

116TH CONGRESS
1ST SESSION

H. R. 852

To amend the Safe Drinking Water Act to address lead contamination in school drinking water.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2019

Mrs. LAWRENCE (for herself, Mr. QUIGLEY, Mr. MOULTON, Mrs. DEMINGS, Mr. THOMPSON of Mississippi, Mr. RYAN, Ms. WASSERMAN SCHULTZ, Mrs. BUSTOS, Ms. NORTON, Mr. GRIJALVA, Mr. CLAY, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. MOORE, Mr. RUSH, Ms. ROYBAL-ALLARD, Mr. CARSON of Indiana, Ms. SCHAKOWSKY, Ms. WILSON of Florida, Mr. GARAMENDI, Ms. WEXTON, Ms. MENG, Ms. CASTOR of Florida, Mr. COHEN, Ms. OMAR, Mr. RICHMOND, Mr. SEAN PATRICK MALONEY of New York, Ms. HILL of California, Ms. JOHNSON of Texas, Mr. SOTO, Mr. POCAN, Mr. HASTINGS, Ms. CLARKE of New York, Mr. KILDEE, Mr. SERRANO, Ms. KUSTER of New Hampshire, Mr. ENGEL, Mr. MCGOVERN, Mr. RASKIN, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Safe Drinking Water Act to address lead contamination in school drinking water.

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 “Get the Lead Out of
5 Schools Act”.

1 **SEC. 2. SCHOOL TESTING AND NOTIFICATION; GRANT PRO-**
2 **GRAM.**

3 Section 1464 of the Safe Drinking Water Act (42
4 U.S.C. 300j-24) is amended by adding at the end the fol-
5 lowing:

6 “(e) TESTING AND NOTIFICATION REQUIREMENTS
7 FOR PUBLIC WATER SYSTEMS THAT SERVE SCHOOLS.—
8 Not later than 1 year after the date of enactment of this
9 subsection, the Administrator shall promulgate a national
10 primary drinking water regulation for school drinking
11 water that—

12 “(1) establishes a lead action level that is not
13 more than the lead action level established by the
14 Administrator under section 1412(b);

15 “(2) requires each public water system to sam-
16 ple for lead in the drinking water at such schools as
17 the Administrator determines to have a risk of lead
18 in the drinking water at a level that meets or ex-
19 ceeds the lead action level established under para-
20 graph (1); and

21 “(3) in the case of results of sampling under
22 paragraph (2) that indicate that the drinking water
23 of a school contains lead that meets or exceeds the
24 lead action level established under paragraph (1), re-
25 quires the public water system that serves the school
26 to notify the local educational agency that has jurisdic-

1 diction over the school, the relevant local health
 2 agencies, the municipality, and the State as soon as
 3 practicable, but not later than 24 hours after the
 4 public water system receives the sampling results.

5 “(f) SCHOOL LEAD TESTING AND REMEDIATION
 6 GRANT PROGRAM.—

7 “(1) DEFINITION OF ELIGIBLE ENTITY.—In
 8 this subsection, the term ‘eligible entity’ means—

9 “(A) a local educational agency (as defined
 10 in subsection (d)(1)); or

11 “(B) a State agency that administers a
 12 statewide program to test for, or remediate,
 13 lead contamination in drinking water.

14 “(2) GRANTS AUTHORIZED.—Not later than 1
 15 year after the date of enactment of this subsection,
 16 the Administrator shall establish a grant program to
 17 make grants available to eligible entities to test for,
 18 and remediate, lead contamination in school drinking
 19 water.

20 “(3) USE OF FUNDS.—

21 “(A) IN GENERAL.—An eligible entity that
 22 receives a grant under this subsection may use
 23 grant funds—

24 “(i) to recover the costs incurred by
 25 the eligible entity for testing for lead con-

1 tamination in school drinking water con-
2 ducted by an entity approved by the Ad-
3 ministrators or the State to conduct the
4 testing; or

5 “(ii) to replace lead pipes, pipe fit-
6 tings, plumbing fittings, and fixtures of
7 any school with drinking water that con-
8 tains a level of lead that meets or exceeds
9 the action level established by the Adminis-
10 trator under subsection (e)(1) with lead
11 free (as defined in section 1417) pipes,
12 pipe fittings, plumbing fittings, and fix-
13 tures.

14 “(B) LIMITATION.—Not more than 5 per-
15 cent of grant funds accepted under this sub-
16 section shall be used to pay the administrative
17 costs of testing for, or remediation of, lead con-
18 tamination.

19 “(4) GUIDANCE; PUBLIC AVAILABILITY.—As a
20 condition of receiving a grant under this subsection,
21 an eligible entity shall—

22 “(A) expend grant funds in accordance
23 with—

24 “(i) the guidance of the Environ-
25 mental Protection Agency entitled ‘3Ts for

1 Reducing Lead in Drinking Water in
2 Schools: Revised Technical Guidance’ and
3 dated October 2006 (or any successor
4 guidance); or

5 “(ii) applicable State regulations or
6 guidance regarding the reduction of lead in
7 drinking water in schools that is not less
8 stringent than the guidance referred to in
9 clause (i), as determined by the Adminis-
10 trator;

11 “(B) make publicly available, including, to
12 the maximum extent practicable, on the Inter-
13 net website of the eligible entity, a copy of the
14 results of any testing for lead contamination in
15 school drinking water that is carried out with
16 funds under this subsection; and

17 “(C) notify parent, teacher, and employee
18 organizations of the availability of the results
19 described in subparagraph (B).”.

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