

COMMITTEE PRINT

(SHOWING THE TEXT OF H.R. 212 AS FAVORABLY FORWARDED BY THE
SUBCOMMITTEE ON ENVIRONMENT AND THE ECONOMY ON FEBRUARY
5, 2015)

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 algal toxins 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

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.

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 Pro-
5 tection Act”.

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

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

5 **“SEC. 1459. ALGAL TOXIN RISK ASSESSMENT AND MANAGE-
6 MENT.**

7 “(a) STRATEGIC PLAN.—

8 “(1) DEVELOPMENT.—Not later than 90 days
9 after the date of enactment of this section, the Ad-
10 ministrator shall develop and submit to Congress a
11 strategic plan for assessing and managing risks as-
12 sociated with algal toxins in drinking water provided
13 by public water systems. The strategic plan shall in-
14 clude steps and timelines to—

15 “(A) evaluate the risk to human health
16 from drinking water provided by public water
17 systems contaminated with algal toxins;

18 “(B) establish, publish, and update a com-
19 prehensive list of algal toxins which the Admin-
20 istrator determines may have an adverse effect
21 on human health when present in drinking
22 water provided by public water systems, taking
23 into account likely exposure levels;

24 “(C) summarize—

25 “(i) the known adverse human health
26 effects of algal toxins included on the list

1 published under subparagraph (B) when
2 present in drinking water provided by pub-
3 lic water systems; and

4 “(ii) factors that cause toxin-pro-
5 ducing cyanobacteria and algae to pro-
6 liferate and express toxins;

7 “(D) with respect to algal toxins included
8 on the list published under subparagraph (B),
9 determine whether to—

10 “(i) publish health advisories pursuant
11 to section 1412(b)(1)(F) for such algal
12 toxins in drinking water provided by public
13 water systems;

14 “(ii) establish guidance regarding fea-
15 sible analytical methods to quantify the
16 presence of algal toxins; and

17 “(iii) establish guidance regarding the
18 frequency of monitoring necessary to deter-
19 mine if such algal toxins are present in
20 drinking water provided by public water
21 systems;

22 “(E) recommend feasible treatment op-
23 tions, including procedures, equipment, and
24 source water protection practices, to mitigate
25 any adverse public health effects of algal toxins

1 included on the list published under subpara-
2 graph (B); and

3 “(F) enter into cooperative agreements
4 with, and provide technical assistance to, af-
5 fected States and public water systems, as iden-
6 tified by the Administrator, for the purpose of
7 managing risks associated with algal toxins in-
8 cluded on the list published under subpara-
9 graph (B).

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

13 “(b) INFORMATION COORDINATION.—In carrying out
14 this section the Administrator shall—

15 “(1) identify gaps in the Agency’s under-
16 standing of algal toxins, including—

17 “(A) the human health effects of algal tox-
18 ins included on the list published under sub-
19 section (a)(1)(B); and

20 “(B) methods and means of testing and
21 monitoring for the presence of harmful algal
22 toxins in source water of, or drinking water
23 provided by, public water systems;

24 “(2) as appropriate, consult with—

25 “(A) other Federal agencies that—

1 “(i) examine or analyze cyanobacteria
2 or algal toxins; or

3 “(ii) address public health concerns
4 related to harmful algal blooms;

5 “(B) States;

6 “(C) operators of public water systems;

7 “(D) multinational agencies;

8 “(E) foreign governments;

9 “(F) research and academic institutions;

10 and

11 “(G) companies that provide relevant
12 drinking water treatment options; and

13 “(3) assemble and publish information from
14 each Federal agency that has—

15 “(A) examined or analyzed cyanobacteria
16 or algal toxins; or

17 “(B) addressed public health concerns re-
18 lated to harmful algal blooms.

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

22 “(d) FEASIBLE.—For purposes of this section, the
23 term ‘feasible’ has the meaning given such term in section
24 1412(b)(4)(D).”.

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

5 (1) an inventory of funds—

6 (A) expended by the United States, for
7 each of fiscal years 2010 through 2014, to ex-
8 amine or analyze toxin-producing cyanobacteria
9 and algae or address public health concerns re-
10 lated to harmful algal blooms; and

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

16 (2) recommended steps to reduce any duplica-
17 tion, and improve interagency coordination, of such
18 expenditures.