

**Subject** Testing surface water used as drinking water; source water protection  
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## Overview

This bill amends the state's Safe Drinking Water Act to direct the commissioner of health to test surface water used by community water systems in the state as a drinking water source. It also directs the commissioner to implement source water protection strategies and to establish health risk limits for certain substances. Further, the bill makes blank appropriations to the commissioner for these duties.

## Summary

Section	Description
1	<b>Community water system.</b> Adds subd. 2a to § 144.382. Defines community water system in the state Safe Drinking Water Act, by reference to the definition in the federal Safe Drinking Water Act. (This term means a public water system that serves at least 15 service connections used by year-round residents of the area served by the system, or regularly serves at least 25 year-round residents.)
2	<b>Finished water.</b> Adds subd. 3a to § 144.382. Defines finished water in the state Safe Drinking Water Act, by reference to the definition in federal rules. (This term means water introduced into the distribution system of a public water system and intended for distribution and consumption without further treatment, except as needed to maintain water quality in the distribution system.)
3	<b>Surface water.</b> Adds subd. 6 to § 144.382. Defines surface water in the state Safe Drinking Water Act, by reference to the definition in federal rules. (This term means all water which is open to the atmosphere and subject to surface runoff.)
4	<b>Testing requirements; community water systems that use surface water as a drinking water source.</b> Adds § 144.3835.

Section	Description
	<p><b>Subd. 1. Testing surface water for contaminants.</b> Directs the commissioner of health to develop a schedule to test the surface water used by a community water system as a drinking water source, for contaminants.</p>
	<p><b>Subd. 2. Community water systems subject to testing.</b> Paragraph (a) lists the 23 community water systems in the state that rely on surface water as a drinking water source, and requires the surface water used by each of these systems to be tested in the schedule developed by the commissioner. Paragraph (b) allows the commissioner to modify the list of systems tested as the systems that rely on surface water change.</p>
	<p><b>Subd. 3. Contaminants.</b> Lists the contaminants that must be tested for under this section, and requires the commissioner to use a transparent process to designate any additional contaminants for testing and to consult with a technical advisory team in designating additional contaminants. Requires surface water to be collected for testing from intake locations of the community water systems, and from other locations identified as potential sources of contaminants.</p>
	<p><b>Subd. 4. Testing for contaminants in finished water.</b> Permits the commissioner to require a community water system to test its finished water for any contaminants that were detected in the community water system's surface water, or for the byproducts of detected contaminants.</p>
	<p><b>Subd. 5. Source water protection strategies.</b> Directs the commissioner to identify and implement source water protection strategies, if the commissioner determines that a community water system's source water needs additional protection. Directs the commissioner to report to the Clean Water Council and to members of certain legislative committees if the commissioner needs additional resources to implement source water protection strategies. (Source water protection strategies may be described as management practices identified in a source water protection plan to prevent, reduce, or eliminate risks of contamination to the drinking water supply.)</p>
	<p><b>Subd. 6. Report.</b> Requires biennial reports, beginning in February 2021, on the status and results of the testing required by this section.</p>
5	<p><b>Source water protection strategies.</b></p> <p>Directs the commissioner of health to review source water protection plans of other cities that rely on surface water as their drinking water sources; identify effective source water protection strategies; and implement effective source water protection strategies as needed to protect the public health. Allows the commissioner to use authority in chapter 144 to implement source water protection strategies. Allows the commissioner to report to the Clean Water council and to members of certain legislative committees if the commissioner needs additional resources to implement source water protection strategies.</p>

Section	Description
6	<p data-bbox="355 275 1016 302"><b>Direction to commissioner of health; health risk limits.</b></p> <p data-bbox="355 317 1040 344">Requires the commissioner to adopt health risk limits for:</p> <ul data-bbox="404 386 1403 554" style="list-style-type: none"><li data-bbox="404 386 1403 413">• the listed neonicotinoids (a group of insecticides chemically related to nicotine);</li><li data-bbox="404 455 1154 483">• NDMA (a byproduct formed during water disinfection); and</li><li data-bbox="404 525 1073 552">• commonly found degradants of the listed pesticides.</li></ul> <p data-bbox="355 594 1419 831">Requires the health risk limits to establish reasonable margins of safety for infants, children, and adults, and allows the commissioner to use the authority in chapter 144 to adopt these health risk limits. (A health risk limit is a concentration of a chemical in drinking water that, based on current scientific understanding, is likely to pose little or no health risk to humans. The concentration depends on how toxic the chemical is, the duration of exposure, and the amount of water individuals drink during an exposure period.)</p>
7	<p data-bbox="355 890 548 917"><b>Appropriations.</b></p> <p data-bbox="355 932 1403 995">Makes blank appropriations from the clean water fund to the commissioner of health to fund the activities in sections 4, 5, and 6.</p>



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