

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1804

5 By: Representative M. Burris
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For An Act To Be Entitled

9 AN ACT TO REQUIRE A WATER SYSTEM OPERATOR TO
10 OBTAIN CERTAIN INFORMATION BEFORE INJECTING A
11 CHEMICAL ADDITIVE FOR THE PREVENTION OF DISEASE
12 INTO A WATER SYSTEM; TO PROVIDE FOR THE
13 ENFORCEMENT OF THE DUTY TO MAINTAIN AND MAKE
14 CERTAIN INFORMATION AVAILABLE TO THE PUBLIC; AND
15 FOR OTHER PURPOSES.
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Subtitle

17 TO REQUIRE A WATER SYSTEM OPERATOR TO
18 OBTAIN CERTAIN INFORMATION BEFORE
19 INJECTING A CHEMICAL ADDITIVE FOR THE
20 PREVENTION OF DISEASE INTO A WATER
21 SYSTEM AND TO PROVIDE FOR THE
22 ENFORCEMENT OF CERTAIN DUTIES.
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code Title 17, Chapter 51, Subchapter 1 is amended
29 to add an additional section to read as follows:

30 17-51-107. Duty of a water system operator.

31 (a) As used in this section, "product review data" means the
32 submission made by a manufacturer or repackager to obtain the National
33 Sanitation Foundation's certification that the manufacturer or repackager has
34 satisfied the National Sanitation Foundation/American National Standard for
35 Drinking Water Additives, Standard No. 60.

36 (b) A water system operator shall:



1 (1) Not introduce a chemical additive for the treatment or
2 prevention of a disease into a public water system:

3 (A) Without obtaining from the manufacturer or seller a
4 dated copy of the product review data that was effective at the time of the
5 sale of the chemical additive; or

6 (B) Which does not meet the standard for the specific
7 classification of a product under the American Water Works Association
8 Standards, as it existed on January 1, 2009; and

9 (2)(A) Maintain and make available to the public the complete
10 product review data for a chemical additive that has been introduced into his
11 or her public water system for the treatment or the prevention of a disease.

12 (B) If a water operator refuses to maintain or make
13 available to the public the product review data for a chemical additive that
14 he or she has introduced into a public water system, the water operator is
15 liable for a reasonable attorney's fee and the court costs of a successful
16 action to enforce the duties required under subdivision (b)(2)(A) of this
17 section.

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