



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4804

Introduced 2/6/2024, by Rep. Nabeela Syed

SYNOPSIS AS INTRODUCED:

415 ILCS 5/19.11

Amends the Environmental Protection Act. Allows a public water distribution entity to use contact information in its possession that it obtained before an unplanned disruption event in a public water supply in order to inform its customers of the unplanned disruption event, regardless of whether consent is expressly given to use the information for that purpose. Defines "unplanned disruption event in a public water supply".

LRB103 35814 LNS 65899 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Environmental Protection Act is amended by
5 changing Section 19.11 as follows:

6 (415 ILCS 5/19.11)

7 Sec. 19.11. Public water supply disruption; notification.

8 (a) In this Section:

9 "Disruption event" means any:

10 (1) change to a disinfection technique, practice, or
11 technology, including each instance of any change in the
12 concentration of any disinfectant in the water of a public
13 water supply that results in residual concentrations of
14 the disinfectant in the water either exceeding 50% or
15 falling below 20% of the monthly average concentration of
16 disinfectant reported to the Agency in a public water
17 distribution entity's most recent monthly submission of
18 Daily Operating Reports;

19 (2) planned ~~or unplanned~~ work on or damage to a water
20 main;

21 (3) change in a treatment application or source of
22 water that results in an altered finished water quality;

23 (4) event that results in a public water supply's

1 operating pressure falling below 20 PSI; or

2 (5) condition that results in the issuance of a boil
3 water order.

4 "Health care facility" means a facility, hospital, or
5 establishment licensed or organized under the Ambulatory
6 Surgical Treatment Center Act, the University of Illinois
7 Hospital Act, the Hospital Licensing Act, the Nursing Home
8 Care Act, the Assisted Living and Shared Housing Act, or the
9 Community Living Facilities Licensing Act.

10 "Health care facility list" means a list enumerating
11 health care facilities and their designees that are served by
12 a public water supply and maintained by a public water
13 distribution entity.

14 "Public water distribution entity" means any of the
15 following entities that are responsible for the direct
16 supervision of a public water supply: a municipality, a
17 private corporation, an individual private owner, or a
18 regularly organized body governed by a constitution and
19 by-laws requiring regular election of officers.

20 "Public water supply" has the same meaning as defined in
21 Section 3.365.

22 "State agencies" means the Illinois Environmental
23 Protection Agency and the Illinois Department of Public
24 Health.

25 "Unplanned disruption event in a public water supply"
26 means any unplanned:

1 (1) change to a disinfection technique, practice, or
2 technology, including each instance of any change in the
3 concentration of any disinfectant in the water of a public
4 water supply that results in residual concentrations of
5 the disinfectant in the water either exceeding 50% or
6 falling below 20% of the monthly average concentration of
7 disinfectant reported to the Agency in a public water
8 distribution entity's most recent monthly submission of
9 Daily Operating Reports;

10 (2) work on or damage to a water main;

11 (3) change in a treatment application or source of
12 water that results in an altered finished water quality;

13 (4) event that results in a public water supply's
14 operating pressure falling below 20 PSI; or

15 (5) condition that results in the issuance of a boil
16 water order.

17 "Water supply operator" means any individual trained in
18 the treatment or distribution of water who has practical,
19 working knowledge of the chemical, biological, and physical
20 sciences essential to the practical mechanics of water
21 treatment or distribution and who is capable of conducting and
22 maintaining the water treatment or distribution processes of a
23 public water supply in a manner that will provide safe,
24 potable water for human consumption.

25 (b) A public water distribution entity, through its
26 designated employees or contractors, shall notify its water

1 supply operator and all affected health care facilities on the
2 public water supply's health care facility list not less than
3 14 days before any known, planned, or anticipated disruption
4 event. An anticipated disruption event includes for purposes
5 of this subsection any disruption event that could or should
6 be reasonably anticipated by a public water distribution
7 entity.

8 (c) A public water distribution entity, through its
9 designated employees or contractors, shall notify its water
10 supply operator and all affected health care facilities that
11 are served by the public water supply and affected by any
12 unplanned disruption event in the public water supply's water
13 distribution system. The notification required under this
14 subsection shall be provided within 2 hours after the public
15 water distribution entity becomes aware of the unplanned
16 disruption event.

17 (d) A health care facility shall designate an email
18 address to receive electronic notifications from the public
19 water distribution entity concerning planned or unplanned
20 disruption events. The email account shall be accessible to
21 the health care facility's designated water management plan
22 administrator and other responsible administrative personnel.

23 (e) Any planned or unplanned disruption event notification
24 sent to a health care facility under this Section shall also be
25 sent to the State agencies via email to the email addresses
26 designated by the State agencies within 5 business days. The

1 State agencies shall establish, maintain, and retain a list of
2 notifications received pursuant to this subsection.

3 The notice required under this Section shall include, but
4 shall not be limited to, the following:

5 (1) a detailed description of the disruption event;

6 (2) the date, time, and location of the disruption
7 event;

8 (3) the expected time needed to resolve the disruption
9 event; and

10 (4) a list of the health care facilities notified by
11 the public water distribution entity.

12 Beginning one year after the effective date of this
13 amendatory Act of the 102nd General Assembly, the State
14 agencies shall make available upon request a list of
15 disruption events, in an electronic format, sorted by the year
16 and month of each occurrence.

17 (f) A public water distribution entity may use contact
18 information in its possession, including phone numbers, email
19 addresses, and residential addresses, that it obtained before
20 an unplanned disruption event in a public water supply in
21 order to inform its customers of the unplanned disruption
22 event, regardless of whether consent is expressly given to use
23 the information for that purpose.

24 (Source: P.A. 102-960, eff. 5-27-22.)