

114TH CONGRESS
2D SESSION

S. 2776

To amend the Safe Drinking Water Act to condition the receipt of funds by a State for a drinking water treatment revolving loan fund on the State carrying out a program to test for lead in drinking water for schools.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2016

Mr. BOOKER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Safe Drinking Water Act to condition the receipt of funds by a State for a drinking water treatment revolving loan fund on the State carrying out a program to test for lead in drinking water for schools.

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 “Transparent Environ-
5 ment in School Testing for Lead Act” or the “TEST for
6 Lead Act”.

1 **SEC. 2. TESTING FOR LEAD IN DRINKING WATER FOR**
 2 **SCHOOLS.**

3 (a) USE OF FUNDS.—Section 1452(a)(2) of the Safe
 4 Drinking Water Act (42 U.S.C. 300j–12(a)(2)) is amend-
 5 ed—

6 (1) in the first sentence, by striking “Except”
 7 and inserting the following:

8 “(A) IN GENERAL.—Except”;

9 (2) in the second sentence, by striking “Finan-
 10 cial” and inserting the following:

11 “(B) FINANCIAL ASSISTANCE.—Finan-
 12 cial”;

13 (3) in the third sentence, by striking “The
 14 funds” and inserting the following:

15 “(C) LOANS TO PUBLIC WATER SYS-
 16 TEMS.—The funds”;

17 (4) in the fourth sentence, by striking “The
 18 funds” and inserting the following:

19 “(D) LEAD CONTAMINATION.—The funds
 20 may be used—

21 “(i) to train school personnel on
 22 issues relating to lead contamination in
 23 drinking water; and

24 “(ii) in the case of a level of lead that
 25 exceeds a lead action level in the drinking
 26 water of a school, to assist the relevant

1 local educational agency with lead remedi-
2 ation activities.

3 “(E) LIMITATION.—The funds”; and

4 (5) in the fifth sentence, by striking “Of the
5 amount” and inserting the following:

6 “(F) PUBLIC WATER SYSTEMS SERVING
7 FEWER THAN 10,000 PERSONS.—Of the
8 amount”.

9 (b) PROGRAMS TO TEST LEAD CONTAMINATION IN
10 SCHOOLS.—Section 1464(d) of the Safe Drinking Water
11 Act (42 U.S.C. 300j–24(d)) is amended—

12 (1) by striking paragraph (1) and inserting the
13 following:

14 “(1) PROGRAMS TO TEST LEAD CONTAMINA-
15 TION IN SCHOOLS.—To be eligible to receive funds
16 under section 1452, not later than 1 year after the
17 date of enactment of the TEST for Lead Act, a
18 State (as defined in section 1401(13)(A)) shall carry
19 out a program, consistent with this section, to assist
20 local educational agencies in testing for lead con-
21 tamination in drinking water from sources of lead
22 contamination at schools under the jurisdiction of
23 the local educational agencies.”;

24 (2) by striking paragraph (3);

1 (3) by redesignating paragraph (2) as para-
2 graph (3);

3 (4) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) TESTING REQUIREMENTS.—A program
6 carried out under paragraph (1) shall require testing
7 of drinking water, including testing of water from
8 faucets used for food preparation, sinks in lava-
9 tories, and drinking water coolers, for lead—

10 “(A) at schools built prior to 1996, at least
11 biannually; and

12 “(B) at schools built in 1996 or after, at
13 least annually.”; and

14 (5) in paragraph (3) (as redesignated by para-
15 graph (3))—

16 (A) in the first sentence—

17 (i) by striking “A copy” and inserting:

18 “(A) IN GENERAL.—A copy”; and

19 (ii) by inserting “under a program
20 carried out” before “under paragraph (1)”;

21 (B) in the second sentence, by striking

22 “The local” and inserting the following:

23 “(B) NOTIFICATION.—The local”; and

24 (C) by adding at the end the following:

1 “(C) EMERGENCY NOTIFICATION.—If a
2 level of lead that exceeds a lead action level, as
3 identified by the Administrator, is discovered in
4 drinking water at a school pursuant to testing
5 under a program carried out under paragraph
6 (1), not later than 48 hours after the discovery
7 of the elevated lead level, the local educational
8 agency with jurisdiction over the school shall
9 make a good faith effort to provide notification
10 of the elevated lead level to—

11 “(i) the parents or guardians of each
12 child enrolled in the school;

13 “(ii) the Administrator;

14 “(iii) the State;

15 “(iv) the local municipal government;

16 and

17 “(v) local health agencies.”.

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