

Federal Legislative Report - January 14, 2022

Last Updated: January 13, 2022

Bills by Issue

Priority: High (8)

State	Bill Number	Last Action	Status	Position	Priority
US	HR 3684	Became Public Law No 117 58 2021 11 15	Enacted	Monitor	High
<p>Title Infrastructure Investment and Jobs Act</p> <p>Description Investing in a New Vision for the Environment and Surface Transportation in America Act or the INVEST in America Act This bill addresses provisions related to federal-aid highway, transit, highway safety, motor carrier, research, hazardous materials, and rail programs of the Department of Transportation (DOT). Among other provisions, the bill * extends FY2021 enacted levels through FY2022 for federal-aid highway, transit, and safety programs; * reauthorizes for FY2023-FY2026 several surface transportation programs, including the federal-aid highway program, transit programs, highway safety, motor carrier safety, and rail programs; * addresses climate change, including strategies to reduce the climate change impacts of the surface transportation system and a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of federal resources; * revises Buy America procurement requirements for highways, mass transit, and rail; * establishes a rebuild rural bridges program to improve the safety and state of good repair of bridges in rural communities; * implements new safety requirements across all transportation modes; and * directs DOT to establish a pilot program to demonstrate a national motor vehicle per-mile user fee to restore and maintain the long-term solvency of the Highway Trust Fund and achieve and maintain a state of good repair in the surface transportation system.</p> <p>Primary Sponsors Peter DeFazio</p>		<p>Bill Summary: Last edited by Sarah Sapirstein at Jan 13, 2022, 3:02 PM Comprehensive infrastructure investment package that provides the biggest infusion of U.S. federal spending on infrastructure in decades, including \$55 billion for water infrastructure. The bill also includes a Western Water Infrastructure Title to address U.S. Bureau of Reclamation water infrastructure funding programs. Enacted into law on November 15, 2021. Became Public Law No: 117-58.</p> <p>Introduction Date: 2021-06-04</p>			

State	Bill Number	Last Action	Status	Position	Priority
US	HR 4602	Referred To The Subcommittee On Consumer Protection And Commerce 2021 07 22	In House	Support	High

Title

WIPPES Act

Primary Sponsors

Alan Lowenthal

Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 5:53 PM
Pulled out of the Break Free From Plastic Pollution Act. Not later than 2 years after enactment, directs FTC, with consultation from U.S. Environmental Protection Agency (USEPA), to require manufacturers of single-use wet wipes print a "Do Not Flush" label notice on wipes product packaging. Below is a summary of the WIPPES Act's key provisions: - Not later than 2 years after date of enactment, the Federal Trade Commission (FTC), in consultation with USEPA, will issue regulations to require wipes manufacturers to print clear and visible "Do Not Flush" label notices on non-flushable wet wipes product packaging. - Prohibition on the representation or marketing of flushable attributes, performance, or efficacy benefits for non-flushable wipes products. - FTC may bring penalty fines of not more than \$2,500 for each day a manufacturer fails to comply with labeling requirements. Total fine amount may not exceed \$100,000 for a single violation. - FTC will develop guidance for manufacturers to conduct education and outreach campaigns on new labeling requirements and provide consumers with the following information: presence of the new label notice on product packaging, what products have the new label notice, intended effects of label notice on consumer behavior regarding the disposal of the products, and outreach may not promote, advocate, or depict wipes other than the wipes products defined by legislation.

