

111TH CONGRESS  
2D SESSION

# H. R. 5289

To amend the Safe Drinking Water Act to reduce lead in drinking water,  
and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2010

Ms. ESHOO (for herself and Mr. GEORGE MILLER of California) introduced  
the following bill; which was referred to the Committee on Energy and  
Commerce

---

## A BILL

To amend the Safe Drinking Water Act to reduce lead in  
drinking water, 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 “Get the Lead Out  
5 Act”.

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

7 (a) IN GENERAL.—Section 1417 of the Safe Drink-  
8 ing Water Act (42 U.S.C. 300g–6) is amended—

9 (1) by adding at the end of subsection (a) the  
10 following:

1           “(4) EXEMPTIONS.—The prohibitions in para-  
2           graphs (1) and (3) shall not apply to—

3           “(A) pipes or pipe or plumbing fittings or  
4           fixtures, including backflow preventers, that are  
5           used exclusively for nonpotable services such as  
6           manufacturing, industrial processing, irrigation,  
7           outdoor watering, or any other uses where the  
8           water is not anticipated to be used for human  
9           consumption; or

10          “(B) toilets, bidets, urinals, fill valves,  
11          flushometer valves, tub fillers, shower valves,  
12          service saddles, or water distribution main gate  
13          valves that are 2 inches in diameter or larger.”;  
14          and

15          (2) by amending subsection (d) to read as fol-  
16          lows:

17          “(d) DEFINITION OF LEAD FREE.—

18                 “(1) IN GENERAL.—For the purposes of this  
19                 section, the term ‘lead free’ means—

20                 “(A) not containing more than 0.2 percent  
21                 lead when used with respect to solder and flux;  
22                 and

23                 “(B) not more than a weighted average of  
24                 0.25 percent when used with respect to the

1           wetted surfaces of pipes and pipe and plumbing  
2           fittings and fixtures.

3           “(2) CALCULATION.—The weighted average  
4           lead content of a pipe or pipe or plumbing fitting or  
5           fixture shall be calculated by using the following for-  
6           mula: For each wetted component, the percentage of  
7           lead in the component shall be multiplied by the  
8           ratio of the wetted surface area of that component  
9           to the total wetted surface area of the entire product  
10          to arrive at the weighted percentage of lead of the  
11          component. The weighted percentage of lead of each  
12          wetted component shall be added together and the  
13          sum of these weighted percentages shall constitute  
14          the weighted average lead content of the product.  
15          The lead content of the material used to produce  
16          wetted components shall be used to determine com-  
17          pliance with paragraph (1)(B). For lead content of  
18          materials that are provided as a range, the max-  
19          imum content of the range shall be used.”.

20          (b) EFFECTIVE DATE.—The provisions of sub-  
21          sections (a)(4) and (d) of section 1417 of the Safe Drink-  
22          ing Water Act, as added by this section, apply beginning  
23          on January 1, 2012.

○