

## §2614. Imminent hazards to public health

**1. Determination of imminent hazard.** An imminent hazard shall be considered to exist when there is a violation of the state primary drinking water regulations, or when, in the judgment of the commissioner, a condition exists in a public water system or water supply which will cause a violation and will result in a serious risk to public health.

[PL 1975, c. 751, §4 (NEW).]

**2. Elimination of imminent hazard.** In order to eliminate an imminent hazard, the commissioner may, without a prior hearing, issue an emergency order requiring the supplier of water to immediately take such action as is required under the circumstances to protect the public health. Actions required under the emergency order may include:

- A. The prohibition of transportation, sale, distribution or supplying of water; [PL 1975, c. 751, §4 (NEW).]
- B. The repair, installation or operation of feasible purification equipment or methods; [PL 1975, c. 751, §4 (NEW).]
- C. The notification of all potential users of the system, including travelers, of the nature, extent and possible health effects of the imminent hazard and precautions to be taken by users; or [PL 1975, c. 751, §4 (NEW).]
- D. The testing, sampling or other analytical operations required to determine the nature, extent, duration or termination of the imminent hazard. [PL 1975, c. 751, §4 (NEW).]

A copy of the emergency order shall be served in the same manner as the service of notice of the commencement of a civil action in Superior Court. An emergency order issued by the commissioner shall be effective immediately and shall be binding for no more than 90 days unless sooner revoked, reviewed by the department at a public hearing or modified or rescinded by a Superior Court. At the written request of the supplier of water, a public hearing shall be held on the emergency order within 15 days of receipt of such request.

[PL 1975, c. 751, §4 (NEW).]

**3. Boil-water order.** For the purposes of this section and section 2615, "boil-water order" means an order issued by the commissioner to protect the health of persons consuming water from a public water system that may be contaminated by pathogenic microorganisms.

The boil-water order may immediately require the supplier of water to complete public notification of the threat to public health pursuant to section 2615.

A boil-water order may be issued when, in the judgment of the commissioner, a threat to the public health may exist from the presence of pathogenic microorganisms in a public water system. A boil-water order may be issued without a prior public hearing and served on the supplier of water by personal service, certified mail or by any other method if receipt is acknowledged by the supplier of water. At the written request of a supplier of water, a public hearing must be held on the boil-water order within 15 days of the receipt of the request.

[PL 1995, c. 622, §4 (NEW).]

### SECTION HISTORY

PL 1975, c. 751, §4 (NEW). PL 1995, c. 622, §4 (AMD).

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