

**Summary of Changes in the
Amendment in the Nature of a Substitute to H.R. 5320, the
“Assistance, Quality, and Affordability Act of 2010”**

May 26, 2010

The Amendment in a Nature of Substitute (AINS) makes the following changes to H.R. 5320:

Section 3. Prevailing Wages

Subsection (e) is amended to clarify that only laborers and mechanics employed by contractors or subcontractors in connection with a construction project financed through the drinking water State Revolving Fund are covered by Davis-Bacon prevailing wage requirements.

Section 7. Priority and Weight of Applications

Subparagraph (a)(1)(C) is amended to recognize that corrosion prevention and mitigation are important to the sustainability of our drinking water infrastructure, and states may wish to give greater weight to systems undertaking such activities.

Section 8. Affordability Criteria

New subsection (c) amends the disadvantaged communities section to encourage states to ensure transparency in the development of affordability criteria by states, by requiring states to consider public comments on their methodology for identifying disadvantaged communities, the relevant institutional and economic factors, and the state strategy for addressing the needs of identified communities.

Section 10. Territories

This section would amend subsection 1452(j) of the Safe Drinking Water Act to increase the amount of State Revolving Fund funding that the Administrator may reserve for the territories, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands, from up to 0.33% to up to one percent.

Section 11. Authorization of Appropriations

Section 11 is amended to limit the authorization to 3 years and to gradually increase the authorization from \$1.4 billion to \$1.8 billion.

Section 17. The Endocrine Disruptor Screening Program

Subparagraph (b)(2)(A) is amended to ensure that in selecting substances for prioritization, EPA uses the best available science.

Paragraph (c)(1) is amended to clarify that the testing requirements in this section applies only to endocrine disruptors that may be found in sources of drinking water. Similar clarifications were made in subsections (d), (f), (i) and (k).

Subsection (d) is amended to remove the reference to the advisory panel established under the Federal Insecticide Fungicide and Rodenticide Act. Subsection (d) is further amended to allow EPA to revise testing protocols to minimize animal testing.

Subsection (e) is amended to eliminate the accelerated testing provision and to add provisions requiring EPA to ensure that the data produced through this program meets criteria for scientific validity.

Paragraph (f)(2) is amended to clarify that EPA may take action related to a substance shown to cause endocrine-related effects under the agency's existing statutory authority.

Paragraph (f)(3) is amended to clarify that the focus of the program is the protection of human health.

Subsection (g) is amended to require the inclusion in the public database of any scientific information that formed the basis for actions taken by the Administrator under subsection (f) of this section.

Paragraph (i)(2) is amended to clarify that any regulatory action taken would be taken under EPA's existing statutory authority.