Introduction Date: 2021-07-21

State	Bill Number	Last Action	Status	Position	Priority
US	HR 2467	Received In The Senate And Read Twice And Referred To The Committee On Environment And Public Works 2021 07 22	In Senate	Monitor	High

Title

PFAS Action Act of 2021

Description

PFAS Action Act of 2021 This bill establishes requirements and incentives to limit the use of perfluoroalkyl and polyfluoroalkyl substances, commonly referred to as PFAS, and remediate PFAS in the environment. PFAS are man-made and may have adverse human health effects. A variety of products contain PFAS, such as nonstick cookware or weatherproof clothing. The bill directs the Environmental Protection Agency (EPA) to designate the PFAS perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as a hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, thereby requiring remediation of releases of those PFAS into the environment. Within five years, the EPA must determine whether the remaining PFAS should be designated as hazardous substances. The EPA must also determine whether PFAS should be designated as toxic pollutants under the Clean Water Act. If PFAS are designated as toxic, then the EPA must establish standards to limit discharges of PFAS from industrial sources into waters of the United States. In addition, the EPA must issue a national primary drinking water regulation for PFAS that, at a minimum, includes standards for PFOA and PFOS. Among other requirements, the EPA must also issue a final rule adding PFOA and PFOS to the list of hazardous air pollutants, test all PFAS for toxicity to human health, and regulate the disposal of materials containing PFAS. Finally, the bill provides incentives to address PFAS, such as grants to help community water systems treat water contaminated by PFAS.

Primary Sponsors

Debbie Dingell

Bill Summary: Last edited by Sarah Sapirstein at Apr 19, 2021, 4:54 PM Addresses the public health and environmental risks posed by PFAS contamination, including addressing, monitoring, and treating for PFAS contamination in water supplies. Includes directive for USEPA to designate PFOA and PFOS as hazardous substances under CERCLA, also known as Superfund law, within one year after enactment of the bill and within five years determine whether to designate all PFAS substances as hazardous under CERCLA. Also includes other regulatory measures to detect, monitor, and treat for PFAS in water supplies.

Introduction Date: 2021-04-13

State	Bill Number	Last Action	Status	Position	Priority
US	HR 3622	Referred To The Subcommittee On Water Resources And Environment 2021 06 01	In House	Monitor	High

Title

Clean Water Standards for PFAS Act of 2021

Description

Clean Water Standards for PFAS Act of 2021 This bill directs the Environmental Protection Agency (EPA) to develop requirements and incentives to limit the discharge of perfluoroalkyl and polyfluoroalkyl substances (PFAS) into certain waters of the United States. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing. Within two years, the EPA must publish water quality criteria for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. The water quality criteria must determine how much of these substances can be present in water before it is likely to harm human health. Within four years, the EPA must publish a final rule that establishes, for each priority industry category specified in the bill, effluent limitations guidelines and standards for the discharge of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. Under the Clean Water Act, effluent limitations restrict the quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources (e.g., a discernible source such as a pipe) into navigable waters, the ocean, or other specified waters. In addition, the EPA must award grants to owners and operators of publicly owned treatment works for implementing the effluent limitations guidelines and standards.

Primary Sponsors

Chris Pappas

Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 6:01 PM Require the U.S.Environmental Protection Agency (USEPA) to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act and authorize \$200 million in Federal grants to publicly owned treatment works to implement such guidelines and standards. Specifically, the Clean Water Standards for PFAS Act would do the following: • Require USEPA to develop water quality criteria under the Clean Water Act for all measurable PFAS chemicals within two years of bill's enactment and develop effluent limitations guidelines and standards for all measurable PFAS chemicals within four years, including establishing pretreatment standards to prevent introduction of PFAS into POTWs and stopping PFAS at the source prior to contaminating municipal water systems. • Identifies nine priority industry categories of industries that USEPA must establish standards for. • Authorizes \$200 million in grants per year through fiscal years 2022-2026 to assist POTWs with implementation of developed limitations and standards.

