

Union Calendar No. 18

114TH CONGRESS
1ST SESSION

H. R. 212

[Report No. 114–26]

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

FEBRUARY 24, 2015

Additional sponsors: Mr. Murphy of Pennsylvania, Mr. Joyce, and Mr. McKinley

FEBRUARY 24, 2015

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on January 8, 2015]

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.

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 “Drinking Water Protec-*
5 *tion Act”.*

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

7 *(a) AMENDMENT.—At the end of part E of the Safe*
8 *Drinking Water Act (42 U.S.C. 300j et seq.) add the fol-*
9 *lowing new section:*

10 **“SEC. 1459. ALGAL TOXIN RISK ASSESSMENT AND MANAGE-**
11 **MENT.**

12 *“(a) STRATEGIC PLAN.—*

13 *“(1) DEVELOPMENT.—Not later than 90 days*
14 *after the date of enactment of this section, the Admin-*
15 *istrator shall develop and submit to Congress a stra-*
16 *tegic plan for assessing and managing risks associ-*
17 *ated with algal toxins in drinking water provided by*
18 *public water systems. The strategic plan shall include*
19 *steps and timelines to—*

20 *“(A) evaluate the risk to human health from*
21 *drinking water provided by public water systems*
22 *contaminated with algal toxins;*

23 *“(B) establish, publish, and update a com-*
24 *prehensive list of algal toxins which the Admin-*
25 *istrator determines may have an adverse effect*

1 *on human health when present in drinking*
2 *water provided by public water systems, taking*
3 *into account likely exposure levels;*

4 “(C) summarize—

5 “(i) *the known adverse human health*
6 *effects of algal toxins included on the list*
7 *published under subparagraph (B) when*
8 *present in drinking water provided by pub-*
9 *lic water systems; and*

10 “(ii) *factors that cause toxin-producing*
11 *cyanobacteria and algae to proliferate and*
12 *express toxins;*

13 “(D) *with respect to algal toxins included*
14 *on the list published under subparagraph (B),*
15 *determine whether to—*

16 “(i) *publish health advisories pursuant*
17 *to section 1412(b)(1)(F) for such algal tox-*
18 *ins in drinking water provided by public*
19 *water systems;*

20 “(ii) *establish guidance regarding fea-*
21 *sible analytical methods to quantify the*
22 *presence of algal toxins; and*

23 “(iii) *establish guidance regarding the*
24 *frequency of monitoring necessary to deter-*
25 *mine if such algal toxins are present in*

1 *drinking water provided by public water*
2 *systems;*

3 “(E) *recommend feasible treatment options,*
4 *including procedures, equipment, and source*
5 *water protection practices, to mitigate any ad-*
6 *verse public health effects of algal toxins included*
7 *on the list published under subparagraph (B);*
8 *and*

9 “(F) *enter into cooperative agreements with,*
10 *and provide technical assistance to, affected*
11 *States and public water systems, as identified by*
12 *the Administrator, for the purpose of managing*
13 *risks associated with algal toxins included on the*
14 *list published under subparagraph (B).*

15 “(2) *UPDATES.—The Administrator shall, as ap-*
16 *propriate, update and submit to Congress the stra-*
17 *tegic plan developed under paragraph (1).*

18 “(b) *INFORMATION COORDINATION.—In carrying out*
19 *this section the Administrator shall—*

20 “(1) *identify gaps in the Agency’s understanding*
21 *of algal toxins, including—*

22 “(A) *the human health effects of algal toxins*
23 *included on the list published under subsection*
24 *(a)(1)(B); and*

1 “(B) methods and means of testing and
2 monitoring for the presence of harmful algal tox-
3 ins in source water of, or drinking water pro-
4 vided by, public water systems;
5 “(2) as appropriate, consult with—
6 “(A) other Federal agencies that—
7 “(i) examine or analyze cyanobacteria
8 or algal toxins; or
9 “(ii) address public health concerns re-
10 lated to harmful algal blooms;
11 “(B) States;
12 “(C) operators of public water systems;
13 “(D) multinational agencies;
14 “(E) foreign governments;
15 “(F) research and academic institutions;
16 and
17 “(G) companies that provide relevant drink-
18 ing water treatment options; and
19 “(3) assemble and publish information from each
20 Federal agency that has—
21 “(A) examined or analyzed cyanobacteria or
22 algal toxins; or
23 “(B) addressed public health concerns re-
24 lated to harmful algal blooms.

1 “(c) *USE OF SCIENCE.*—*The Administrator shall carry*
2 *out this section in accordance with the requirements de-*
3 *scribed in section 1412(b)(3)(A), as applicable.*

4 “(d) *FEASIBLE.*—*For purposes of this section, the term*
5 *‘feasible’ has the meaning given such term in section*
6 *1412(b)(4)(D).’.*”

7 (b) *REPORT TO CONGRESS.*—*Not later than 90 days*
8 *after the date of enactment of this Act, the Comptroller Gen-*
9 *eral of the United States shall prepare and submit to Con-*
10 *gress a report that includes—*

11 (1) *an inventory of funds—*

12 (A) *expended by the United States, for each*
13 *of fiscal years 2010 through 2014, to examine or*
14 *analyze toxin-producing cyanobacteria and algae*
15 *or address public health concerns related to*
16 *harmful algal blooms; and*

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

22 (2) *recommended steps to reduce any duplica-*
23 *tion, and improve interagency coordination, of such*
24 *expenditures.*

Amend the title so as to read: “A bill to amend the Safe Drinking Water Act to provide for the assessment and management of the risk of algal toxins in drinking water, and for other purposes.”.

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