

1 AN ACT in relation to community water supplies.

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

4 Section 5. The Department of Nuclear Safety Law of the
5 Civil Administrative Code of Illinois is amended by changing
6 Section 40 as follows:

7 (20 ILCS 2005/2005-40) (was 20 ILCS 2005/71 in part)
8 Sec. 2005-40. Powers vested in Environmental Protection
9 Agency.

10 (a) The Department shall exercise, administer, and
11 enforce all rights, powers, and duties vested in the
12 Environmental Protection Agency by paragraphs a, b, c, d, e,
13 f, g, h, i, j, k, l, m, n, o, p, q, and r of Section 4 and by
14 Sections 30 through 45 of the Environmental Protection Act,
15 to the extent that these powers relate to standards of the
16 Pollution Control Board adopted under Section 2005-45. The
17 transfer of rights, powers, and duties specified in this
18 Section is limited to the programs ~~program~~ transferred by
19 Public Act 81-1516 and this amendatory Act of 2001 and shall
20 not be deemed to abolish or diminish the exercise of those
21 same rights, powers, and duties by the Environmental
22 Protection Agency with respect to programs retained by the
23 Environmental Protection Agency.

24 (b) Notwithstanding provisions in Sections 4 and 17.7 of
25 the Environmental Protection Act, the Environmental
26 Protection Agency is not required to perform analytical
27 services for community water supplies to determine compliance
28 with contaminant levels for radionuclides as specified in
29 State or federal drinking water regulations.

30 (c)(1) Community water supply operators may request the
31 Department of Nuclear Safety to perform analytical services

1 to determine compliance with contaminant levels for
 2 radionuclides as specified in State or federal drinking water
 3 regulations. The Department of Nuclear Safety must adopt
 4 rules establishing reasonable fees reflecting the direct and
 5 indirect cost of testing community water supply samples. The
 6 rules may require a community water supply operator to commit
 7 to participation in the Department's testing program.
 8 Neither the Department nor the Environmental Protection
 9 Agency is required to perform analytical services to
 10 determine contaminant levels for radionuclides from any
 11 community water supply operator that does not participate in
 12 the Department's testing program.

13 (2) Community water supply operators that choose not to
 14 participate in the Department's testing program or do not pay
 15 the fees established by the Department shall have the duty to
 16 analyze all drinking water samples as required by State or
 17 federal safe drinking water regulations to determine
 18 radionuclide contaminant levels.

19 (d) Fees received by the Department under this Section
 20 must be deposited in the Radiation Protection Fund.

21 (Source: P.A. 90-14, eff. 7-1-97; 90-209, eff. 7-25-97;
 22 91-239, eff. 1-1-00.)

23 Section 90. The State Mandates Act is amended by adding
 24 Section 8.25 as follows:

25 (30 ILCS 805/8.25 new)
 26 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
 27 and 8 of this Act, no reimbursement by the State is required
 28 for the implementation of any mandate created by this
 29 amendatory Act of the 92nd General Assembly.

30 Section 99. Effective date. This Act takes effect upon
 31 becoming law.