

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1191 Session of
1997

INTRODUCED BY WENGER, JUBELIRER, SALVATORE, PUNT, STOUT, O'PAKE,
HART AND LEMMOND, NOVEMBER 17, 1997

AS REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 1, 1998

AN ACT

1 Transferring the authority for the regulation of bottled water
2 to the Department of Agriculture.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Transfer of authority for bottled water.

6 The functions, powers and duties of the Department of
7 Environmental Protection and the Environmental Quality Board
8 concerning a public water system which provides water for
9 bottling or bulk hauling for human consumption, including, ~~but~~ <—
10 ~~not limited to, sources of water and~~ collection, treatment,
11 storage, bottling, manufacturing and distribution facilities,
12 contained in the relevant provisions of the act of May 1, 1984
13 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water
14 Act, and any other relevant statutes and the regulations
15 promulgated thereunder, ~~including regulations for vended water,~~ <—
16 ~~retail water systems and haulers,~~ are hereby transferred to the
17 Department of Agriculture. THE DEPARTMENT OF ENVIRONMENTAL <—

1 PROTECTION AND THE ENVIRONMENTAL QUALITY BOARD SHALL RETAIN
2 THEIR FUNCTIONS, POWERS AND DUTIES CONCERNING A PUBLIC WATER
3 SYSTEM WHICH PROVIDES WATER FOR BOTTLING OR BULK HAULING FOR
4 HUMAN CONSUMPTION CONTAINED IN OTHER LAWS AND THE AUTHORITY TO
5 MAKE THE DETERMINATION REQUIRED BY SECTION 7(J) OF THE ACT OF
6 MAY 1, 1984 (P.L.206, NO.43), KNOWN AS THE PENNSYLVANIA SAFE
7 DRINKING WATER ACT, THAT THE SYSTEM COMPLIES WITH ALL OTHER
8 APPLICABLE LAWS ADMINISTERED BY THE DEPARTMENT OF ENVIRONMENTAL
9 PROTECTION. WITH REGARD TO A PUBLIC WATER SYSTEM WITH MULTIPLE
10 WATER SUPPLY FUNCTIONS, THE DEPARTMENT OF ENVIRONMENTAL
11 PROTECTION AND THE ENVIRONMENTAL QUALITY BOARD SHALL RETAIN
12 THEIR FUNCTIONS, POWERS AND DUTIES CONCERNING THE SYSTEM'S
13 FACILITIES NOT USED EXCLUSIVELY TO PROVIDE WATER FOR BOTTLING OR
14 BULK HAULING FOR HUMAN CONSUMPTION, CONTAINED IN THE RELEVANT
15 PROVISIONS OF THE PENNSYLVANIA SAFE DRINKING WATER ACT. All
16 equipment, files, records, agreements and all other materials
17 and supplies which are used, employed or expended by the
18 Department of Environmental Protection for the purposes of
19 implementing the relevant provisions of the Pennsylvania Safe
20 Drinking Water Act are hereby transferred to the Department of
21 Agriculture. For ascertaining compliance with the act, the
22 Department of Agriculture may accept the results of inspections
23 by an independent third party and monitoring or testing of the
24 water by an independent laboratory certified for that purpose
25 and approved by the Department of Environmental Protection.
26 Section 2. Effective date.

27 This act shall take effect ~~July 1, 1998~~ IN 90 DAYS.

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