

116TH CONGRESS
2D SESSION

H. R. 7918

To amend the Safe Drinking Water Act with respect to replacement of lead service lines, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2020

Mr. SMITH of New Jersey (for himself and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Safe Drinking Water Act with respect to replacement of lead service lines, 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 “Get the Lead Out
5 Act”.

6 **SEC. 2. PLANS FOR REPLACEMENT OF LEAD SERVICE**

7 **LINES.**

8 (a) IN GENERAL.—Part E of the Safe Drinking
9 Water Act (42 U.S.C. 300j et seq.) is amended by adding
10 at the end the following:

1 **“SEC. 1459E. REPLACEMENT OF LEAD SERVICE LINES.**

2 “(a) PLANS.—

3 “(1) SUBMISSION.—

4 “(A) IN GENERAL.—Not later than 1 year
5 after the date of enactment of this section, each
6 community water system serving a population
7 of 3,300 or more shall submit to the Adminis-
8 trator a plan to inventory and replace all the
9 lead service lines of the community water sys-
10 tem, including the portions of such lead service
11 lines that are owned by the community water
12 system and any remaining portions of such lead
13 service lines.

14 “(B) SMALL SYSTEMS.—The Adminis-
15 trator shall require community water systems
16 serving fewer than 3,300 persons to submit a
17 plan under this section at such time as the Ad-
18 ministrator determines appropriate.

19 “(2) INCLUSIONS.—Each plan submitted under
20 this subsection shall include a plan and schedule
21 for—

22 “(A) notifying persons served by the appli-
23 cable community water system that, if author-
24 ized, the community water system will install
25 interim filters that meet the criteria under
26 paragraph (3) on all drinking water taps served

1 by the community water system with lead serv-
2 ice lines;

3 “(B) installing such interim filters; and

4 “(C) replacing all the lead service lines of
5 the community water system not later than 10
6 years after such plan is approved.

7 “(3) FILTER CRITERIA.—Interim filters, and
8 any replacement thereof, installed pursuant to a
9 plan under this section—

10 “(A) shall—

11 “(i) be certified as compliant with
12 NSF International/American National
13 Standards Institute (‘ANSI’) Standard
14 53–2017, ‘Drinking Water Treatment
15 Units—Health Effects’, published by NSF
16 International; and

17 “(ii) incorporate an integral perform-
18 ance indication device as specified in sec-
19 tion 6.1 of NSF/ANSI standard 53–2017;
20 or

21 “(B) shall be certified as compliant with
22 any standards adopted by NSF International,
23 ANSI, or the Agency that are more stringent
24 than the standards under subparagraph (A).

1 “(b) APPROVAL.—Not later than 6 months after a
2 community water system submits a plan under this sec-
3 tion, the Administrator shall approve the plan or notify
4 the community water system in writing of revisions the
5 Administrator determines necessary to approve the plan.

6 “(c) IMPLEMENTATION.—Not later than 10 years
7 after a plan under this section of a community water sys-
8 tem is approved by the Administrator, the community
9 water system shall submit to the Administrator a certifi-
10 cation that all the lead service lines of the community
11 water system have been replaced except for any lead serv-
12 ice line not owned by the community water system and
13 with respect to which the owner has declined replacement
14 by the community water system.

15 “(d) EXTENSION.—

16 “(1) APPLICATION.—A community water sys-
17 tem may submit an application to the Administrator
18 for an extension of the 10-year deadline described in
19 subsection (c).

20 “(2) APPROVAL.—The Administrator shall ap-
21 prove an application for an extension under para-
22 graph (1) only if—

23 “(A) the community water system submit-
24 ting the application has held a public hearing

1 and solicited public comment prior to submit-
2 ting the application; and

3 “(B) the Administrator determines that
4 lead service line replacement by the community
5 water system is not feasible by the 10-year
6 deadline described in subsection (c).

7 “(3) PERIOD OF EXTENSION.—The Adminis-
8 trator may only grant an extension under this sub-
9 section for the minimum period of time necessary for
10 the applicable community water system to replace all
11 lead service lines of the community water system.

12 “(e) ENFORCEMENT AUTHORITY.—The Adminis-
13 trator may take action to enforce a requirement of this
14 section pursuant to section 1414(a)(2) with respect to a
15 community water system in a State regardless of whether
16 the State has primary enforcement responsibility for pub-
17 lic water systems.

18 “(f) DEFINITION.—In this section, the term ‘lead
19 service line’ has the meaning given such term in section
20 1459B(a).

21 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this section
23 \$10,000,000 for each of fiscal years 2021 and 2022.”.

1 (b) ENFORCEMENT.—Section 1414(i)(1) of the Safe
2 Drinking Water Act (42 U.S.C. 300g–3(i)(1)) is amended
3 by striking “or 1445” and inserting “1445, or 1459E”.

4 **SEC. 3. AUTHORIZATIONS.**

5 (a) STATE REVOLVING LOAN FUNDS.—Section
6 1452(m)(1)(C) of the Safe Drinking Water Act (42 U.S.C.
7 300j–12(m)(1)(C)) is amended by striking
8 “\$1,950,000,000 for fiscal year 2021” and inserting
9 “\$6,600,000,000 for each of fiscal years 2021 and 2022”.

10 (b) REDUCING LEAD IN DRINKING WATER.—Sub-
11 section (d) of section 1459B of the Safe Drinking Water
12 Act (42 U.S.C. 300j–19b) is amended to read as follows:

13 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
14 is authorized to be appropriated to carry out this section—

15 (1) \$60,000,000 for each of fiscal years 2017
16 through 2020; and

17 (2) \$80,000,000 for each of fiscal years 2021
18 and 2022.”.

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