

107TH CONGRESS  
1ST SESSION

# S. 635

To reinstate a standard for arsenic in drinking water.

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IN THE SENATE OF THE UNITED STATES

MARCH 27, 2001

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

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## A BILL

To reinstate a standard for arsenic in drinking water.

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 “Arsenic Standard Re-  
5       instatement Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) in 1996, Congress amended the Safe Drink-  
9       ing Water Act (42 U.S.C. 300f et seq.) to require  
10      the Administrator of the Environmental Protection  
11      Agency to revise the standard for arsenic in drinking  
12      water;

1           (2) after conducting scientific and economic  
2 analyses, the Administrator, on January 22, 2001,  
3 promulgated a final rule to reduce the public health  
4 risks from arsenic in drinking water by reducing the  
5 permissible level of arsenic from 50 parts per billion  
6 (.05 milligrams per liter) to 10 parts per billion (.01  
7 milligrams per liter);

8           (3) the new standard would provide additional  
9 protection against cancer and other health problems  
10 for 13,000,000 people;

11           (4) the National Academy of Sciences has de-  
12 termined that drinking water containing 50 parts  
13 per billion of arsenic “could easily” result in a 1-in-  
14 100 risk of cancer;

15           (5) 50 parts per billion of arsenic causes a can-  
16 cer risk that is 10,000 times the level of any cancer  
17 risk caused by any carcinogen that the Environ-  
18 mental Protection Agency permits to be present in  
19 food;

20           (6) 10 parts per billion of arsenic in drinking  
21 water is the standard used by the European Union,  
22 Japan, and the World Health Organization;

23           (7) public water systems may apply for finan-  
24 cial assistance through the drinking water State re-

1       volving loan fund under section 1452 of the Safe  
2       Drinking Water Act (42 U.S.C. 300j-12);

3           (8) since 1996, the revolving loan fund program  
4       has made \$3,600,000,000 available to assist public  
5       water systems with projects to improve infrastruc-  
6       ture; and

7           (9) on March 20, 2001, Administrator of the  
8       Environmental Protection Agency proposed to with-  
9       draw the pending arsenic standard that was promul-  
10      gated on January 22, 2001, and due to take effect  
11      on March 23, 2001.

12   **SEC. 3. REINSTATEMENT OF FINAL RULE.**

13       (a) IN GENERAL.—On and after the date of enact-  
14      ment of this Act, the final rule promulgated by the Admin-  
15      istrator of the Environmental Protection Agency entitled  
16      “Arsenic and Clarifications to Compliance and New  
17      Source Contaminants Monitoring” (66 Fed. Reg. 6976  
18      (January 22, 2001)), and the amendments to parts 9,  
19      141, and 142 of title 40, Code of Federal Regulations,  
20      made by that rule, shall have full force and effect.

21       (b) MAXIMUM CONTAMINANT LEVEL.—The max-  
22      imum contaminant level for arsenic in drinking water of  
23      .01 milligrams per liter established by the final rule de-

- 1 scribed in subsection (a) shall not be subject to revision
- 2 except by Act of Congress.