Introduction Date: 2021-05-28

State	Bill Number	Last Action	Status	Position	Priority
US	S 1907	Read Twice And Referred To The Committee On Environment And Public Works 2021 05 27	In Senate	Monitor	High

Title

Clean Water Standards for PFAS Act of 2021

Description

Clean Water Standards for PFAS Act of 2021 This bill directs the Environmental Protection Agency (EPA) to develop requirements and incentives to limit the discharge of perfluoroalkyl and polyfluoroalkyl substances (PFAS) into certain waters of the United States. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing. Within two years, the EPA must publish water quality criteria for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. The water quality criteria must determine how much of these substances can be present in water before it is likely to harm human health. Within four years, the EPA must publish a final rule that establishes, for each priority industry category specified in the bill, effluent limitations guidelines and standards for the discharge of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. Under the Clean Water Act, effluent limitations restrict the quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources (e.g., a discernible source such as a pipe) into navigable waters, the ocean, or other specified waters. In addition, the EPA must award grants to owners and operators of publicly owned treatment works for implementing the effluent limitations guidelines and standards.

Primary Sponsors

Kirsten Gillibrand

Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 5:59 PM Companion bill to H.R. 3622. The bill would require the U.S. Environmental Protection Agency (USEPA) to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act and provide Federal grants to publicly owned treatment works to implement such guidelines and standards. Specifically, the Clean Water Standards for PFAS Act would do the following: • Require USEPA to develop water quality criteria under the Clean Water Act for all measurable PFAS chemicals within two years of bill's enactment and develop effluent limitations guidelines and standards for all measurable PFAS chemicals within four years, including establishing pretreatment standards to prevent introduction of PFAS into POTWs and stopping PFAS at the source prior to contaminating municipal water systems. • Identifies nine priority industry categories of industries that USEPA must establish standards for. • Authorizes \$200 million in grants per year through fiscal years 2022-2026 to assist POTWs with implementation of developed limitations and standards.

Introduction Date: 2021-05-27

State	Bill Number	Last Action	Status	Position	Priority
US	HR 2238	Referred To The Subcommittee On Environment And Climate Change 2021 03 29	In House	Support	High

Title

Break Free From Plastic Pollution Act of 2021

Description

Break Free From Plastic Pollution Act of 2021 This bill sets forth requirements and incentives to reduce the production of a variety of products and materials, including plastics, and increase efforts to collect, recycle, or compost products and materials. The bill makes certain producers of products (e.g., packaging, paper, single-use products, beverage containers, or food service products) fiscally responsible for collecting, managing, and recycling or composting the products after consumer use. In addition, the bill establishes (1) minimum percentages of products that must be reused, recycled, or composted; and (2) an increasing percentage of recycled content that must be contained in beverage containers. Beginning on January 1, 2023, the bill phases out a variety of single-use products, such as plastic utensils. The bill also sets forth provisions to encourage the reduction of single-use products, including by establishing programs to refund consumers for returning beverage containers and by establishing a tax on carryout bags. The bill creates a temporary moratorium on new or expanded permits for certain facilities that manufacture plastics until regulations are updated to address pollution from the facilities. The Environmental Protection Agency (EPA) must publish guidelines for a national standardized labeling system for recycling and composting receptacles. Producers must include labels on their products that are easy to read and indicate whether the products are recyclable, compostable, or reusable. The EPA must also ensure that certain clothes washers have filtration units as required by this bill. Finally, the bill establishes limitations on the export of plastic waste to other countries.

Primary Sponsors

Alan Lowenthal

Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 6:03 PM Would reduce plastic production, increase recycling, and protect frontline and fenceline communities from the burden of toxic emissions from plastic waste by changing the incentives of the industry. The bill shifts the burden of cleanup to the corporations that produced the plastics. Would direct the U.S. Environmental Protection Agency (USEPA) to establish regulations to require covered manufacturers, as defined by the bill, to print clear and visible "Do Not Flush" labeling notice on product packaging. Eligible labeling protocol mirrors the protocols outlined in the state bill. As with the state bill, the "Do Not Flush" symbol is defined by the INDA and EDANA Guidelines for Assessing the Flushability of Disposable Nonwoven Products (Edition 4; May 2018). BFFPPA addresses pollution caused by microfibers from textiles and general microplastics through the water waste stream. The bill would establish a new grants program to support projects that reduce microfiber pollution through either improving industry and manufacturing best practices to reduce the generation of textile-based microfiber pollution or improve the filtration technology for textile-based microfiber pollution in washing machines and at wastewater treatment plants. The bill does not define an authorization amount for the program. The legislation would also create a separate USEPA pilot program to study the efficacy and cost effectiveness of tools, technologies, and techniques used to remove and prevent the release of microplastics into the environment. Under the program, studies will be conducted to test natural and green infrastructure, and mechanical removal systems and filtration technologies. The bill identifies eligible locations to carry out testing studies to include wastewater treatment facilities, stormwater systems, and drinking water systems. The bill does not define an authorization amount for this new pilot program.

