

103^D CONGRESS
1ST SESSION

H. R. 650

To amend title XIV of the Public Health Service Act (the Safe Drinking Water Act) to clarify that review by the Administrator of the Environmental Protection Agency under section 1424(e) is mandatory, to improve interagency coordination in the protection of sole or principal drinking water source aquifers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1993

Mr. GONZALEZ introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XIV of the Public Health Service Act (the Safe Drinking Water Act) to clarify that review by the Administrator of the Environmental Protection Agency under section 1424(e) is mandatory, to improve interagency coordination in the protection of sole or principal drinking water source aquifers, 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. PROTECTION OF SOLE AND PRINCIPAL DRINK-**
4 **ING WATER SOURCE AQUIFERS.**

5 Section 1424(e) of title XIV of the Public Health
6 Services Act (the Safe Drinking Water Act) is amended

1 by deleting everything after the first sentence of that para-
2 graph and inserting the following in lieu thereof:

3 “After the publication of such notice, the Adminis-
4 trator shall review all projects referred to him by any Fed-
5 eral department, agency, or instrumentality under para-
6 graph (3) of this section, or referred to him by petition
7 or any other manner under this section, to determine if
8 they may contaminate any sole or principal drinking water
9 source aquifer through a recharge zone so as to create a
10 significant hazard to public health. If the Administrator
11 determines that a project may contaminate such aquifer
12 in such a manner, no commitment for Federal financial
13 assistance (through grant, contract, loan guarantee, or
14 otherwise) may be entered into for that project or for any
15 portion of that project. Federal financial assistance may,
16 if authorized under another provision of law, be entered
17 into to plan or design the project to assure that it will
18 not so contaminate the aquifer.”.

19 Section 1424(e) of title XIV of the Public Health
20 Services Act (the Safe Drinking Water Act) is further
21 amended by inserting “(1)” after “(e)” and by adding the
22 following at the end thereof:

23 “(2) The Administrator shall, not less frequently
24 than annually, notify the office of each department, agen-
25 cy, and instrumentality of the United States designated

1 under paragraph (3) of the requirements set forth in para-
2 graph (1). Such notice shall include a description of each
3 area identified under paragraph (1), together with a map
4 of the aquifer and a description and map of the recharge
5 zone for such aquifer.

6 “(3) Not later than 60 days after the enactment of
7 this paragraph, each department, agency, and instrumen-
8 tality of the United States subject to the requirements of
9 paragraph (1) shall designate an official within such de-
10 partment, agency, or instrumentality to be primarily re-
11 sponsible for compliance with paragraph (1) and for co-
12 ordinating such compliance with the Administrator. Not
13 later than 180 days after the enactment of this paragraph,
14 each such department, agency and instrumentality shall
15 by rule or order establish procedures for assuring timely
16 compliance by that department, agency, or instrumentality
17 with the requirements of paragraph (1). The rule or order
18 required under this paragraph shall include provisions as-
19 suring that department, agency or instrumentality will for-
20 ward to the Administrator, in a timely manner, a descrip-
21 tion of each project which may be subject to paragraph
22 (1), an assessment of whether or not the project poses a
23 risk to the sole source aquifer concern, and documentation
24 supporting such assessment. For purposes of this para-

- 1 graph, the term 'timely' means at least 60 days before
- 2 any commitment of financial assistance is provided.".

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