

104TH CONGRESS
1ST SESSION

H. R. 1969

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 1995

Mr. STUDDS introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 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 “Superfund Site Public
5 Health Improvement Act”.

6 **SEC. 2. PUBLIC HEALTH AT NPL FACILITIES.**

7 Section 104(i)(6) of the Comprehensive Environ-
8 mental Response, Compensation, and Liability Act of
9 1980 (42 U.S.C. 9604(i)(6)) is amended as follows:

1 (1) By amending subparagraph (A) to read as
2 follows:

3 “(A) The Administrator of ATSDR shall perform a
4 health assessment for each facility, including those facili-
5 ties owned by any department, agency, or instrumentality
6 of the United States, on the National Priorities List estab-
7 lished under section 105. The health assessment shall be
8 commenced as soon as practicable after each facility is
9 proposed for inclusion on the National Priorities List and
10 shall be completed not later than the date of issuance of
11 a remedial investigation and feasibility study for the facil-
12 ity to allow full consideration in selecting the remedial ac-
13 tion of the public health implications of any release.”.

14 (2) By amending subparagraph (D) to read as
15 follows:

16 “(D)(i) The Administrator and the Administrator of
17 ATSDR shall develop strategies to obtain relevant on-site
18 and off-site characterization data for use in a health as-
19 sessment. The Administrator shall, to the maximum ex-
20 tent practicable, provide the Administrator of ATSDR
21 with the data and information necessary to make health
22 assessments sufficiently prior to the initiation of remedial
23 actions to allow ATSDR to complete these assessments.
24 Where deemed appropriate, the Administrator of ATSDR
25 shall provide to the Administrator as soon as practicable

1 after site discovery, recommendations for sampling envi-
2 ronmental media for hazardous substances of public
3 health concern. To the extent feasible, the Administrator
4 shall incorporate such recommendations into its site inves-
5 tigation activities.

6 “(ii) In order to improve community involvement in
7 health assessments, the Administrator of ATSDR shall
8 carry out each of the following duties:

9 “(I) The Administrator of ATSDR shall ac-
10 tively collect data from residents of affected commu-
11 nities and from other sources in communities af-
12 fected or potentially affected by releases of hazard-
13 ous substances, pollutants, or contaminants regard-
14 ing exposure, relevant human activities, and other
15 factors.

16 “(II) The Administrator of ATSDR shall design
17 health assessments that take into account the needs
18 and conditions of the affected community. Commu-
19 nity-based research models, building links to local
20 expertise, and local health resources should be used.
21 Each affected community shall be permitted to play
22 an active and early role in reviewing health assess-
23 ment designs. In preparing such designs, emphasis
24 shall be placed on collection of actual exposure data

1 and sources of multiple exposure shall be consid-
2 ered.”.

3 **SEC. 3. HEALTH STUDIES.**

4 Subparagraph (A) of section 104(i)(7) of the Com-
5 prehensive Environmental Response, Compensation, and
6 Liability Act of 1980 (42 U.S.C. 9604(i)(7)) is amended
7 to read as follows: “(A) Whenever in the judgment of the
8 Administrator of ATSDR it is appropriate on the basis
9 of the results of a health assessment or on the basis of
10 other appropriate information, the Administrator of
11 ATSDR shall conduct a human health study of exposure
12 or other health effects for selected groups or individuals
13 in order to determine the desirability of conducting full
14 scale epidemiologic or other health studies of the entire
15 exposed population.”.

16 **SEC. 4. DISTRIBUTION OF MATERIALS TO HEALTH PROFES-**
17 **SIONALS AND MEDICAL CENTERS.**

18 Paragraph (14) of section 104(i) of the Comprehen-
19 sive Environmental Response, Compensation, and Liabil-
20 ity Act of 1980 (42 U.S.C. 9604(i)) is amended to read
21 as follows:

22 “(14) In implementing this subsection and other
23 health-related provisions of this Act in cooperation with
24 the States, the Administrator of ATSDR shall—

1 “(A) assemble, develop as necessary, and dis-
2 tribute to the States, medical colleges, physicians,
3 nursing institutions, nurses, and other health profes-
4 sionals and medical centers, appropriate educational
5 materials (including short courses) on the medical
6 surveillance, screening, and methods of prevention,
7 diagnosis, and treatment of injury or disease related
8 to exposure to hazardous substances (giving priority
9 to those listed in paragraph (2)), through means the
10 Administrator of ATSDR considers appropriate; and

11 “(B) assemble, develop as necessary, and dis-
12 tribute to the general public and to at-risk popu-
13 lations appropriate educational materials and other
14 information on human health effects of hazardous
15 substances.”.

16 **SEC. 5. GRANT AWARDS, CONTRACTS, AND COMMUNITY AS-**
17 **SISTANCE ACTIVITIES.**

18 Section 104(i)(15) of the Comprehensive Environ-
19 mental Response, Compensation, and Liability Act of
20 1980 (42 U.S.C. 6904(i)(15)) is amended as follows:

21 (1) By inserting “(A)” before “The activities”.

22 (2) In the first sentence, by striking “coopera-
23 tive agreements with States (or political subdivisions
24 thereof)” and inserting “grants, cooperative agree-
25 ments, or contracts with States (or political subdivi-

1 sions thereof), other appropriate public authorities,
2 public or private institutions, colleges, universities,
3 and professional associations giving consideration to
4 those colleges and universities that are historically
5 black colleges and universities and to other edu-
6 cational institutions that primarily serve minorities
7 or represent the interests of affected communities”.

8 (3) By adding at the end the following new sub-
9 paragraphs:

10 “(B) When a health assessment is conducted at a fa-
11 cility on the National Priorities List, or a release is being
12 evaluated for inclusion on the National Priorities List, the
13 Administrator of ATSDR may provide the assistance spec-
14 ified in this paragraph to public or private nonprofit enti-
15 ties, individuals, and community-based groups that may
16 be affected by the release or threatened release of hazard-
17 ous substances in the environment.

18 “(C) The Administrator of the Agency for Toxic Sub-
19 stances and Disease Registry, pursuant to the grants, co-
20 operative agreements and contracts referred to in this
21 paragraph, is authorized and directed to provide, where
22 appropriate, health services to communities affected by the
23 release of hazardous substances. Such health services may
24 include diagnostic services, specialized treatment, health
25 data registries and preventative public health education.”.

1 **SEC. 6. PUBLIC HEALTH RECOMMENDATIONS IN REMEDIAL**
2 **ACTIONS.**

3 Section 121(c) of the Comprehensive Environmental
4 Response, Compensation, and Liability Act of 1980 (42
5 U.S.C. 9621(c)) is amended in the first sentence by insert-
6 ing after “remedial action” the second time it appears the
7 following: “, including public health recommendations and
8 decisions resulting from activities under section 104(i),”.

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