

111TH CONGRESS
2^D SESSION

H. R. 4798

To allow small public water systems to request an exemption from the requirements of any national primary drinking water regulation for a naturally occurring contaminant, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2010

Mr. SIMPSON (for himself and Mr. CONAWAY) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To allow small public water systems to request an exemption from the requirements of any national primary drinking water regulation for a naturally occurring contaminant, and for other purposes.

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 “Small Community Op-
5 tions for Regulatory Equity Act of 2010”.

1 **SEC. 2. EXEMPTION FOR NONPROFIT SMALL PUBLIC**
2 **WATER SYSTEMS RESPECTING NATURALLY**
3 **OCCURRING CONTAMINANTS.**

4 The Safe Drinking Water Act (42 U.S.C. 300f et
5 seq.) is amended by inserting after section 1416 the fol-
6 lowing:

7 “EXEMPTION FOR NONPROFIT SMALL PUBLIC WATER
8 SYSTEMS RESPECTING NATURALLY OCCURRING CON-
9 TAMINANTS

10 “SEC. 1416A. (a) EXEMPTION.—A State exercising
11 primary enforcement responsibility for public water sys-
12 tems under section 1413 (or the Administrator in any non-
13 primacy State) shall exempt any nonprofit small public
14 water system that submits a request in accordance with
15 subsection (b) from the requirements of any national pri-
16 mary drinking water regulation for a naturally occurring
17 contaminant.

18 “(b) REQUEST.—To seek an exemption under this
19 section, a nonprofit small public water system—

20 “(1) shall submit a written request to the State
21 exercising primary enforcement responsibility with
22 respect to the system (or the Administrator in any
23 nonprimacy State); and

24 “(2) shall include in such request a finding
25 under subsection (c).

26 “(c) ECONOMIC FEASIBILITY.—

1 “(1) FINDING.—To seek an exemption under
2 this section, a nonprofit small public water system
3 must find that compliance by the system with the
4 national primary drinking water regulation involved
5 is not economically feasible.

6 “(2) NO REVIEW.—A finding by a nonprofit
7 small public water system under this subsection shall
8 not be subject to judicial or administrative review.

9 “(d) DEFINITIONS.—In this section:

10 “(1) The term ‘naturally occurring contami-
11 nant’ includes arsenic, radon, radium, uranium, and
12 any contaminant that is a disinfection byproduct (in-
13 cluding bromate, chlorite, haloacetic acids, and total
14 trihalomethanes).

15 “(2) The term ‘small public water system’
16 means a public water system serving 10,000 or
17 fewer persons.”.

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