

113TH CONGRESS  
2D SESSION

# H. R. 5753

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2014

Mr. LATTA 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 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 Pro-  
5 tection 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:

1 **“SEC. 1459. CYANOTOXIN RISK ASSESSMENT AND MANAGE-**  
2 **MENT.**

3 “(a) STRATEGIC PLAN.—

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

11 “(A) evaluate the risk to human health  
12 from drinking water provided by public water  
13 systems contaminated with cyanotoxins;

14 “(B) establish, publish, and update a com-  
15 prehensive list of cyanotoxins determined by the  
16 Administrator to be harmful to human health  
17 when present in drinking water provided by  
18 public water systems;

19 “(C) summarize—

20 “(i) the known adverse human health  
21 effects of cyanotoxins included on the list  
22 published under subparagraph (B) when  
23 present in drinking water provided by pub-  
24 lic water systems; and

25 “(ii) factors that cause cyanobacteria  
26 to proliferate and express toxins;

1           “(D) with respect to cyanotoxins included  
2 on the list published under subparagraph (B),  
3 determine whether to—

4                   “(i) publish health advisories pursuant  
5 to section 1412(b)(1)(F) for such  
6 cyanotoxins in drinking water provided by  
7 public water systems;

8                   “(ii) establish guidance regarding fea-  
9 sible analytical methods to quantify the  
10 presence of cyanotoxins; and

11                   “(iii) establish guidance regarding the  
12 frequency of monitoring necessary to deter-  
13 mine if such cyanotoxins are present in  
14 drinking water provided by public water  
15 systems;

16           “(E) recommend feasible treatment op-  
17 tions, including procedures and equipment, to  
18 mitigate any adverse public health effects of  
19 cyanotoxins included on the list published under  
20 subparagraph (B); and

21           “(F) enter into cooperative agreements  
22 with, and provide technical assistance to, af-  
23 fected States and public water systems, as iden-  
24 tified by the Administrator, for the purpose of  
25 managing risks associated with cyanotoxins in-

1           cluded on the list published under subpara-  
2           graph (B).

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

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

8           “(1) identify gaps in the Agency’s under-  
9           standing of cyanobacteria, including—

10           “(A) the human health effects of  
11           cyanotoxins included on the list published under  
12           subsection (a)(1)(B); and

13           “(B) methods and means of testing and  
14           monitoring for the presence of harmful  
15           cyanotoxins in source water of, or drinking  
16           water provided by, public water systems;

17           “(2) as appropriate, consult with—

18           “(A) other Federal agencies that—

19           “(i) examine or analyze cyanobacteria;

20           or

21           “(ii) address public health concerns  
22           related to harmful algal blooms;

23           “(B) States;

24           “(C) operators of public water systems;

25           “(D) multinational agencies;

1 “(E) foreign governments; and

2 “(F) research and academic institutions;

3 and

4 “(3) assemble and publish information from  
5 each Federal agency that has—

6 “(A) examined or analyzed cyanobacteria;

7 or

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

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

13 “(d) FEASIBLE.—For purposes of this section, the  
14 term ‘feasible’ has the meaning given such term in section  
15 1412(b)(4)(D).”.

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

20 (1) an inventory of funds—

21 (A) expended by the United States, for  
22 each of fiscal years 2010 through 2014, to ex-  
23 amine or analyze cyanobacteria or address pub-  
24 lic health concerns related to harmful algal  
25 blooms; and

1           (B) that includes the specific purpose for  
2           which the funds were made available, the law  
3           under which the funds were authorized, and the  
4           Federal agency that received or spent the  
5           funds; and

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

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