

114TH CONGRESS
2D SESSION

S. _____

To provide grants to eligible entities to reduce lead in drinking water.

IN THE SENATE OF THE UNITED STATES

Mr. CARDIN (for himself and Mrs. BOXER) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide grants to eligible entities to reduce lead 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 “Grants and Education
5 To Tackle Homeowner Exposure to Lead Ensuring Amer-
6 ica Drinks Only from Unpolluted Taps Act of 2016” or
7 the “GET THE LEAD OUT Act of 2016”.

8 **SEC. 2. REDUCING LEAD IN DRINKING WATER.**

9 (a) DEFINITIONS.—In this section:

10 (1) ELIGIBLE ENTITY.—The term “eligible enti-
11 ty” means—

1 (A) a community water system (as defined
2 in section 1401 of the Safe Drinking Water Act
3 (42 U.S.C. 300f));

4 (B) a system located in an area governed
5 by an Indian Tribe (as defined in that section);

6 (C) a nontransient noncommunity water
7 system;

8 (D) a qualified nonprofit organization, as
9 determined by the Administrator; and

10 (E) a municipality or State, interstate, or
11 intermunicipal agency.

12 (2) LEAD REDUCTION PROJECT.—

13 (A) IN GENERAL.—The term “lead reduc-
14 tion project” means a project or activity the
15 primary purpose of which is to reduce the level
16 of lead in water for human consumption by—

17 (i) replacement of publicly owned por-
18 tions of lead service lines;

19 (ii) testing, planning, or other relevant
20 activities, as determined by the Adminis-
21 trator, to identify and address conditions
22 (including corrosion control) that con-
23 tribute to increased lead levels in water for
24 human consumption;

1 (iii) assistance to low-income home-
2 owners to replace privately owned portions
3 of service lines, pipes, fittings, or fixtures
4 that contain lead; and

5 (iv) education of consumers regarding
6 measures to reduce exposure to lead from
7 drinking water or other sources.

8 (B) LIMITATION.—The term “lead reduc-
9 tion project” does not include a partial lead
10 service line replacement if, at the conclusion of
11 that service line replacement, drinking water is
12 delivered to a household through a publicly or
13 privately owned portion of a lead service line.

14 (3) LOW-INCOME.—The term “low-income”,
15 with respect to an individual provided assistance
16 under this section, has such meaning as may be
17 given the term by the head of the municipality or
18 State, interstate, or intermunicipal agency with ju-
19 risdiction over the area to which assistance is pro-
20 vided.

21 (4) MUNICIPALITY.—The term “municipality”
22 means—

23 (A) a city, town, borough, county, parish,
24 district, association, or other public entity es-

1 tablished by, or pursuant to, applicable State
2 law; and

3 (B) an Indian tribe (as defined in section
4 4 of the Indian Self-Determination and Edu-
5 cation Assistance Act (25 U.S.C. 450b)).

6 (b) GRANT PROGRAM.—

7 (1) ESTABLISHMENT.—Not later than 180 days
8 after the date of enactment of this Act, the Adminis-
9 trator shall establish a grant program to provide as-
10 sistance to eligible entities for lead reduction
11 projects in the United States.

12 (2) EVALUATION.—In providing assistance
13 under this section, the Administrator shall evalu-
14 ate—

15 (A) that an eligible entity applying for as-
16 sistance has identified the source of lead in
17 water for human consumption; and

18 (B) the means by which the proposed lead
19 reduction project would reduce lead levels in the
20 applicable water system.

21 (3) PRIORITY APPLICATION.—In providing
22 grants under this subsection, the Administrator shall
23 give priority to an eligible entity that—

24 (A) carries out a lead reduction project at
25 a public water system or nontransient non-

1 community water system that has exceeded the
2 lead action level established by the Adminis-
3 trator at any time during the 3-year period pre-
4 ceeding the date of submission of the application
5 of the eligible entity;

6 (B) addresses lead levels in water for
7 human consumption at a school, daycare, or
8 other facility that primarily serves children or
9 another vulnerable human subpopulation; or

10 (C) addresses such priority criteria as the
11 Administrator may establish, consistent with
12 the goal of reducing lead levels of concern.

13 (4) COST SHARING.—

14 (A) IN GENERAL.—Subject to subpara-
15 graph (B), the non-Federal share of the total
16 cost of a project funded by a grant under this
17 subsection shall be not less than 20 percent.

18 (B) WAIVER.—The Administrator may re-
19 duce or eliminate the non-Federal share under
20 subparagraph (A) for reasons of affordability,
21 as the Administrator determines to be appro-
22 priate.

23 (5) LOW-INCOME ASSISTANCE.—

24 (A) IN GENERAL.—Subject to subpara-
25 graph (B), an eligible entity may use a grant

1 provided under this subsection to provide assist-
2 ance to low-income homeowners to carry out
3 lead reduction projects.

4 (B) LIMITATION.—The amount of a grant
5 provided to a low-income homeowner under this
6 paragraph shall not exceed the cost of replace-
7 ment of the privately owned portion of the serv-
8 ice line.

9 (6) SPECIAL CONSIDERATION FOR LEAD SERV-
10 ICE LINE REPLACEMENT.—In carrying out lead serv-
11 ice line replacement using a grant under this sub-
12 section, an eligible entity shall—

13 (A) notify customers of the planned re-
14 placement of any publicly owned portion of the
15 lead service line;

16 (B) offer—

17 (i) in the case of a homeowner that is
18 not low-income, to replace the privately
19 owned portion of the lead service line at
20 the cost of replacement; and

21 (ii) in the case of a low-income home-
22 owner, to replace the privately owned por-
23 tion of the lead service line and any pipes,
24 fittings, and fixtures that contain lead at a

1 cost that is equal to the difference be-
2 tween—

3 (I) the cost of replacement; and

4 (II) the amount of low-income as-
5 sistance available to the homeowner
6 under paragraph (5);

7 (C) notify each customer that a planned
8 replacement of any publicly owned portion of a
9 lead service line that is funded by a grant made
10 under this subsection will not be carried out un-
11 less the customer consents to the simultaneous
12 replacement of the privately owned portion of
13 the lead service line; and

14 (D) demonstrate that the eligible entity
15 has considered multiple options for reducing
16 lead in drinking water, including an evaluation
17 of options for corrosion control.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to carry out this Act
20 \$60,000,000 for each of fiscal years 2017 through 2021.