Introduction Date: 2021-03-26

State	Bill Number	Last Action	Status	Position	Priority
US	S 984	Read Twice And Referred To The Committee On Finance 2021 03 25	In Senate	Support	High

Title

Break Free From Plastic Pollution Act of 2021

Description

Break Free From Plastic Pollution Act of 2021 This bill sets forth requirements and incentives to reduce the production of a variety of products and materials, including plastics, and increase efforts to collect, recycle, or compost products and materials. The bill makes certain producers of products (e.g., packaging, paper, single-use products, beverage containers, or food service products) fiscally responsible for collecting, managing, and recycling or composting the products after consumer use. In addition, the bill establishes (1) minimum percentages of products that must be reused, recycled, or composted; and (2) an increasing percentage of recycled content that must be contained in beverage containers. Beginning on January 1, 2023, the bill phases out a variety of single-use products, such as plastic utensils. The bill also sets forth provisions to encourage the reduction of single-use products, including by establishing programs to refund consumers for returning beverage containers and by establishing a tax on carryout bags. The bill creates a temporary moratorium on new or expanded permits for certain facilities that manufacture plastics until regulations are updated to address pollution from the facilities. The Environmental Protection Agency (EPA) must publish guidelines for a national standardized labeling system for recycling and composting receptacles. Producers must include labels on their products that are easy to read and indicate whether the products are recyclable, compostable, or reusable. The EPA must also ensure that certain clothes washers have filtration units as required by this bill. Finally, the bill establishes limitations on the export of plastic waste to other countries.

Primary Sponsors

Jeff Merkley

Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 6:03 PM Would reduce plastic production, increase recycling, and protect frontline and fenceline communities from the burden of toxic emissions from plastic waste by changing the incentives of the industry. The bill shifts the burden of cleanup to the corporations that produced the plastics. Would direct the U.S. Environmental Protection Agency (USEPA) to establish regulations to require covered manufacturers, as defined by the bill, to print clear and visible "Do Not Flush" labeling notice on product packaging. Eligible labeling protocol mirrors the protocols outlined in the state bill. As with the state bill, the "Do Not Flush" symbol is defined by the INDA and EDANA Guidelines for Assessing the Flushability of Disposable Nonwoven Products (Edition 4; May 2018). BFFPPA addresses pollution caused by microfibers from textiles and general microplastics through the water waste stream. The bill would establish a new grants program to support projects that reduce microfiber pollution through either improving industry and manufacturing best practices to reduce the generation of textile-based microfiber pollution or improve the filtration technology for textile-based microfiber pollution in washing machines and at wastewater treatment plants. The bill does not define an authorization amount for the program. The legislation would also create a separate USEPA pilot program to study the efficacy and cost effectiveness of tools, technologies, and techniques used to remove and prevent the release of microplastics into the environment. Under the program, studies will be conducted to test natural and green infrastructure, and mechanical removal systems and filtration technologies. The bill identifies eligible locations to carry out testing studies to include wastewater treatment facilities, stormwater systems, and drinking water systems. The bill does not define an authorization amount for this new pilot program.

Introduction Date: 2021-03-25

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1881	Referred To The Subcommittee On Water Resources And Environment 2021 03 15	In House	Monitor	High

Title

To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.

