

H. R. 4944

AN ACT

To authorize the Secretary of the Interior to conduct studies regarding the desalination of water and water reuse, 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 “Water Desalination
5 Act of 1994”.

6 **SEC. 2. DECLARATION OF POLICY.**

7 In view of the increasing shortage of usable surface
8 and ground water in the United States and the world and
9 the importance of finding new sources of supply to meet
10 present and future water needs and to further the goals
11 of the Colorado River Basin Salinity Control Act of 1974,
12 the Water Resources Research Act of 1984, Public Law
13 95–84 (as amended), and Public Law 102–575, it is the
14 policy of the United States to conduct and sponsor re-
15 search to develop low-cost alternatives for the desalination
16 and reuse of water or biologically impaired water and to

1 provide for the development of practicable low-cost means
2 of producing water of a quality suitable for environmental
3 enhancement, agricultural, industrial, municipal, and
4 other beneficial consumptive or nonconsumptive uses from
5 saline or biologically impaired waters on a scale sufficient
6 to determine the feasibility of the development of such
7 water production and distribution on a large scale for the
8 purpose of conserving and increasing water resources.

9 **SEC. 3. DEFINITIONS.**

10 As used in this Act:

11 (1) **DESALINATION OR DESALTING.**—The terms
12 “desalination” or “desalting” mean the use of any
13 process or technique for the removal and, when fea-
14 sible, adaptation to beneficial use, of organic and in-
15 organic elements and compounds from saline or bio-
16 logically impaired waters, by itself or in conjunction
17 with other processes.

18 (2) **SALINE WATER.**—The term “saline water”
19 means sea water, brackish water, and other mineral-
20 ized or chemically impaired water.

21 (3) **UNITED STATES.**—The term “United
22 States” means the States of the United States, the
23 District of Columbia, the Commonwealth of Puerto
24 Rico, and the territories and possessions of the
25 United States.

1 (4) USABLE WATER.—The term “usable water”
2 means water of a high quality suitable for environ-
3 mental enhancement, agricultural, industrial, munic-
4 ipal, and other beneficial consumptive or
5 nonconsumptive uses.

6 (5) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 **SEC. 4. AUTHORIZATION OF RESEARCH AND STUDIES.**

9 (a) IN GENERAL.—In order to determine the most
10 cost-effective and technologically efficient means by which
11 usable water can be produced from saline water or water
12 otherwise impaired or contaminated, the Secretary is au-
13 thorized to award grants and to enter into contracts, to
14 the extent provided in advance in appropriation Acts, to
15 conduct, encourage, and assist in the financing of research
16 to develop processes for converting saline water or water
17 otherwise impaired or contaminated into water suitable for
18 beneficial uses. Awards of research grants and contracts
19 under this section shall be made on the basis of a competi-
20 tive, merit-reviewed process. Research and study topics
21 authorized by this section include—

22 (1) investigating desalination processes;

23 (2) ascertaining the optimum mix of investment
24 and operating costs;

1 (3) determining the best designs for different
2 conditions of operation;

3 (4) investigating methods of increasing the eco-
4 nomic efficiency of desalination processes through
5 dual-purpose co-facilities with other processes involv-
6 ing the use of water;

7 (5) conducting or contracting for technical
8 work, including the design, construction, and testing
9 of pilot systems and test beds, to develop desalting
10 processes and concepts; and

11 (6) studying methods for the recovery of by-
12 products resulting from the desalination of water to
13 offset the costs of treatment and to reduce environ-
14 mental impacts from those byproducts.

15 (b) PROJECT RECOMMENDATIONS AND REPORTS TO
16 THE CONGRESS.—As soon as practicable and within three
17 years after the date of enactment of this Act, the Sec-
18 retary shall recommend to Congress desalination dem-
19 onstration projects or full-scale desalination projects to
20 carry out the purposes of this Act and to further evaluate
21 and implement the results of research and studies con-
22 ducted under the authority of this section. Recommenda-
23 tions for projects shall be accompanied by reports on the
24 engineering and economic feasibility of proposed projects
25 and their environmental impacts.

1 (c) AUTHORITY TO ENGAGE OTHERS.—In carrying
2 out research and studies authorized in this section, the
3 Secretary may engage the necessary personnel, industrial
4 or engineering firms, Federal laboratories, water resources
5 research and technology institutes, other facilities, and
6 educational institutions suitable to conduct investigations
7 and studies authorized under this section.

8 (d) DESALINATION CONFERENCE.—Within 12
9 months following the date of enactment of this Act, the
10 Secretary, in coordination with the United States Agency
11 for International Development, will plan and host a desali-
12 nation conference, to include officials and desalination ex-
13 perts from academia, private industry, financial institu-
14 tions, and government in the United States and other na-
15 tions that use or conduct research on desalination. The
16 conference shall explore promising technologies and meth-
17 ods for near-term development of affordable desalination
18 and shall propose a research agenda and a plan of action
19 to guide longer-term desalination development activities.

20 **SEC. 5. DESALINATION DEMONSTRATION AND DEVELOP-**
21 **MENT.**

22 (a) IN GENERAL.—In order to further demonstrate
23 the feasibility of desalination processes investigated either
24 independently or in research conducted pursuant to sec-
25 tion 4, the Secretary shall administer and conduct a dem-

1 onstration and development program for water desalina-
2 tion and related activities, including the following:

3 (1) DESALINATION PLANTS AND MODULES.—

4 Conduct or contract for technical work, including the
5 design, construction, and testing of plants and mod-
6 ules to develop desalination processes and concepts.

