

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 2129

Short Title: Community Water System Funds.

(Public)

Sponsors: Representative Bowman.

Referred to: Appropriations.

June 13, 1994

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF
2 ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ASSIST
3 OPERATORS OF SMALL COMMUNITY WATER SYSTEMS OR
4 NONTRANSIENT, NONCOMMUNITY WATER SYSTEMS WITH THE
5 INCREASING COST OF CERTAIN STATE AND FEDERAL REQUIREMENTS
6 TO MONITOR DRINKING WATER SUPPLIES.
7

8 The General Assembly of North Carolina enacts:

9 Section 1. There is appropriated from the General Fund to the Department of
10 Environment, Health, and Natural Resources the sum of eleven million dollars
11 (\$11,000,000) for the 1994-95 fiscal year to be used to reimburse operators of small
12 community water systems that serve no more than 3,300 persons and operators of
13 nontransient, noncommunity, water systems for some of the private laboratory testing
14 and analysis costs incurred to comply with State and federal requirements to monitor
15 drinking water supplies for VOCs, pesticides, SOCs, PCB, and dioxin.

16 Sec. 2. (a) Eligibility for reimbursement. – Operators of community water
17 systems that serve no more that 3,300 persons and operators of nontransient,
18 noncommunity water systems who comply with State and federal requirements to
19 monitor drinking water supplies are eligible to be reimbursed by the Department of
20 Environment, Health, and Natural Resources for the cost incurred to have a private
21 laboratory test and analyze water samples if all of the following criteria are met:

- 22 (1) The cost was incurred to comply with State or federal requirements to
23 monitor drinking water for the following contaminants: VOCs,
24 pesticides, SOCs, PCB, and dioxin.

1 (2) The cost was incurred during the 1994-95 fiscal year.

- 2 (3) a. The water system is classified as a small community water system
3 that serves more than 101 persons but fewer than 3,300 persons and
4 the cost is for a third or subsequent test conducted in compliance with
5 State or federal requirements to monitor drinking water for the
6 following contaminants: VOCs, pesticides, SOCs, PCB, and dioxin; or
7 b. The water system is classified as a small community water
8 system that serves fewer than 100 persons or is a nontransient,
9 noncommunity water system and the cost for a second or
10 subsequent test conducted in compliance with State or federal
11 requirements to monitor drinking water for the following
12 contaminants: VOCs, pesticides, SOCs, PCB, and dioxin.

13 The Department shall determine whether the operator is eligible for
14 reimbursement under this section.

15 (b) Application. – In order to be reimbursed, a small community water system
16 operator or nontransient, noncommunity water system operator must apply to the
17 Department of Environment, Health, and Natural Resources for reimbursement on an
18 application provided by the Department. An application for reimbursement shall be
19 delivered to the Department by the operator requesting reimbursement within 30 days
20 after the test results are received by the operator. The application shall contain a copy
21 of the water sample analysis report, the receipt verifying that payment was made to the
22 laboratory by the operator for the services for which reimbursement is requested, and
23 any other information required by the Department.

24 (c) Reimbursement. – The Department shall reimburse each eligible applicant
25 the private laboratory cost incurred by the applicant only after determining that:

- 26 (1) The cost incurred is reasonable.
27 (2) The cost is appropriately documented.
28 (3) The applicant is eligible as provided under this section.

29 No later than 60 days after the receipt of an application by the Department,
30 the Department shall reimburse an applicant who meets the conditions under this
31 section, or if the applicant does not meet the conditions, shall notify the applicant of that
32 fact and shall retain the reimbursement funds until the conditions are met.

33 Sec. 3. This act becomes effective July 1, 1994.