Description

This bill revises the National Pollutant Discharge Elimination System (NPDES) program. Under the program, the Environmental Protection Agency issues permits to discharge pollutants into waters of the United States. The bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years.

Primary Sponsors

John Garamendi

Bill Summary: Last edited by Sarah Sapirstein at Mar 22, 2021, 9:20 PM Extends the National Pollution Discharge Elimination System (NPDES) permit to up to, but not exceeding, 10 years from the current 5 years, for a municipality.

Introduction Date: 2021-03-12

Priority: Medium (1)

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1352	Referred To The Subcommittee On Conservation And Forestry 2021 04 05	In House	Monitor	Medium
Title Water Affordability, Transparency, Equity, and Reliability Act of 2021			Bill Summary: Last edited by Sarah Sapirstein at Mar 22, 2021, 9:43 PM The Water Affordability, Transparency, Equity, and Reliability (WATER) Act of 2021 is a comprehensive solution that creates a WATER Trust Fund, which dedicates nearly \$35 billion towards water infrastructure improvements across the United States.		
Description Water Affordability, Transparency, Equity, and Reliability Act of 2021 This bill increases funding for water infrastructure, including funding for several programs related to controlling water pollution or protecting drinking water. Specifically, it establishes a Water Affordability, Transparency, Equity, and Reliability Trust Fund. The fund may be used for specified grant programs. The bill increases the corporate income tax rate to 24.5% to provide revenues for the fund. In addition, the bill revises requirements concerning the clean water state revolving fund (SRF) and the drinking water SRF. It also creates or reauthorizes several grant programs for water infrastructure.			Introduction Date: 2021-02-25		
Primary Sponsors Brenda Lawrence					

Priority: None (3)

State	Bill Number	Last Action	Status	Position	Priority
US	S 3282	Read Twice And Referred To The Committee On Environment And Public Works 2021 11 30	In Senate	None	None
Title Water Infrastructure Modernization Act of 2021			Bill Summary: Last edited by Sarah Sapirstein at Jan 13, 2022, 3:08 PM Authorizes a five-year, \$50 million EPA grant program to help municipal water systems and publicly owned wastewater treatments systems make investments in smart water technologies to upgrade and modernize the water infrastructure systems address new emerging contaminants, maintain reliable and affordable water quality infrastructure, maintain reliable, resilient, and affordable drinking water infrastructure, and encourage the use of water-efficient technologies to address drought and prepare for population growth and climate change impacts.		
Primary Sponsors Mark Kelly			Introduction Date: 2021-11-30		

State	Bill Number	Last Action	Status	Position	Priority
US	HR 6088	Referred To The House Committee On Energy And Commerce 2021 11 30	In House	None	None

Title
Water Infrastructure Modernization Act

Primary Sponsors
Ruben Gallego

Bill Summary: Last edited by Sarah Sapirstein at Jan 13, 2022, 3:08 PM
Authorizes a five-year, \$50 million EPA grant program to help municipal water systems and publicly owned wastewater treatments systems make investments in smart water technologies to upgrade and modernize the water infrastructure systems address new emerging contaminants, maintain reliable and affordable water quality infrastructure, maintain reliable, resilient, and affordable drinking water infrastructure, and encourage the use of water-efficient technologies to address drought and prepare for population growth and climate change impacts.

Introduction Date: 2021-11-30

State	Bill Number	Last Action	Status	Position	Priority
US	HR 4443	Referred To The Subcommittee On Conservation And Forestry 2021 08 11	In House	Monitor	None

Title
COMPOST Act

Primary Sponsors
Julia Brownley

Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 6:07 PM
Creates a new Environmental Protection Agency (EPA) administered grant program for state, local, tribal, and territorial governments and for nonprofits, which would offer three types of grants: planning grants, measurement grants, and reduction grants. Program would be authorized at \$200 million for each of the fiscal years 2021-2031.

Introduction Date: 2021-07-16