

114TH CONGRESS  
2D SESSION

# H. R. 4806

To amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to promulgate national primary drinking water regulations regarding lead and copper.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2016

Mr. QUIGLEY (for himself, Ms. DUCKWORTH, and Mrs. BUSTOS) 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 require the Administrator of the Environmental Protection Agency to promulgate national primary drinking water regulations regarding lead and copper.

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 “Copper and Lead Eval-  
5       uation and Reporting Act of 2016” or the “CLEAR Act  
6       of 2016”.

1 **SEC. 2. LEAD AND COPPER IN DRINKING WATER.**

2 Section 1412(b) of the Safe Drinking Water Act (42  
3 U.S.C. 300g–1(b)) is amended by adding at the end the  
4 following:

5 “(16) LEAD AND COPPER IN DRINKING  
6 WATER.—Not later than 180 days after the date of  
7 enactment of the CLEAR Act of 2016, the Adminis-  
8 trator shall promulgate national primary drinking  
9 water regulations regarding lead and copper that—

10 “(A) based on the amount of lead that  
11 would result in a blood lead level greater than  
12 5 micrograms per deciliter in an average,  
13 healthy infant who consumes infant formula  
14 made with water, establish a health-based  
15 household action level for lead and copper that  
16 triggers—

17 “(i) not later than 28 days after the  
18 date on which the household action level is  
19 reached, plain-language consumer notifica-  
20 tion that is culturally and linguistically ap-  
21 propriate;

22 “(ii) a report to the appropriate public  
23 health agency; and

24 “(iii) an examination by the public  
25 water system of service line material and,  
26 if applicable, the initiation of the removal

1 by the public water system of any lead por-  
2 tion of the service line;

3 “(B) provide for frequent and culturally  
4 and linguistically appropriate multimedia out-  
5 reach in plain language about the health risk  
6 and protection available to—

7 “(i) consumers with known or sus-  
8 pected full or partial lead service lines;

9 “(ii) public and private institutions  
10 and facilities that serve individuals of any  
11 other vulnerable population, including—

12 “(I) children;

13 “(II) pregnant women; and

14 “(III) an immunocompromised  
15 population, such as—

16 “(aa) individuals living with  
17 auto immune deficiency syndrome  
18 or human immunodeficiency  
19 virus; and

20 “(bb) the elderly; and

21 “(iii) caregivers and healthcare pro-  
22 viders for any individual described in  
23 clause (i) or (ii);

24 “(C) require, for each monitoring period,  
25 each public water system to publish on a pub-

1           licely accessible website of the public water sys-  
2           tem, or distribute by carrier route presort if the  
3           public water system does not maintain a pub-  
4           licely accessible website, or distribute door-to-  
5           door if a substantial portion of the population  
6           served by the public water system does not have  
7           access to the Internet or is elderly—

8                   “(i) the number of households served  
9                   by the public water system that have a  
10                  household action level that is greater than  
11                  the household action level established by  
12                  the Administrator under subparagraph  
13                  (A);

14                  “(ii) all levels of lead and copper  
15                  found in each monitoring period; and

16                  “(iii) the most recent 90th percentile  
17                  levels for lead and copper, as compared to  
18                  the system action levels for lead and cop-  
19                  per;

20                  “(D) in the case of a community that has  
21                  a lead service line, require the public water sys-  
22                  tem to provide a public statement of lead serv-  
23                  ice line ownership that includes the legal basis  
24                  of that determination of ownership; and

1           “(E) modify lead monitoring requirements  
2 to provide for—

3           “(i) voluntary consumer-requested tap  
4 sampling for lead; and

5           “(ii) the use of any result of a tap  
6 sample described in clause (i)—

7           “(I) to inform—

8           “(aa) consumer action to re-  
9 duce the risk of lead in the home  
10 of the consumer; and

11           “(bb) in the case of a tap  
12 sample that is higher than the  
13 household action level established  
14 in subparagraph (A), the con-  
15 sumer and the appropriate public  
16 health agency; and

17           “(II) to assess—

18           “(aa) if the tap sample  
19 meets the site selection criteria  
20 described in the national primary  
21 drinking water regulations issued  
22 by the Administrator regarding  
23 lead and copper, the effectiveness  
24 of corrosion control treatment; or

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“(bb) any other potential

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cause of an elevated lead level.”.

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