



# Federal Legislative Report - April 2021

Last Updated: April 26, 2021

## Bills by Issue

Priority: High (6)

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1015	Introduced In House 2021 02 11	In House	Support	High
<b>Title</b> Water Recycling Investment and Improvement Act		<b>Bill Summary:</b> Last edited by Sarah Sapirstein at Feb 16, 2021, 3:28 PM Increases the authorization level for the Title XVI Program to \$500 million from the current \$50 million and makes it a permanent program. The bill strikes requirement that projects must be in drought or disaster areas and strikes the requirement that the projects need to be designated in an appropriations legislation.			
<b>Description</b> Water Recycling Investment and Improvement Act This bill makes permanent, and otherwise revises, the Bureau of Reclamation's grant program for the funding of water recycling and reuse projects. Specifically, the bill removes priority under the program for projects in areas that, in the preceding four-year period, have been (1) identified as experiencing severe, extreme, or exceptional drought; or (2) designated as a disaster area by a state. Additionally, the bill increases through FY2025 the authorization of appropriations for the program and otherwise revises provisions related to program funding.		<b>Introduction Date:</b> 2021-02-11			
<b>Primary Sponsors</b> Grace Napolitano					
<b>Organizational Notes</b> Last edited by Eric Sapirstein at Feb 25, 2021, 3:03 PM H.R. 1015 would increase the authorization level for the Title XVI Program to \$500 million from the current \$50 million, and make it a permanent program. The program is set to expire this year if Congress does not reauthorize it. The bill would also strikes the requirement that projects must be in drought or disaster area, strikes the requirement that the projects need to be designated in an appropriations legislation, and increases the limitation on the federal share of individual Title XVI projects from the current \$20 million in October 1996 prices to \$30 million in January 2019 prices (does not change the 25% federal cost share). H.R. 1015 is a reintroduction of a bill (H.R. 1162) Napolitano introduced in the 116th Congress. CASA supports. #OCSAN CASA Supports #OCSAN					

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.

#### 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

#### Organizational Notes

Last edited by Sarah Sapirstein at Mar 22, 2021, 9:24 PM

H.R. 1881 would allow for the term of National Pollution Discharge Elimination System (NPDES) permit issued to a State or municipality to not to exceed 10 years, from the current 5 years. For all other permittees, the NPDES permit would remain at the current 5 year term limit. #OCSAN

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1915	Referred To The Subcommittee On Water Resources And Environment 2021 03 17	In House	Support	High

#### Title

To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.

#### Primary Sponsors

Peter DeFazio

**Bill Summary:** Last edited by Sarah Sapirstein at Mar 22, 2021, 9:10 PM  
Bipartisan legislation would authorize \$50 billion in direct infrastructure investment over the next five years to address America's crumbling wastewater infrastructure and local water quality challenges. It would also significantly increase the amount of Federal assistance made available to States and communities through the successful Clean Water State Revolving Fund (SRF) program.

**Introduction Date:** 2021-03-16

#### Organizational Notes

Last edited by Sarah Sapirstein at Apr 19, 2021, 3:51 PM

H.R. 1915 is a comprehensive package that would deliver substantial investment opportunities in the clean water sector. Specifically, the bill would authorize the following: authorize Clean Water SRF at \$40 billion over five years; authorize an additional \$2 billion in grants to municipalities to capture, treat, or reuse stormwater or sewer overflows; authorize \$2.5 billion in grants to States to support implementation of States' water pollution control programs; authorize \$1 billion to support clean water pilot programs for watershed-based activities that address wet weather discharges, stormwater best practices, and increase climate resiliency; authorize \$1 billion for alternative water source projects, including wastewater or stormwater reuse; authorize \$1 billion in grants for municipalities to implement PFAS treatment standards; and, authorize \$2.5 billion for wastewater infrastructure assistance to support infrastructure needs of Tribal communities #OCSAN

Last edited by Sarah Sapirstein at Apr 19, 2021, 3:51 PM

CASA Supports #OCSAN

State	Bill Number	Last Action	Status	Position	Priority
US	HR 2467	Referred To The Subcommittee On Water Resources And Environment 2021 04 14	In House	Monitor	High

#### Title

To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

#### 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

**Labels:** PFAS

#### Organizational Notes

Last edited by Sarah Sapirstein at Apr 19, 2021, 4:50 PM

This is a reintroduction of the bill Dingell tried to advance last year (H.R. 535), which OC SAN monitored closely due to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) designation for PFAS. H.R. 2467 includes the same CERCLA designation provision that directs U.S. Environmental Protection Agency (USEPA) to designate PFOA and PFOS within 1 year of enactment of the bill and determine whether to designate all PFAS substances as hazardous under CERCLA within 5 years of enactment of the bill. The bill would also do the following if enacted into law: • Direct USEPA to review and determine whether to establish effluent and pretreatment standards for PFAS substances under the Clean Water Act and provide grants assistance to publicly owned treatment works for implementation of developed standards. Grants program would be authorized at \$200 million for each of the fiscal years 2022 through 2026. Individual awarded grants are not to exceed \$100 thousand. • Establish a national primary drinking water regulation standard for PFOA and PFOS within two years that protects public health, including the health of vulnerable subpopulations. • Establish a PFAS infrastructure grants program for affected community water systems authorized at \$125 million for each of the fiscal years 2022-2023 and \$100 million for each fiscal years 2024-2026. • Require that EPA to place discharge limits on industrial releases of PFAS and provides \$200 million annually for wastewater treatment. #OCSAN

