

110TH CONGRESS  
1ST SESSION

# H. R. 2141

To allow small public water systems to request an exemption from the requirements of any national primary drinking water regulation for a naturally occurring contaminant, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2007

Mr. CONAWAY (for himself, Mr. FLAKE, and Mr. SIMPSON) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To allow small public water systems to request an exemption from the requirements of any national primary drinking water regulation for a naturally occurring contaminant, 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 “Small Community Op-

5       tions for Regulatory Equity Act of 2007”.

1   **SEC. 2. EXEMPTION FOR NONPROFIT SMALL PUBLIC**  
2                   **WATER SYSTEMS RESPECTING NATURALLY**  
3                   **OCCURRING CONTAMINANTS.**

4       The Safe Drinking Water Act (42 U.S.C. 300f et  
5 seq.) is amended by inserting after section 1416 the fol-  
6 lowing:

7    **“EXEMPTION FOR NONPROFIT SMALL PUBLIC WATER**  
8                   **SYSTEMS RESPECTING NATURALLY OCCURRING CON-**  
9                   **TAMINANTS**

10      **“SEC. 1416A. (a) EXEMPTION.—A State exercising**  
11     primary enforcement responsibility for public water sys-  
12    tems under section 1413 (or the Administrator in any non-  
13    primacy State) shall exempt any nonprofit small public  
14    water system that submits a request in accordance with  
15    subsection (b) from the requirements of any national pri-  
16    mary drinking water regulation for a naturally occurring  
17    contaminant.

18      **“(b) REQUEST.—To seek an exemption under this**  
19    section, a nonprofit small public water system—

20        **“(1) shall submit a written request to the State**  
21        **exercising primary enforcement responsibility with**  
22        **respect to the system (or the Administrator in any**  
23       **nonprimacy State); and**

24        **“(2) shall include in such request a finding**  
25       **under subsection (c).**

26       **“(c) ECONOMIC FEASIBILITY.—**

1           “(1) FINDING.—To seek an exemption under  
2       this section, a nonprofit small public water system  
3       must find that compliance by the system with the  
4       national primary drinking water regulation involved  
5       is not economically feasible.

6           “(2) NO REVIEW.—A finding by a nonprofit  
7       small public water system under this subsection shall  
8       not be subject to judicial or administrative review.

9       “(d) DEFINITIONS.—In this section:

10           “(1) The term ‘naturally occurring contami-  
11       nant’ includes arsenic, radon, radium, uranium, and  
12       any contaminant that is a disinfection byproduct (in-  
13       cluding bromate, chlorite, haloacetic acids, and total  
14       trihalomethanes).

15           “(2) The term ‘small public water system’  
16       means a public water system serving 10,000 or  
17       fewer persons.”.

