

Union Calendar No. 428

104TH CONGRESS
2^D SESSION

S. 811

[Report No. 104-790, Part I]

AN ACT

To authorize research into the desalinization and reclamation of water and authorize a program for States, cities, or qualifying agencies desiring to own and operate a water desalinization or reclamation facility to develop such facilities, and for other purposes.

SEPTEMBER 16, 1996

Referral to the Committees on Science and Transportation and Infrastructure extended for a period ending not later than September 16, 1996

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Reported from the Committee on Resources with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1996

Referred to the Committee on Resources, and in addition to the Committees on Science, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 16, 1996

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[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of Senate passed bill, see copy of bill as printed in the House of Representatives on May 14, 1996]

AN ACT

To authorize research into the desalinization and reclamation of water and authorize a program for States, cities, or qualifying agencies desiring to own and operate a water desalinization or reclamation facility to develop such facilities, 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 “Water Desalination Act*
5 *of 1996”.*

6 **SEC. 2. DEFINITIONS.**

7 *As used in this Act:*

8 (1) *DESALINATION OR DESALTING.*—*The terms*
9 *“desalination” or “desalting” mean the use of any*
10 *process or technique for the removal and, when fea-*
11 *sible, adaptation to beneficial use, of organic and in-*
12 *organic elements and compounds from saline or bio-*
13 *logically impaired waters, by itself or in conjunction*
14 *with other processes.*

15 (2) *SALINE WATER.*—*The term “saline water”*
16 *means sea water, brackish water, and other mineral-*
17 *ized or chemically impaired water.*

18 (3) *UNITED STATES.*—*The term “United States”*
19 *means the States of the United States, the District of*
20 *Columbia, the Commonwealth of Puerto Rico, and the*
21 *territories and possessions of the United States.*

22 (4) *USABLE WATER.*—*The term “usable water”*
23 *means water of a high quality suitable for environ-*
24 *mental enhancement, agricultural, industrial, munic-*

1 *ipal, and other beneficial consumptive or non-*
2 *consumptive uses.*

3 (5) *SECRETARY.*—*The term “Secretary” means*
4 *the Secretary of the Interior.*

5 **SEC. 3. AUTHORIZATION OF RESEARCH AND STUDIES.**

6 (a) *IN GENERAL.*—*In order to determine the most cost-*
7 *effective and technologically efficient means by which usable*
8 *water can be produced from saline water or water otherwise*
9 *impaired or contaminated, the Secretary is authorized to*
10 *award grants and to enter into contracts, to the extent pro-*
11 *vided in advance in appropriation Acts, to conduct, encour-*
12 *age, and assist in the financing of research to develop proc-*
13 *esses for converting saline water into water suitable for ben-*
14 *eficial uses. Awards of research grants and contracts under*
15 *this section shall be made on the basis of a competitive,*
16 *merit-reviewed process. Research and study topics author-*
17 *ized by this section include—*

18 (1) *investigating desalination processes;*

19 (2) *ascertaining the optimum mix of investment*
20 *and operating costs;*

21 (3) *determining the best designs for different con-*
22 *ditions of operation;*

23 (4) *investigating methods of increasing the eco-*
24 *nomie efficiency of desalination processes through*

1 *dual-purpose co-facilities with other processes involv-*
2 *ing the use of water;*

3 *(5) conducting or contracting for technical work,*
4 *including the design, construction, and testing of pilot*
5 *systems and test beds, to develop desalting processes*
6 *and concepts; and*

7 *(6) studying methods for the recovery of byprod-*
8 *ucts resulting from desalination to offset the costs of*
9 *treatment and to reduce environmental impacts from*
10 *those byproducts.*

11 *(b) PROJECT RECOMMENDATIONS AND REPORTS TO*
12 *THE CONGRESS.—As soon as practicable and within three*
13 *years after the date of enactment of this Act, the Secretary*
14 *shall recommend to Congress desalination demonstration*
15 *projects or full-scale desalination projects to carry out the*
16 *purposes of this Act and to further evaluate and implement*
17 *the results of research and studies conducted under the au-*
18 *thority of this section. Recommendations for projects shall*
19 *be accompanied by reports on the engineering and economic*
20 *feasibility of proposed projects and their environmental im-*
21 *pacts.*

