

(A) "DANGEROUS CONTAMINANT" DEFINED.

IN THIS SECTION, "DANGEROUS CONTAMINANT" MEANS A CONTAMINANT THAT, IF PRESENT IN A PUBLIC WATER SYSTEM, WOULD PRESENT AN IMMINENT AND SUBSTANTIAL DANGER TO THE HEALTH OF INDIVIDUALS.

(B) POWER OF SECRETARY TO ACT.

(1) ON RECEIPT OF INFORMATION THAT A DANGEROUS CONTAMINANT IS PRESENT IN OR LIKELY TO ENTER A PUBLIC WATER SYSTEM, THE SECRETARY MAY TAKE ANY ACTION NECESSARY TO PROTECT THE HEALTH OF THE INDIVIDUALS WHOSE HEALTH IS OR WOULD BE ENDANGERED BY THE DANGEROUS CONTAMINANT.

(2) THE ACTIONS THAT THE SECRETARY MAY TAKE UNDER THIS SECTION INCLUDE:

(I) ISSUING ANY ORDER NECESSARY TO PROTECT THE HEALTH OF INDIVIDUALS WHO ARE OR MAY BE USERS OF THE PUBLIC WATER SYSTEM; AND

(II) SUING FOR INJUNCTIVE OR OTHER APPROPRIATE RELIEF.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 386E.

In the introductory language of subsection (b)(2) of this section, the former language "but shall not be limited to", which modified "include", is deleted as unnecessary in light of the definition of "includes" in § 1-101 of this article.

In subsection (b)(2)(i) of this section, the former reference to "travelers" is deleted as unnecessary since "travelers" are "individuals".

9-406. SAFE DRINKING WATER EMERGENCIES.

(A) SECRETARY TO ADOPT PLAN.

THE SECRETARY SHALL ADOPT AN ADEQUATE PLAN FOR PROVIDING SAFE DRINKING WATER UNDER EMERGENCY CIRCUMSTANCES.

(B) POWER OF SECRETARY TO ACT IN EMERGENCIES.

IF, IN THE JUDGMENT OF THE SECRETARY, EMERGENCY CIRCUMSTANCES EXIST WITH RESPECT TO A NEED FOR SAFE DRINKING WATER, THE SECRETARY MAY TAKE ANY ACTION NECESSARY TO PROVIDE SAFE DRINKING WATER WHERE IT OTHERWISE WOULD NOT BE AVAILABLE.

REVISOR'S NOTE: This section is new language derived