

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3874

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## AN ACT

To amend the Safe Drinking Water Act to reduce lead in drinking water.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reduction of Lead in  
3 Drinking Water Act”.

4 **SEC. 2. REDUCING LEAD IN DRINKING WATER.**

5 (a) IN GENERAL.—Section 1417 of the Safe Drink-  
6 ing Water Act (42 U.S.C. 300g–6) is amended—

7 (1) by adding at the end of subsection (a) the  
8 following:

9 “(4) EXEMPTIONS.—The prohibitions in para-  
10 graphs (1) and (3) shall not apply to—

11 “(A) pipes, pipe fittings, plumbing fittings,  
12 or fixtures, including backflow preventers, that  
13 are used exclusively for nonpotable services  
14 such as manufacturing, industrial processing,  
15 irrigation, outdoor watering, or any other uses  
16 where the water is not anticipated to be used  
17 for human consumption; or

18 “(B) toilets, bidets, urinals, fill valves,  
19 flushometer valves, tub fillers, shower valves,  
20 service saddles, or water distribution main gate  
21 valves that are 2 inches in diameter or larger.”;  
22 and

23 (2) by amending subsection (d) to read as fol-  
24 lows:

25 “(d) DEFINITION OF LEAD FREE.—

1           “(1) IN GENERAL.—For the purposes of this  
2 section, the term ‘lead free’ means—

3           “(A) not containing more than 0.2 percent  
4 lead when used with respect to solder and flux;  
5 and

6           “(B) not more than a weighted average of  
7 0.25 percent lead when used with respect to the  
8 wetted surfaces of pipes, pipe fittings, plumbing  
9 fittings, and fixtures.

10          “(2) CALCULATION.—The weighted average  
11 lead content of a pipe, pipe fitting, plumbing fitting,  
12 or fixture shall be calculated by using the following  
13 formula: For each wetted component, the percentage  
14 of lead in the component shall be multiplied by the  
15 ratio of the wetted surface area of that component  
16 to the total wetted surface area of the entire product  
17 to arrive at the weighted percentage of lead of the  
18 component. The weighted percentage of lead of each  
19 wetted component shall be added together, and the  
20 sum of these weighted percentages shall constitute  
21 the weighted average lead content of the product.  
22 The lead content of the material used to produce  
23 wetted components shall be used to determine com-  
24 pliance with paragraph (1)(B). For lead content of

1 materials that are provided as a range, the max-  
2 imum content of the range shall be used.”.

3 (b) EFFECTIVE DATE.—The provisions of sub-  
4 sections (a)(4) and (d) of section 1417 of the Safe Drink-  
5 ing Water Act, as added by this section, apply beginning  
6 on the day that is 36 months after the date of the enact-  
7 ment of this Act.

Passed the Senate December 16, 2010.

Attest:

*Secretary.*



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