

HOUSE No. 2422

The Commonwealth of Massachusetts

PRESENTED BY:

Paul W. Mark

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to local oversight of non-municipal public water supply systems.

PETITION OF:

NAME:

Paul W. Mark

DISTRICT/ADDRESS:

2nd Berkshire

HOUSE No. 2422

By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 2422) of Paul W. Mark for legislation affording local health departments or boards of health with permitting and oversight responsibility for public water supply systems of up to 10,000 gallons per day. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to local oversight of non-municipal public water supply systems.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: For Public Water Supply systems, with an average daily use, as measured
2 during the month of highest usage, of 10,000 gallons per day or below, the department shall
3 make rules and regulations providing for the consistent application of permitting responsibility as
4 compared to that found in 310 CMR 15.000. The department shall pass on any funding
5 associated with PWS systems using less than 10,000 gallons per day to the local health
6 department or board of health, as was previously expended, and shall pass through any funding
7 from state or federal sources earmarked for oversight of said water supplies. The department shall
8 collaborate with and train the local public health officials in the workings of the existing
9 recordkeeping and database system at the department, and shall share this system, or its
10 successor, with local public health. The department shall amend existing regulations to the extent
11 necessary to provide a clear and uniform process for the designation and permitting of public
12 water supply systems using less than 10,000 gallons per day, including the grandfathering of

13 existing wells currently in use or with a historical use pattern that meets the definition of a
14 Transient Non-Community system (TNC) or a Non-Transient Con-Community system (NTNC).
15 The department shall provide uniform written guidance and direction to ensure that this section is
16 fully implemented. The department may require that the local public health official with public
17 water supply oversight responsibilities also possesses the following minimum qualifications and
18 credentials; Registered Sanitarian, Certified Health Officer, or Certified Public Water Supply
19 Operator having the appropriate level of training commensurate with the complexity of the PWS
20 system(s) being overseen at the local level.