State	Bill Number	Last Action	Status	Position	Priority
US	HR 2468	Referred To The Subcommittee On Coast Guard And Maritime Transportation 2021 04 14	In House	Monitor	High

#### Title

To ensure that certain materials used in carrying out Federal infrastructure aid programs are made in the United States, and for other purposes.

#### Primary Sponsors

John Garamendi

**Bill Summary:** Last edited by Sarah Sapirstein at Apr 19, 2021, 4:44 PM  
Bill strengthens Buy American provisions for tax-payer funded infrastructure projects by requiring federal funding programs to require Buy America provisions for construction materials.

**Introduction Date:** 2021-04-13

#### Organizational Notes

Last edited by Sarah Sapirstein at Apr 19, 2021, 4:41 PM

H.R. 2468 identifies federal infrastructure funding programs that do not currently subject projects to Buy America standards and would ensure that these programs require that building materials used in the "taxpayer-funded projects" are produced domestically. This includes iron and steel materials. The bill directs the U.S. Department of Commerce to certify construction materials are made in America and the manufacturing processes support American jobs. #OCSAN

State	Bill Number	Last Action	Status	Position	Priority
US	S 914	Cloture Motion On The Motion To Proceed To The Measure Presented In Senate Cr S 2151 2021 04 22	In Senate	Monitor	High

#### Title

Drinking Water and Wastewater Infrastructure Act of 2021

#### Primary Sponsors

Tammy Duckworth

**Bill Summary:** Last edited by Sarah Sapirstein at Mar 24, 2021, 6:52 PM  
A comprehensive bill that contains Senate clean water and drinking water provisions that were dropped out of WRDA 2020 during conference negotiations. S. 914 would invest more than \$35 billion in water resource development projects across the country, of which, more than 40% can be directly used to benefit small, disadvantaged, rural, and tribal communities through additional subsidization from the State Revolving Loan Funds or direct grant programs.

**Introduction Date:** 2021-03-23

**Labels:** Infrastructure Water Quality Water Supply

#### Organizational Notes

Last edited by Sarah Sapirstein at Apr 19, 2021, 3:50 PM

A comprehensive bill, containing clean water and drinking water policy provisions that failed to be included in last year's WRDA 2020 bill. S. 914 was reported out of the Committee on Environment and Public Works on a bipartisan vote of 20-0. The bill now goes to the Senate floor to be considered by the full Senate. Below are the key clean water provisions. • SRF reauthorized at \$14 billion and provides that 10% of assistance reserved for grants and other subsidies to reduce costs. • Wastewater efficiency grant program authorized at \$100 million to support waste to energy projects. • Alternative Water Source Act reauthorized providing \$125 million to support grants to develop reclamation projects generally under \$3 million. • Sewer Overflow and storm water grants program reauthorized at \$280 million to address CSO and other overflows. 25% set aside for rural or financially distressed communities. • Resiliency and sustainability grants assistance provided to support utilities address climate and cyber impacts. \$125million authorized. • Small system assistance to improve efficiency of small systems (10,000 or less) authorized. No funding level identified. • Workforce development grants program reauthorized at \$5 million. • Water Data Sharing program authorized to provide grants to encourage data sharing related to impaired coastal watersheds, water system with high levels of pollution and other circumstances leading to water quality impacts. Multi-state consortia authorized to enhance sharing of data, technologies, and protocols. \$65 million in grants authorized to support state and consortia efforts. • WIFIA reauthorized at \$50 million per year. Renews the authority of small systems to bundle projects for WIFIA assistance to meet floor for financing assistance. • Study required on the state of small and disadvantaged communities' historical distribution of funding assistance and ways to improve assistance to such communities. • The Water Reuse Interagency Working Group is created to advance water reuse throughout the country with a focus on federal agencies' mission and ways to create opportunities for reuse. • Advanced Clean Water Technologies Study directed to ascertain existing and future technologies that could improve the operations of treatment works. #OCSAN

**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

#### 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.

#### Primary Sponsors

Brenda Lawrence

#### Organizational Notes

Last edited by Sarah Sapirstein at Mar 22, 2021, 9:45 PM

Legislation has support from over 540 national, state, and local organizations. The legislation is a reintroduction from last Congress. #OCSAN

