

114TH CONGRESS  
1ST SESSION

# H. R. 212

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2015

Received

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Drinking Water Pro-  
3 tection Act”.

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

5 (a) AMENDMENT.—Part E of the Safe Drinking  
6 Water Act (42 U.S.C. 300j et seq.) is amended by adding  
7 at the end the following new section:

8 **“SEC. 1459. ALGAL TOXIN RISK ASSESSMENT AND MANAGE-  
9 MENT.**

10 “(a) STRATEGIC PLAN.—

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

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

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

1 “(C) summarize—

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

7 “(ii) factors that cause toxin-pro-  
8 ducing cyanobacteria and algae to pro-  
9 liferate and express toxins;

10 “(D) with respect to algal toxins included  
11 on the list published under subparagraph (B),  
12 determine whether to—

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

17 “(ii) establish guidance regarding fea-  
18 sible analytical methods to quantify the  
19 presence of algal toxins; and

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

1           “(E) recommend feasible treatment op-  
2           tions, including procedures, equipment, and  
3           source water protection practices, to mitigate  
4           any adverse public health effects of algal toxins  
5           included on the list published under subpara-  
6           graph (B); and

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

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

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

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

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

24                         “(B) methods and means of testing and  
25                         monitoring for the presence of harmful algal

1 toxins in source water of, or drinking water  
2 provided by, public water systems;

3 “(2) as appropriate, consult with—

4 “(A) other Federal agencies that—

5 “(i) examine or analyze cyanobacteria  
6 or algal toxins; or

7 “(ii) address public health concerns  
8 related to harmful algal blooms;

9 “(B) States;

10 “(C) operators of public water systems;

11 “(D) multinational agencies;

12 “(E) foreign governments;

13 “(F) research and academic institutions;

14 and

15 “(G) companies that provide relevant  
16 drinking water treatment options; and

17 “(3) assemble and publish information from  
18 each Federal agency that has—

19 “(A) examined or analyzed cyanobacteria  
20 or algal toxins; or

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

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

1       “(d) FEASIBLE.—For purposes of this section, the  
2 term ‘feasible’ has the meaning given such term in section  
3 1412(b)(4)(D).”.

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

8           (1) an inventory of funds—

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

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

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

Passed the House of Representatives February 24,  
2015.

Attest:

KAREN L. HAAS,

*Clerk.*