

103D CONGRESS  
1ST SESSION

# H. R. 1283

To amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to provide protection for sole source aquifers.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1993

Mr. GALLO introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Public Works and Transportation

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## A BILL

To amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to provide protection for sole source aquifers.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sole Source Aquifer  
5 Protection Act of 1993”.

6 **SEC. 2. PROTECTION FOR SOLE OR PRINCIPAL SOURCE**  
7 **AQUIFERS.**

8 Section 1424 of title XIV of the Public Health Serv-  
9 ice Act, commonly known as the Safe Drinking Water Act

1 (42 U.S.C. 300h-3), is amended by adding at the end the  
2 following:

3 “(f)(1) After the date of the enactment of the Sole  
4 Source Aquifer Protection Act of 1993, no person may  
5 construct a landfill or land treatment facility within a crit-  
6 ical aquifer protection area (as defined in section 1427)  
7 unless the State, municipal, or local government (or inter-  
8 state regional planning entity) that has authority or juris-  
9 diction over such area has adopted a comprehensive man-  
10 agement plan for the critical aquifer protection area which  
11 plan meets the following requirements:

12 “(A) The objective of the comprehensive man-  
13 agement plan shall be to maintain the quality of the  
14 ground water in the critical protection area in a  
15 manner expected to protect human health, the envi-  
16 ronment, and ground water resources. In order to  
17 achieve such objective, the plan may be designed to  
18 maintain, to the maximum extent possible, the natu-  
19 ral vegetative and hydrogeological conditions. Each  
20 of the following elements shall be included in the  
21 plan:

22 “(i) A map showing the detailed boundary  
23 of the critical protection area.

1           “(ii) An identification of existing and po-  
2           tential point and nonpoint sources of ground  
3           water degradation.

4           “(iii) An assessment of the relationship be-  
5           tween activities on the land surface and ground  
6           water quality.

7           “(iv) Specific actions and management  
8           practices to be implemented in the critical pro-  
9           tection area to prevent adverse impacts on  
10          ground water quality.

11          “(v) Identification of authority adequate to  
12          implement the plan.

13          “(vi) Requirements designed to maintain  
14          existing underground drinking water quality or  
15          improve underground drinking water quality if  
16          prevailing conditions fail to meet drinking water  
17          standards, pursuant to this title and State law.

18          “(vii) A comprehensive statement of land  
19          use management including emergency contin-  
20          gency planning as it pertains to the mainte-  
21          nance of the quality of underground sources of  
22          drinking water or to the improvement of such  
23          sources if necessary to meet drinking water  
24          standards pursuant to this title and State law.

1           “(viii) Actions in the special protection  
2           area which would avoid adverse impacts on  
3           water quality, recharge capabilities, or both.

4           “(ix) A program for State and local imple-  
5           mentation of the plan described in this sub-  
6           section in a manner that will ensure the contin-  
7           ued, uniform, consistent protection of the criti-  
8           cal protection area in accord with the purposes  
9           of this section.

10          “(B) During the development of the comprehen-  
11          sive management plan, the planning entity shall con-  
12          sult with, and consider the comments of, appropriate  
13          officials of any municipality and State or Federal  
14          agency which has jurisdiction over lands and waters  
15          within the special protection area, other concerned  
16          organizations and technical and citizen advisory  
17          committees. The planning entity shall conduct public  
18          hearings at places within the special protection area  
19          for the purpose of providing the opportunity to com-  
20          ment on any aspect of the plan.

21          “(2) Nothing in this subsection shall affect the appli-  
22          cation of section 118(c) of the Superfund Amendments  
23          and Reauthorization Act of 1986.”.

1 **SEC. 3. FEDERAL WATER POLLUTION CONTROL ACT.**

2 Section 101(a) of the Federal Water Pollution Con-  
3 trol Act (33 U.S.C. 1251(a)) is amended—

4 (1) by striking “and” at the end of paragraph  
5 (6);

6 (2) by striking the period at the end of para-  
7 graph (7) and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(7) it is the national policy that a comprehen-  
10 sive management plan to protect surface, ground,  
11 and navigable water be promulgated before any  
12 State, municipal, or local government or interstate  
13 planning entity authorizes a landfill or land treat-  
14 ment facility over a critical aquifer protection area  
15 (as defined by section 1427 of the Public Health  
16 Service Act).”.

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