

HOUSE No. 4536

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 17, 2022.

The committee on Environment, Natural Resources and Agriculture to whom was referred the joint petition (accompanied by bill, House, No. 923) of Denise C. Garlick and Michael F. Rush relative to emergency water management plans, reports recommending that the accompanying bill (House, No. 4536) ought to pass.

For the committee,

MINDY DOMB.

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**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to emergency water management plans.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law, rule, or regulation to the
2 contrary, a supplier of water in the Commonwealth shall annually report a summary of each
3 emergency response plan it prepares or maintains to each municipality it serves and the
4 department of environmental protection. Each summary report must include substantive
5 information on the supplier’s emergency response contingency planning and resources, as well
6 as any updates to the plan made since the previous annual report, but nothing in this section shall
7 be construed as to require any supplier of water to disclose sensitive or proprietary information
8 that may constitute an operational or public safety risk. Failure to provide an emergency water
9 management plan report may be subject to penalties established by the department. For purposes
10 of this Act, the term “supplier of water” shall mean any person who owns or operates a system
11 for the public provision of water for human consumption, through pipes or other constructed
12 conveyances, including without limitation collection, treatment, storage, and distribution
13 facilities.

14 SECTION 2. Notwithstanding any general or special law, rule, or regulation to the
15 contrary, a supplier of water shall annually provide copies of statistical reports prepared for the
16 department of environmental protection to municipalities they serve.

17 SECTION 3. Notwithstanding any general or special law, rule, or regulation to the
18 contrary, a supplier of water shall annually provide copies of consumer confidence reports
19 prepared for the department of environmental protection to the municipalities in which affected
20 customers live.

21 SECTION 4. Within 180 days of the passage of this Act, the department of
22 environmental protection shall promulgate regulations to require suppliers of water to provide
23 financial relief to customers who experienced a water outage longer than 48 hours in the
24 previous calendar year. Said regulations shall include a pro-rated formula for average cost impact
25 on residential, commercial, and industrial customers who experience significant outages, as
26 defined in regulation. Said regulations shall allow suppliers to provide relief in the form of bill
27 credits or direct payments and shall include reporting requirements for suppliers to report outage
28 and payment data to the department.