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Chemical Safety and Drinking Water Protection Act of 2014

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Jan 27, 2014

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 524.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 524. (Jul 31, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/1961>

Sponsor

Name: Sen. Manchin, Joe, III [D-WV]

Party: Independent • **State:** WV • **Chamber:** Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Jan 27, 2014
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Jan 27, 2014
Sen. Durbin, Richard J. [D-IL]	D · IL		Feb 3, 2014
Sen. Udall, Tom [D-NM]	D · NM		Mar 6, 2014
Sen. Wyden, Ron [D-OR]	D · OR		Mar 31, 2014

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Hearings By (subcommittee)	Feb 5, 2014

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
113 HR 4024	Related bill	Feb 11, 2014: Referred to the Subcommittee on Water Resources and Environment.

Chemical Safety and Drinking Water Protection Act of 2014 - (Sec. 2) Amends the Safe Drinking Water Act (SDWA) to direct the Environmental Protection Agency (EPA) or each state exercising primary enforcement responsibility for public water systems to establish within two years a state chemical storage tank surface water protection program for chemicals identified as a hazardous substance under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), subject to emergency planning or reporting requirements of the Emergency Planning and Community Right-To-Know Act, or defined as a contaminant under the Safe Drinking Water Act.

Includes within the program bulk storage tanks that contain chemicals that if released could pose a risk of harm to a public water system. Excludes from the program a tank or container that is subject to regulations to prevent discharges of oil and hazardous substances under the National Response System of the Federal Water Pollution Control Act (commonly known as the Clean Water Act). Authorizes the EPA or a state, as applicable, to adopt additional exclusions based on federal or state laws that substantially meet the requirements of this Act, or for tanks that would not pose a risk of harm to a public water system.

Requires the programs to provide for oversight and inspection of each covered chemical storage tank in accordance with minimum requirements, established by this Act, to prevent the release of chemicals into the water supplies of public water systems.

Requires inspections for: (1) high hazard tanks every year by a certified inspector, (2) tanks identified in source water assessment every three years, and (3) for any other covered chemical storage tank every five years.

Requires the program to include a comprehensive inventory of the covered chemical storage tanks in each state.

Requires the EPA or a state, as applicable, to develop within two years a list of covered chemical storage tanks that hold chemicals that if released could pose the greatest risk of harm to public water systems in the state and the greatest risk to public health.

Deems a program and its requirements, for purposes of primary enforcement responsibility, to be part of the national primary drinking water regulations and requires that they be implemented and enforced in accordance with applicable SDWA procedures.

Requires states to notify the EPA within two years on whether the state will be exercising primary enforcement responsibility for public water systems or if it will be opting out. Prohibits a state's decision to implement or opt out of the program from affecting the state's primacy over other programs under the SDWA.

Requires the EPA to issue guidance and provide other technical assistance to states carrying out the programs.

Authorizes the EPA or a state, as applicable, to issue orders to the owner or operator of a tank to carry out this Act.

Sets forth requirements concerning: (1) liability of a tank owner or operator for costs of response actions, and (2) pre-transfer inspections of tanks.

Requires the EPA or a state to make available to public water systems, on request, information regarding emergency response plans, an inventory of each chemical held in the covered chemical storage tanks, existing information on the potential toxicity of the stored chemicals to public health and the environment that is relevant to evaluate the risk of harm to public water systems, and safeguards or other precautions that can be taken to detect, mitigate, or otherwise limit the

adverse effects of a release of the stored chemicals.

Directs the EPA or the state to provide emergency response plans required by the program to the agency carrying out the program and to the Department of Homeland Security (DHS). Requires these plans to be integrated with applicable area contingency plans under the Clean Water Act.

Authorizes an owner or operator of a public water system to commence, or to petition the EPA to commence, a civil action for equitable relief to address possible imminent and substantial endangerment to the health of persons supplied by the water system. Provides a special rule to expedite the EPA's response to a petition in emergency situations.

Actions Timeline

- **Jul 31, 2014:** Committee on Environment and Public Works. Reported by Senator Boxer with an amendment in the nature of a substitute. With written report No. 113-238.
- **Jul 31, 2014:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 524.
- **Apr 3, 2014:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 6, 2014:** Committee on Environment and Public Works. Hearings held.
- **Feb 4, 2014:** Committee on Environment and Public Works Subcommittee on Water and Wildlife. Hearings held.
- **Jan 27, 2014:** Introduced in Senate
- **Jan 27, 2014:** Read twice and referred to the Committee on Environment and Public Works.

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