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114TH CONGRESS
1ST SESSION

H. R. 212

To amend the Safe Drinking Water Act to provide for the assessment and management of the risk of cyanotoxins in drinking water, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2015

Mr. LATTA (for himself, Mrs. MILLER of Michigan, Mr. QUIGLEY, and Ms. KAPTUR) introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To amend the Safe Drinking Water Act to provide for the assessment and management of the risk of cyanotoxins in drinking water, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Drinking Water Protection Act''.

SEC. 2. AMENDMENT TO THE SAFE DRINKING WATER ACT.

(a) AMENDMENT.—At the end of part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) add the following new section:

"SEC. 1459. CYANOTOXIN RISK ASSESSMENT AND MANAGEMENT.

"(a) STRATEGIC PLAN.—

"(1) DEVELOPMENT.—Not later than 90 days after the date of enactment of this section, the Administrator shall develop and submit to Congress a strategic plan for assessing and managing risks associated with cyanotoxins in drinking water provided by public water systems. The strategic plan shall include steps and timelines to—

"(A) evaluate the risk to human health from drinking water provided by public water systems contaminated with cyanotoxins;

"(B) establish, publish, and update a comprehensive list of cyanotoxins determined by the Administrator to be harmful to human health when present in drinking water provided by public water systems;

"(C) summarize—

"(i) the known adverse human health effects of cyanotoxins included on the list published under subparagraph (B) when present in drinking water provided by public water systems; and

"(ii) factors that cause cyanobacteria to proliferate and express toxins;

"(D) with respect to cyanotoxins included on the list published under subparagraph (B), determine whether to—

"(i) publish health advisories pursuant to section 1412(b)(1)(F) for such cyanotoxins in drinking water provided by public water systems;

"(ii) establish guidance regarding feasible analytical methods to quantify the presence of cyanotoxins; and

"(iii) establish guidance regarding the frequency of monitoring necessary to determine if such cyanotoxins are present in drinking water provided by public water systems;

"(E) recommend feasible treatment options, including procedures and equipment, to mitigate any adverse public health effects of cyanotoxins included on the list published under subparagraph (B); and

"(F) enter into cooperative agreements with, and provide technical assistance to, affected States and public water systems, as identified by the Administrator, for the purpose of managing risks associated with cyanotoxins in-

cluded on the list published under subparagraph (B).

"(2) UPDATES.—The Administrator shall, as appropriate, update and submit to Congress the strategic plan developed under paragraph (1).

"(b) INFORMATION COORDINATION.—In carrying out this section the Administrator shall—

"(1) identify gaps in the Agency's understanding of cyanobacteria, including—

"(A) the human health effects of cyanotoxins included on the list published under subsection (a)(1)(B); and

"(B) methods and means of testing and monitoring for the presence of harmful cyanotoxins in source water of, or drinking water provided by, public water systems;

"(2) as appropriate, consult with—

"(A) other Federal agencies that—

"(i) examine or analyze cyanobacteria; or

"(ii) address public health concerns related to harmful algal blooms;

"(B) States;

"(C) operators of public water systems;

"(D) multinational agencies;

"(E) foreign governments; and

"(F) research and academic institutions; and

"(3) assemble and publish information from each Federal agency that has—

"(A) examined or analyzed cyanobacteria; or

"(B) addressed public health concerns related to harmful algal blooms.

"(c) USE OF SCIENCE.—The Administrator shall carry out this section in accordance with the requirements described in section 1412(b)(3)(A), as applicable.

"(d) FEASIBLE.—For purposes of this section, the term 'feasible' has the meaning given such term in section 1412(b)(4)(D).".

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to Congress a report that includes—

(1) an inventory of funds—

(A) expended by the United States, for each of fiscal years 2010 through 2014, to examine or analyze cyanobacteria or address public health concerns related to harmful algal blooms; and

(B) that includes the specific purpose for which the funds were made available, the law under which the funds were authorized, and the Federal agency that received or spent the funds; and

(2) recommended steps to reduce any duplication, and improve interagency coordination, of such expenditures.

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