

Perchlorate Related Legislation Summary

July 22, 2003

1. **HR 1588:** The legislation which Dr. Fenstersheib brought to the attention of the group at the June PMAG meeting, was last acted upon June 4th for a "resolving differences conference." Buried in this defense bill is authorization to conduct an epidemiological study of the effects of human exposure to perchlorate. There have been quite a few proposed amendments to the bill, none relative to perchlorate. At present, the Senate is insisting on their amendments and has asked for a "conference" to which a slough of new legislators have been appointed.
2. **AB 826:** Act to amend a section of the Health and Safety Code relating to hazardous waste. The bill would require the adoption of regulations, by December 31, 2005, specifying best management practices for managing perchlorate materials. The bill would also prohibit a person from managing perchlorate materials in anyway other than in compliance with the specified best management practices. Last action on this bill was 7/8/03 when it was re-referred to APPR. Committee.
3. **H.R.2123:** To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act concerning water pollution resulting from discharges of perchlorate. Would require that information on the discharge and storage of perchlorate be reported to the Environmental Protection Agency (EPA) and the appropriate State water pollution control agency. Impose fines on violators. Requires that fines be deposited in a newly created Perchlorate Pollution Prevention Fund and used for loans to public water suppliers and private well owners to replace water contaminated by perchlorate. Last action on the bill was 5/20/2003 when it was referred to the Subcommittee on Environment and Hazardous Materials. Introduced 4/8/03 by Senator Barbara Boxer.

The relationship between HR. 2123 and S. 820 is not clear. Both appear to seek the same amendment of the Federal Water Pollution Control Act.

4. **S. 820:** A bill to amend the Federal Water Pollution Control Act to establish a perchlorate pollution prevention fund and to establish safety standards applicable to owners and operators of perchlorate storage facilities. Perchlorate Community Right-to-Know Act of 2003 - Amends the Federal Water Pollution Control Act to require that information on the discharge and storage of perchlorate be reported to the Environmental Protection Agency (EPA) and the appropriate State water pollution control agency. Impose fines on violators. Requires that fines be deposited in a newly created Perchlorate Pollution Prevention Fund and used for loans to public water suppliers and private well owners to replace water contaminated by perchlorate. Last action on the bill was 4/8/2003 when it was referred to the Committee on Environment and Public Works. Introduced by Representative Lois Capps 5/15/03.
5. **AB 93:** Safe Clean and Reliable Water Supply Bond Act of 2004. Would authorize the issuance of State General Obligation Bond Law, of bonds in the amount of \$7,886,000,000 for the purpose of financing water quality, water security and water supply infrastructure improvements. Article 3 of this bill designates resources for grants and low interest loans to fund pilot and demonstration projects which address drinking water disinfection using ultraviolet technology and ozone treatment for the removal of various contaminants which include Perchlorate. **SB 998 appears to be providing funds for the issuance of bonds referred to in AB 93. ????**

6. **SB 1004-** Would add perchlorate to the section of the Water Code which requires a person who causes or permits any oil or petroleum product to be discharged in any waters of the state to immediately notify the Office of Emergency Services. Failure to comply with the law carries a fine of \$500.00 - \$5000.00. This bill would require the state board, in consultation with the Department of Toxic Substances Control, to establish the amount of perchlorate that is required to be reported upon discharge. The last action on this bill was a Senate amendment 7/14/03.
7. **SB 34:** Establishes the Inland Empire Water Quality Authority in order to protect public health and safety by planning and implementing measures to clean up industrial contaminants, particularly perchlorate, that now threaten the regions water supply. The geographic region involved is San Bernadino County and surrounding areas. Last Major Action on this bill1 was 7/2003 when it was referred to Senate Committee on Finance.
8. **SB 1020:** Would require a health facility to provide notification to county health departments and appropriate state regulatory agencies if the health facility is using well water that is contaminated with perchlorate. It would also require the health facility to develop a remediation plan to help remove perchlorate from the well water. Last action on the bill was its first reading 2/24/2003.
9. **SB 1747:** An act to amend the Water Code relating to public resources. A great deal of very detailed information regarding fish and game issues. The portion which appears to be relevant to perchlorate is SEC. 76. Section 79534 and how some portion of revenue from fees for hunting and fishing license etc., is used for grants. *“In the development of criteria for the grants awarded under this section, the State Department of Health Services shall consult with the Office of Environmental Health Hazard Assessment for the purpose of developing a program that gives priority to projects that pose the most significant health risks, and that will bring water systems into compliance with safe drinking water standards. These include, but are not limited to, projects that address public exposure to contaminants for which safe drinking water standards have been established, including arsenic, disinfection byproducts and uranium. Projects to address emerging contaminants, including perchlorate, chromium 6, and endocrine disrupters shall also be given priority.”* Last action on the bill was 6/24/2003 when it was amended, and returned to third reading.
10. **S 502:** To amend the Safe Drinking Water Act to designate perchlorate as a contaminant and to establish a maximum contaminant level for perchlorate. Last action was 3/3/2003 when the bill was referred the Committee on Environment and Public Works.
11. **S.724:** To amend title 18, United States Code, to exempt certain rocket propellants from prohibitions under that title on explosive materials. Specifically, the bill would effect commercially manufactured black powder in quantities not to exceed 2 pounds, safety and pyrotechnic fuses, quick and slow matches, electric matches, igniters, or model rocket motors containing no more than 9 pounds of ammonium perchlorate composite propellant intended to be used in model rockets. The bill would allow possession and storage of no more than 25 pounds of ammonium perchlorate composite propellants for purposes of powering recreational model rockets. Last action on the bill was 6/19/2003 when it was placed on Senate Legislative Calendar under General Orders. Calendar No. 146.
12. **S. 1047:** SEC. 331. Public Health Assessment of Exposure to Perchlorate of this bill appears to be a very confusing repetition of **HR 1588**. Last action on the bill was 6/5/2003 House preparation for floor. **Related Bills:** [H.R.1588](#), [S.1050](#). **Note:** Prior to [S. 1047](#) passage, the Senate substituted the language of [S. 1050](#) amended (Division A, Department of Defense authorization) in [S. 1047](#). On June 4, 2003, [S. 1047](#) was further amended to incorporate the language of [S.Amdt. 847](#) and [S.Amdt. 848](#)