

As Introduced

**131st General Assembly
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S. B. No. 269

Senator Schiavoni

Cosponsors: Senators Yuko, Cafaro, Brown, Gentile, Thomas, Sawyer, Skindell

A BILL

To amend sections 6109.10 and 6109.12 of the 1
Revised Code to require a public water system to 2
provide notice of lead contamination not later 3
than thirty days after becoming aware that lead 4
contamination may effect the system's drinking 5
water, to require the Director of Environmental 6
Protection to provide the notice if the public 7
water system fails to provide it, to require 8
employees of the Environmental Protection Agency 9
to provide continuing assistance to a public 10
water system that fails to provide the required 11
notice of lead contamination, and to require the 12
Director to adopt rules that increase the 13
monitoring frequency for lead and copper under 14
specified circumstances. 15

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

Section 1. That sections 6109.10 and 6109.12 of the 16
Revised Code be amended to read as follows: 17

Sec. 6109.10. (A) As used in this section, "lead free" 18

means: 19

(1) When used with respect to solders or flux, solders or 20
flux containing not more than two-tenths of one per cent lead; 21

(2) When used with respect to pipes or pipe fittings, 22
pipes or pipe fittings containing not more than eight per cent 23
lead. 24

(B) Any pipe, pipe fitting, solder, or flux that is used 25
in the installation or repair of a public water system or of any 26
plumbing in a residential or nonresidential facility providing 27
water for human consumption which is connected to a public water 28
system shall be lead free. This division does not apply to 29
leaded joints necessary for the repair of cast iron pipes. 30

~~(C) Each~~ Not later than twenty-four hours after a public 31
water system becomes aware that lead contamination may affect 32
the system's drinking water, the public water system shall 33
notify the director of environmental protection. The director 34
may order the public water system to conduct appropriate actions 35
regarding the lead contamination. 36

(D) (1) Not later than thirty days after a public water 37
system becomes aware that lead contamination may affect the 38
system's drinking water, the public water system shall identify 39
and provide notice to persons that may be affected by the lead 40
contamination ~~of their drinking water~~. The notice shall be in 41
such form and manner as may be reasonably required by the 42
director ~~of environmental protection~~, but shall provide a clear 43
and readily understandable explanation of all of the following: 44

~~(1)~~ (a) Potential sources of lead in the drinking water; 45

~~(2)~~ (b) Potential adverse health effects; 46

~~(3)~~ (c) Reasonably available methods of mitigating known or potential lead content in drinking water; 47
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~~(4)~~ (d) Any steps the public water system is taking to mitigate lead content in drinking water; 49
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~~(5)~~ (e) The necessity, if any, of seeking alternative water supplies. 51
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(2) The notice shall be provided notwithstanding the absence of a violation of any drinking water standard. 53
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(3) If a public water system fails to notify persons that may be affected by lead contamination as required by division (D)(1) of this section, the director shall provide the notice within five days of such failure. 55
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After the director provides the notice, the director shall ensure that a member or members of the staff of the environmental protection agency regularly conduct testing for lead in the public water system's water and provide continuing on-site assistance to the public water system to ensure compliance with this chapter and rules adopted under it. 59
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Sec. 6109.12. (A) Every owner or operator of a public water system shall have analyses of the water made at such intervals and in such manner as may be ordered by the environmental protection agency. Records of the results of such analyses shall be maintained and reported as required by the agency. 65
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(B) Not later than one hundred twenty days after the effective date of this amendment, the director shall adopt rules in accordance with Chapter 119. of the Revised Code that require a public water system to conduct monitoring for lead and copper at a frequency of not less than one monitoring period every six 71
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months and require a new or updated corrosion control treatment 76
plan when any of the following applies: 77

(1) The public water system changes the source from which 78
water is obtained. 79

(2) The public water system makes substantial renovations 80
or repairs to any water treatment plant or system. 81

(3) Any other event occurs that could potentially impact 82
the quality or corrosiveness of water in the public water 83
system. 84

The director shall require the monitoring at a frequency 85
of not less than one monitoring period every six months until at 86
least two consecutive monitoring periods have shown that lead or 87
copper levels do not exceed standards for lead or copper 88
established under rules adopted under this chapter. 89

Section 2. That existing sections 6109.10 and 6109.12 of 90
the Revised Code are hereby repealed. 91