Last edited by Sarah Sapirstein at Mar 22, 2021, 9:43 PM

H.R. 1352 would provide the following support for water infrastructure: provides \$34.85 billion a year to drinking water and wastewater improvements; creates a water trust fund; creates up to nearly 1 million jobs across the economy and protect American workers; prioritizes disadvantaged communities with grants and additional support; expands funding for technical assistance to small, rural, and indigenous communities; funds projects to address water contamination from PFAS; requires US EPA to study water affordability, shutoffs, discrimination, and civil rights violations by water providers; upgrades household wells and septic systems; helps homeowners replace lead service lines; and provides more than \$1 billion a year to update water infrastructure in public schools. #OCSAN

**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.

**Introduction Date:** 2021-02-25

Priority: None (2)

State	Bill Number	Last Action	Status	Position	Priority
US	HR 1512	Referred To The Subcommittee On Highways And Transit 2021 03 03	In House	None	None

**Title**  
CLEAN Future Act

**Primary Sponsors**  
Frank Pallone

**Bill Summary:** Last edited by Sarah Sapirstein at Mar 22, 2021, 8:54 PM  
H.R. 1512 is a comprehensive legislative package with the goal of achieving net zero greenhouse gas pollution, combating the climate crisis, putting Americans back to work, and rebuilding our economy. It includes limited drinking water provisions, including establishing PFAS grants program for affected community water systems, authorized at \$500 million. The legislation also includes an extensive environmental justice title that supports the policy directives from the Administration that 40% of all future federal funding be delivered to disadvantage and environmental justice communities.

**Introduction Date:** 2021-03-02

#### Organizational Notes

Last edited by Sarah Sapirstein at Mar 22, 2021, 8:57 PM  
Establishes a new grants program under USEPA to aid affected community water systems that are impacted by PFAS contamination with the capitol costs associated with implementing remediation technologies. Priority funding will be provided to disadvantage communities. Grants program to be authorized at \$500 million for each of the fiscal years 2022-2031. #OCSAN

Last edited by Sarah Sapirstein at Mar 22, 2021, 5:50 PM  
Establishes a grant program to award grants to eligible States to receive grants to construct large-scale composting or anaerobic digestion food waste-to-energy projects. For a State to be eligible it must have a plan to limit quantity of food waste that could be disposed of in a landfill, provide USEPA a written commitment that the State has read and agrees to comply with the Food Recovery Hierarchy of the Environmental Protection Agency, and written end-product recycling plan that provides for the beneficial use of the material resulting from any anaerobic digestion food waste-to-energy operation with respect to which the loan or grant is made. Grants may not be used for an anaerobic digester that solely uses manure as undigested biomass. Grants program authorized to be appropriated \$100,000,000 for each of fiscal years 2022 through 2031. #OCSAN

State	Bill Number	Last Action	Status	Position	Priority
US	S 283	Read Twice And Referred To The Committee On Environment And Public Works 2021 02 08	In Senate	Monitor	None

#### Title

National Climate Bank Act

#### Description

National Climate Bank Act This bill establishes and capitalizes a National Climate Bank. The independent, nonprofit bank must invest in clean energy technologies and infrastructure to reduce greenhouse gas emissions. The national bank's investments and procurements division must seek to facilitate affordable investment and procurement, including in low-income communities and communities of color, in key project areas (e.g., renewable energy or climate resiliency measures). The national bank's start-up division must support the creation of new green banks by states or other political subdivisions. The new banks must be public or nonprofit specialized finance entities that use finance tools to mitigate climate change. The national bank may provide financing for such entities. In addition, the bank must explore the establishment of a cash for carbon program to remove greenhouse gas emissions from the power system. The program may use market mechanisms to expedite the retirement of carbon-intensive power generation facilities (e.g., coal-fired power generation facilities), acquire carbon assets for the purpose of reducing emissions, and invest in communities negatively affected by the loss of those facilities or assets.

#### Primary Sponsors

Ed Markey

#### Organizational Notes

Last edited by Sarah Sapirstein at Feb 16, 2021, 3:29 PM

S. 283 creates a national climate bank to leverage public and private funds to invest in clean energy technologies and infrastructure. By leveraging \$100 billion in public funds, it will allow for up to \$884 billion in total investment over 10 years to support financing to eligible regional, state, and local green banks to make investments in the following types of activities: - projects that reduce carbon emissions - projects that support workers and communities negatively impacted by climate transition - projects that provide technical assistance for start up of new green banks - projects that address climate resiliency measures - projects that address water and energy efficiency, including residential, commercial and industrial efficiency measures Requires that 40% of all investments be directed to disadvantaged communities facing climate impacts. #OCSAN

**Bill Summary:** Last edited by Sarah Sapirstein at Feb 16, 2021, 3:29 PM  
Creates a national climate bank to leverage public and private funds to invest in clean energy technologies and infrastructure. Would allow for up to \$884 billion in total investment over 10 years to support financing to eligible regional, state, and local green banks to make investments in the activities and projects that projects that reduce carbon emissions, support workers and communities negatively impacted by climate transition, and provide technical assistance for start up of new green banks.

**Introduction Date:** 2021-02-08

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