22 *(c) AUTHORITY TO ENGAGE OTHERS.—In carrying*
23 *out research and studies authorized in this section, the Sec-*
24 *retary may engage the necessary personnel, industrial or*
25 *engineering firms, Federal laboratories, water resources re-*

1 *search and technology institutes, other facilities, and edu-*
 2 *cational institutions suitable to conduct investigations and*
 3 *studies authorized under this section.*

4 (d) *ALTERNATIVE TECHNOLOGIES.*—*In carrying out*
 5 *the purposes of this Act, the Secretary shall ensure that at*
 6 *least three separate technologies are evaluated and dem-*
 7 *onstrated for the purposes of accomplishing desalination.*

8 **SEC. 4. DESALINATION DEMONSTRATION AND DEVELOP-**
 9 **MENT.**

10 (a) *IN GENERAL.*—*In order to further demonstrate the*
 11 *feasibility of desalination processes investigated either inde-*
 12 *pendently or in research conducted pursuant to section 3,*
 13 *the Secretary shall administer and conduct a demonstration*
 14 *and development program for water desalination and relat-*
 15 *ed activities, including the following:*

16 (1) *DESALINATION PLANTS AND MODULES.*—
 17 *Conduct or contract for technical work, including the*
 18 *design, construction, and testing of plants and mod-*
 19 *ules to develop desalination processes and concepts.*

20 (2) *BYPRODUCTS.*—*Study methods for the mar-*
 21 *keting of byproducts resulting from the desalting of*
 22 *water to offset the costs of treatment and to reduce en-*
 23 *vironmental impacts of those byproducts.*

24 (3) *ECONOMIC SURVEYS.*—*Conduct economic*
 25 *studies and surveys to determine present and prospec-*

1 *tive costs of producing water for beneficial purposes*
2 *in various locations by desalination processes com-*
3 *pared to other methods.*

4 *(b) COOPERATIVE AGREEMENTS.—Federal participa-*
5 *tion in desalination activities may be conducted through*
6 *cooperative agreements, including cost-sharing agreements,*
7 *with non-Federal public utilities and State and local gov-*
8 *ernmental agencies and other entities, in order to develop*
9 *recommendations for Federal participation in processes and*
10 *plants utilizing desalting technologies for the production of*
11 *water.*

12 **SEC. 5. AVAILABILITY OF INFORMATION.**

13 *All information from studies sponsored or funded*
14 *under authority of this Act shall be considered public infor-*
15 *mation.*

16 **SEC. 6. TECHNICAL AND ADMINISTRATIVE ASSISTANCE.**

17 *The Secretary may—*

18 *(1) accept technical and administrative assist-*
19 *ance from States and public or private agencies in*
20 *connection with studies, surveys, location, construc-*
21 *tion, operation, and other work relating to the*
22 *desalting of water, and*

23 *(2) enter into contracts or agreements stating the*
24 *purposes for which the assistance is contributed and*

1 *providing for the sharing of costs between the Sec-*
2 *retary and any such agency.*

3 **SEC. 7. COST SHARING.**

4 *The Federal share of the cost of a research, study, or*
5 *demonstration project or a desalination development project*
6 *or activity carried out under this Act shall not exceed 50*
7 *percent of the total cost of the project or research or study*
8 *activity. A Federal contribution in excess of 25 percent for*
9 *a project carried out under this Act may not be made unless*
10 *the Secretary determines that the project is not feasible*
11 *without such increased Federal contribution. The Secretary*
12 *shall prescribe appropriate procedures to implement the*
13 *provisions of this section. Costs of operation, maintenance,*
14 *repair, and rehabilitation of facilities funded under the au-*
15 *thority of this Act shall be non-Federal responsibilities.*

16 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

17 *(a) SECTION 3.—There are authorized to be appro-*
18 *priated to carry out section 3 of this Act \$5,000,000 per*
19 *year for fiscal years 1997 through 2002. Of these amounts,*
20 *up to \$1,000,000 in each fiscal year may be awarded to*
21 *institutions of higher education, including United States-*
22 *Mexico binational research foundations and interuniversity*
23 *research programs established by the two countries, for re-*
24 *search grants without any cost-sharing requirement.*