7 (2) BYPRODUCTS.—Study methods for the mar-
8 keting of byproducts resulting from the desalting of
9 water to offset the costs of treatment and to reduce
10 environmental impacts of those byproducts.

11 (3) ECONOMIC SURVEYS.—Conduct economic
12 studies and surveys to determine present and pro-
13 spective costs of producing water for beneficial pur-
14 poses in various locations by desalination processes
15 compared to other methods.

16 (b) COOPERATIVE AGREEMENTS.—Federal participa-
17 tion in desalination activities may be conducted through
18 cooperative agreements, including cost-sharing agree-
19 ments, with non-Federal public utilities and State and
20 local governmental agencies and other entities, in order
21 to develop recommendations for Federal participation in
22 processes and plants utilizing desalting technologies for
23 the production of water.

1 **SEC. 6. PARTICIPATION BY AGENCIES AND INTERESTED**
2 **PERSONS.**

3 (a) COORDINATION WITH OTHER AGENCIES.—Ac-
4 tivities undertaken by the Secretary pursuant to this Act
5 may be coordinated or conducted jointly, as appropriate,
6 with the National Science Foundation, Department of De-
7 fense, United States Army Corps of Engineers, National
8 Aeronautics and Space Administration, and Environ-
9 mental Protection Agency, and other Federal agencies,
10 States, local government agencies, water resources re-
11 search and technology institutes, and private entities.

12 (b) AVAILABILITY OF INFORMATION.—All informa-
13 tion from studies sponsored or funded under authority of
14 this Act shall be considered public information.

15 **SEC. 7. TECHNICAL AND ADMINISTRATIVE ASSISTANCE.**

16 The Secretary may—

17 (1) accept technical and administrative assist-
18 ance from States and public or private agencies in
19 connection with studies, surveys, location, construc-
20 tion, operation, and other work relating to the
21 desalting of water, and

22 (2) enter into contracts or agreements stating
23 the purposes for which the assistance is contributed
24 and providing for the sharing of costs between the
25 Secretary and any such agency.

1 **SEC. 8. COST SHARING.**

2 The Federal share of the cost of a research, study,
3 or demonstration project or a desalination development
4 project or activity carried out under this Act shall not ex-
5 ceed 50 percent of the total cost of the project or research
6 or study activity. The Secretary shall prescribe appro-
7 priate procedures to implement the provisions of this sec-
8 tion. Costs of operation, maintenance, repair, and rehabili-
9 tation of facilities funded under the authority of this Act
10 shall be non-Federal responsibilities.

11 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) SECTION 4.—There are authorized to be appro-
13 priated to carry out section 4 of this Act \$5,000,000 for
14 fiscal year 1995 and \$10,000,000 per year for fiscal years
15 1996 through 1999. Of these amounts, up to \$1,000,000
16 in each fiscal year may be awarded to institutions of high-
17 er education for research grants without any cost-sharing
18 requirement.

19 (b) SECTION 5.—There are authorized to be appro-
20 priated to carry out section 5 of this Act \$50,000,000 for
21 fiscal years 1996 through 1999.

1 **SEC. 10. DROUGHT RELIEF FOR MADERA-CHOWCHILLA**
2 **POWER AUTHORITY HYDROELECTRIC**
3 **PROJECTS.**

4 Section 103 of the Reclamation States Emergency
5 Drought Relief Act of 1991 (106 Stat. 55; 43 U.S.C.
6 2213) is amended—

7 (1) by inserting in the first sentence after “re-
8 sulting from drought conditions.” the following:
9 “The Secretary is further authorized to make a loan
10 to the Madera-Chowchilla Power Authority to assist
11 in the repayment of financial obligations associated
12 with hydroelectric facilities that have been adversely
13 affected by drought conditions.”; and

14 (2) by striking “loan.” at the end of the second
15 proviso and inserting “loan, except that loans spe-
16 cifically for the Madera-Chowchilla Power Authority
17 associated with hydroelectric facilities impacted by
18 drought shall be under such terms and conditions as
19 the Secretary deems appropriate.”.

20 **SEC. 11. AMENDMENT TO THE RECLAMATION PROJECTS**
21 **AUTHORIZATION AND ADJUSTMENT ACT OF**
22 **1992.**

23 Title XVI of the Reclamation Projects Authorization
24 and Adjustment Act of 1992 (43 U.S.C. 390h et seq.) is
25 amended by adding the following section:

1 **“SEC. 1618. ORANGE COUNTY REGIONAL WATER RECLAMA-**
2 **TION PROJECT.**

3 “(a) The Secretary is authorized to participate with
4 the Orange County Water District in the State of Califor-
5 nia, and other appropriate authorities, in the planning, de-
6 sign and construction of water reclamation projects to
7 treat up to 100,000 acre feet per year of wastewater efflu-
8 ent from the county of Orange, in order to provide new
9 water supplies for ground water replenishment, industrial
10 applications and other beneficial purposes, to reduce the
11 demand for imported water, and to reduce sewage effluent
12 discharged into the ocean near Huntington Beach.

13 “(b) The Secretary’s share of costs associated with
14 the project described in section (a) shall not exceed 25
15 percent of the total. The Secretary shall not provide funds
16 for operation or maintenance of the project.

17 “(c) There are authorized to be appropriated not
18 more than \$250,000 for the design of projects under this
19 section.”.

Passed the House of Representatives October 3,
1994.

Attest:

Clerk.

103^D CONGRESS
2^D SESSION

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