



Express support for H.R. 212 (Latta, R-Ohio) and
S. 460 (Portman, R-Ohio) — Drinking Water
Protection Act;

Express support, if amended, for H.R. 243 (Kaptur,
D-Ohio) and S. 462 (Brown, D-Ohio) — Safe and
Secure Drinking Water [Protection] Act of 2015

Communications and Legislation Committee

Item 8-6

May 11, 2015

Background

- City of Toledo issued “Do Not Drink” notice
- Algal Toxins
 - Cyanotoxins
 - Microcystin
- Health Advisory
 - Non-enforceable guidance
 - Provides information
 - Health effects
 - Analytical methods
 - Treatment technologies



Water sample collected at Toledo's intake on Lake Erie

H.R. 212 (Latta) / S. 460 (Portman)

- “Drinking Water Protection Act”
- USEPA to develop strategic plan for cyanotoxins within 90 days
 - Evaluate risks to human health
 - List factors affecting proliferation
 - Determine if health advisory is needed
 - Establish guidance
 - Analytical detection methods
 - Monitoring protocols
 - Treatment methods

H.R. 243 (Kaptur) / S. 462 (Brown)

- “Safe and Secure Drinking Water [Protection] Act of 2015”
- USEPA must publish health advisory for microcystins within:
 - 90 days of enactment (H.R. 243)
 - 180 days of enactment (S. 462)
- Report to Congress within:
 - 120 days (H.R. 243)
 - 180 days (S. 462)
 - Then annually

Bill Comparison

	H.R. 212/ S. 460	H.R. 243/ S. 462
Focus	Cyanotoxins	Microcystins
Goal	Strategic Plan	Health Advisory
Timeline	Non-prescriptive	Prescriptive
Report to Congress	No	Yes

Analysis

- Staff supports both strategic plan and health advisory
 - Provides guidance to drinking water industry
 - Eases the burden on individual utilities
 - AWWA supports H.R. 212
- Suggested amendment for H.R. 243 and S. 462
 - Remove date-specific timelines for USEPA to develop health advisory for microcystins

USEPA Action on May 6, 2015

- USEPA published health advisory on algal toxins
 - H.R. 243 (Kaptur) and S. 462 (Brown) directed USEPA to issue health advisory
 - As health advisory published, legislation no longer needed
 - Staff withdraws recommended position on H.R. 243 and S. 462

Options

- Option 1
 - Adopt the CEQA determination and authorize the General Manager to express support for H.R. 212 and S. 460
- Option 2
 - Take no position

Staff Recommendation

- Option 1

