



State of Tennessee

PUBLIC CHAPTER NO. 836

SENATE BILL NO. 2450

By Harris, Briggs, Dickerson, Overbey, Bowling, Yarbro

Substituted for: House Bill No. 2212

By Powell, Miller, Hardaway, Gilmore, Jernigan, Clemmons, Swann, Calfee, Cooper, Love, Fitzhugh, Armstrong, Windle, Stewart, Towns

AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 12; Title 45; Title 47; Title 50; Title 56; Title 62; Title 65; Title 66; Title 67 and Title 68, relative to commerce.

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

SECTION 1. Tennessee Code Annotated, Section 68-221-720, is amended by deleting subsection (d) and substituting instead the following:

(1) No later than twenty-four (24) hours after a public water system confirms that the lead and copper 90th percentile lead action level, according to the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.), has been exceeded, the public water system shall notify the commissioner. The commissioner shall direct the public water system to conduct appropriate follow-up actions in accordance with state and federal drinking water rule requirements.

(2) No later than seventy-two (72) hours after a public water system confirms that any individual lead monitoring result is above the lead action level, according to the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.), the public water system shall provide notification to the customer or residence where the sample was collected. No later than seventy-two (72) hours after the public water system confirms that the lead and copper 90th percentile lead action level has been exceeded, the public water system shall provide public notification to all customers where such exceedance results from the following:

(A) The lead content in the construction materials of the public water distribution system; or

(B) Corrosivity of the water supply sufficient to cause leaching of lead.

(3)(A) The notice required by this subsection (d) shall be provided in such manner, form, and frequency as may be reasonably required by the commissioner.

(B) Notice under this subsection (d) shall be provided, even if there has been no violation of any drinking water regulation of the state.

(4) Notice under this subsection (d) shall provide a clear and readily understandable explanation of the following:

(A) The potential sources of lead in the drinking water;

(B) Any potential adverse health effects;

(C) Any reasonably available methods of mitigating known or potential lead content in drinking water;

(D) Any steps the public water system is taking to mitigate lead content in drinking water; and

(E) The necessity for seeking alternative water supplies, if any.

(5)(A) If a public water system fails to notify persons that may be affected by lead contamination as required by subdivision (d)(2), the commissioner shall take appropriate action to ensure the public water system provides such notice within at least ten (10) days of such failure.

(B) After the commissioner ensures proper notice has occurred by the public water system, the commissioner shall provide direct technical assistance to and oversight of the public water system to ensure the public water system conducts appropriate follow-up testing and exercises the necessary treatment optimization and distribution system modifications, where necessary, to achieve compliance.

SECTION 2. This act shall take effect January 1, 2017, the public welfare requiring it.

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PASSED: April 6, 2016



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of April 2016



BILL HASLAM, GOVERNOR