48 6. By renumbering, relettering, or redesignating
49 and correcting internal references as necessary.

H-5830 FILED APRIL 15, 1986 RECEIVED FROM THE SENATE

House concurred 4/18/86 (p. 1561)

HOUSE FILE 2303

S-5514

1 Amend House File 2303 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 17 through 20 and
4 inserting the following: "the testing not later than
5 January 1, 1988. All of the tests shall be conducted
6 by a single laboratory. The laboratory shall be
7 selected by the department on the basis of competitive
8 bids, however, the laboratory selected shall not
9 charge more than three hundred thirty dollars for the
10 initial test required by this Act. The laboratory
11 selected".

12 2. Page 1, by inserting after line 25 the
13 following:

14 "Sec. 2. Section 455B.309, subsection 2, Code
15 Supplement 1985, is amended by adding the following
16 new lettered paragraph:

17 NEW LETTERED PARAGRAPH. e. Grants to public water
18 supply systems to abate or eliminate threats to public
19 health and safety resulting from contamination of the
20 water supply source.

21 Sec. 3. Section 455B.309, Code Supplement 1985, is
22 amended by adding the following new subsection:

23 NEW SUBSECTION. 3. An amount equal to twenty-five
24 percent of the moneys received from the tonnage fee
25 imposed under section 455B.310 in each fiscal year
26 shall be reserved for the purpose of providing grants
27 to public water supply systems to abate or eliminate
28 threats to public health and safety resulting from
29 contamination of the water supply source. However, a
30 public water supply shall not receive a grant for more
31 than ten percent of the moneys available for those
32 purposes in any given year. Any moneys not expended
33 under this subsection at the end of each fiscal year
34 shall be available for any of the uses authorized in
35 subsection 2."

36 3. Title page, by striking lines 1 and 2 and
37 inserting the following: "An Act relating to the
38 contamination of public water supply systems by
39 providing for a testing program, authorizing the use
40 of ground water funds for grants to eliminate or abate
41 contamination, and dedicating part of the ground water
42 fund to such grants."

S-5514 Filed April 1, 1986
BY HALL

Adopted 4/10 (p 1118)

HOUSE FILE 2303

S-5482

- 1 Amend House File 2303 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 9, by striking the words "rules
- 4 governing" and inserting the words "rules under
- 5 chapter 17A governing".

S-5482 Filed March 27, 1986 BY COMM. ON NATURAL RESOURCES,
Adopted 4/4 (p. 1064) HALL, CHAIR

HOUSE FILE 2303

S-5486

- 1 Amend House File 2303 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "procedures" the following: "and months".

S-5486 Filed March 27, 1986 BY DOYLE, PRIESE, RIORDAN
Adopted 4/6 (p. 1118)

HOUSE FILE 2303

AN ACT

RELATING TO THE CONTAMINATION OF PUBLIC WATER SUPPLY SYSTEMS
BY PROVIDING FOR A TESTING PROGRAM, AUTHORIZING THE USE OF
GROUND WATER FUNDS FOR GRANTS TO ELIMINATE OR ABATE CON-
TAMINATION, AND DEDICATING PART OF THE GROUND WATER FUND
TO SUCH GRANTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Each public water supply system regulated under chapter 455B which serves a city under chapter 362 or serves a state-owned facility regularly housing two hundred or more persons, each benefited water district created under chapter 357 and each rural water district created under chapter 357A shall test the finished water of that water supply for presence of synthetic organic chemicals and pesticides. The department of water, air and waste management shall adopt rules under chapter 17A governing the testing under this Act. The rules shall include the procedures and months for gathering water samples; the synthetic organic chemicals and

pesticides, but not more than thirty-five of each, for which the samples are to be tested; the approved analytical methods for conducting the analysis of water samples; and the reporting of the analytical results to the department. The department shall adopt a schedule for the tests which requires all the systems and districts to complete the testing not later than January 1, 1988. All of the tests shall be conducted by a single laboratory. The laboratory shall be selected by the department on the basis of competitive bids, however, the laboratory selected shall not charge more than three hundred thirty dollars for the initial test required by this Act. The laboratory selected shall allow private well and privately owned public water supply system samples to undergo the same analysis for the same price. The department shall submit a report to the general assembly by April 1, 1988 of the findings of the tests and the conclusions which may be drawn from them.

Sec. 2. Section 455B.309, subsection 2, Code Supplement 1985, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. e. Grants to public water supply systems to abate or eliminate threats to public health and safety resulting from contamination of the water supply source.

Sec. 3. Section 455B.309, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. J. An amount equal to twenty-five percent of the moneys received from the tonnage fee imposed under section 455B.310 in each fiscal year shall be reserved for the purpose of providing grants to public water supply systems to abate or eliminate threats to public health and safety resulting from contamination of the water supply source. However, a public water supply shall not receive a grant for more than ten percent of the moneys available for those purposes in any given year. Any moneys not expended under

this subsection at the end of each fiscal year shall be available for any of the uses authorized in subsection 2.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2303, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved Mays, 1986

TERRY E. BRANSTAD
Governor