

Federal Legislative Report - August 2021

Last Updated: August 23, 2021

Bills by Issue

Priority: High (13)

Bill Number	Last Action	Status	Position	Priority
HR 3684	Message On Senate Action Sent To The House 2021 08 16	Passed Senate	None	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>Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 4:13 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.</p> <p>Introduction Date: 2021-06-04</p>		

Bill Number

HR 2467

Last Action

Received In The Senate And Read Twice And Referred To The Committee On Environment And Public Works 2021 07 22

Status

In Senate

Position

Monitor

Priority

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.

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

Bill Number	Last Action	Status	Position	Priority
HR 4602	Referred To The House Committee On Energy And Commerce 2021 07 21	In House	Support	High

Title
WIPPES Act

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

Bill Number	Last Action	Status	Position	Priority
HR 1915	Placed On The Union Calendar Calendar No 48 2021 06 22	In House	Support	High

Title
Water Quality Protection and Job Creation Act of 2021

Description

Water Quality Protection and Job Creation Act of 2021 This bill creates, reauthorizes, and revises several grant programs for infrastructure to treat water pollution, such as wastewater or stormwater. Specifically, the bill reauthorizes through FY2026 and revises the Clean Water State Revolving Fund program, which provides communities low-cost financing for water quality infrastructure projects. It also reauthorizes through FY2026 grants for * programs to control water pollution; * pilot projects related to watershed management of wastewater discharges (e.g., sewer overflows or stormwater discharges) during wet weather; * alternative water source projects, including projects to reclaim stormwater; or * measures to manage, reduce, treat or recapture stormwater, such as sewer overflows. In addition, the Environmental Protection Agency must award grants to owners of publicly owned treatment works (i.e., sewage treatment plants) for the treatment of contaminants of emerging concern, such as perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS. These substances are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.

Bill Summary: Last edited by Sarah Sapirstein at Jun 21, 2021, 3:52 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

Bill Number	Last Action	Status	Position	Priority
HR 2468	Referred To The Subcommittee On Commodity Exchanges Energy And Credit 2021 06 07	In House	Monitor	High

Title

Made in America Act of 2021

Description

Made in America Act of 2021 This bill requires that materials used in carrying out federal infrastructure aid programs are made in the United States. The term produced in the United States means, in the case of * iron or steel products, that all manufacturing processes for the iron or steel product, from the initial melting stage through the application of coatings, occurred in the United States; * manufactured products, that the product was manufactured in the United States and that the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 50% of the total cost of all components of the manufactured product; and * construction materials, that all manufacturing processes for the construction material occurred in the United States. The Department of Commerce must (1) issue uniform standards that define the term all manufacturing processes for purposes of this bill, and (2) take into consideration and seek to maximize the jobs benefited or created in the production of the construction material. The bill requires that all steel, iron, manufactured products, non-ferrous metals, plastic, concrete and aggregates, glass (including optical glass), lumber, and drywall used in these programs be produced in the United States. Includes within infrastructure addressed by this bill federal-aid highways, railroads, public transportation, civil aviation, drinking water, and stormwater.

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

Bill Number	Last Action	Status	Position	Priority
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

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

Bill Number

S 1907

Last Action

Read Twice And Referred To The Committee
On Environment And Public Works 2021 05 27

Status

In Senate

Position

Monitor

Priority

High

Title

Clean Water Standards for PFAS Act of 2021

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

Bill Number

HR 3404

Last Action

Referred To The Subcommittee On Water Resources And Environment 2021 05 21

Status

In House

Position

Support

Priority

High

Title

FUTURE Western Water Infrastructure and Drought Resiliency Act

Bill Summary: Last edited by Sarah Sapirstein at Aug 23, 2021, 5:56 PM
The FUTURE Western Water Act is a comprehensive package that aims to address western water infrastructure and drought response needs, including: infrastructure development, improved technology and data, water job training and education, and ecosystem protection and restoration. Among the provisions, the legislation includes provisions from Water Recycling Investment and Improvement Act (H.R. 1015), which increases the authorization level for the Title XVI program to \$500 million from the current \$50 million. CASA supports H.R. 1015. The bill's the four major policy components. - Infrastructure Development: authorizes \$750 million for sustainable, multi-benefit water storage projects, authorizes \$500 million for water recycling and reuse projects, authorizes \$260 million for innovative water desalination projects, and establishes process to authorize new major water storage projects owned or supported by USDOJ. - Improved Technology and Data: invests in water data and technology to improve water management and reducing energy and water waste - types of investments include expanded water technology "X-Prize" to support new stream gages and the development and deployment of emerging technologies to help manage and improve water supply availability. - Water Job Training and Education: Federal support for water education activities, collaborative water management efforts and training, and professional development support for water sector workforce. - Ecosystem Protection and Restoration: To reverse fish and wildlife species decline, eligible measures include new voluntary incentives for farmers to provide waterbird habitats, expanded watershed health project funding, support wildlife refuges, multi-benefit water storage projects that provide benefits for water supply and wildlife, and improved drought planning efforts to protect biodiversity.

Introduction Date: 2021-05-20

Bill Number

S 914

Last Action

By Senator Carper From Committee On Environment And Public Works Filed Written Report Report No 117 20 2021 05 10

Status

In House

Position

Monitor

Priority

High

Title

Drinking Water and Wastewater Infrastructure Act of 2021

Description

Drinking Water and Wastewater Infrastructure Act of 2021 This bill reauthorizes through FY2026 or establishes a variety of programs for water infrastructure. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater. For example, the bill reauthorizes and revises the clean water state revolving fund (SRF) and the drinking water SRF.

Bill Summary: Last edited by Sarah Sapirstein at Jun 21, 2021, 4:29 PM
A comprehensive bill that contains Senate clean water and drinking water provisions that were dropped out of Water Resources Development Act (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

Bill Number

HR 2238

Last Action

Referred To The Subcommittee On
Environment And Climate Change 2021 03 29

Status

In House

Position

Support

Priority

High

Title

Break Free From Plastic Pollution Act of 2021

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

Bill Number

S 984

Last Action

Read Twice And Referred To The Committee
On Finance 2021 03 25

Status

In Senate

Position

Support

Priority

High

Title

Break Free From Plastic Pollution Act of 2021

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

Bill Number

HR 1881

Last Action

Referred To The Subcommittee On Water
Resources And Environment 2021 03 15

Status

In House

Position

Monitor

Priority

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.

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

Bill Number	Last Action	Status	Position	Priority
HR 1015	Referred To The Subcommittee On Water Oceans And Wildlife 2021 03 15	In House	Support	High

Title

Water Recycling Investment and Improvement Act

Description

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.

Bill Summary: 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.

Introduction Date: 2021-02-11

Priority: Medium (1)

Bill Number	Last Action	Status	Position	Priority
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.

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)

Bill Number

HR 4443

Last Action

Referred To The Subcommittee On
Conservation And Forestry 2021 08 11

Status

In House

Position

None

Priority

None

Title

COMPOST Act

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

Bill Number

HR 1512

Last Action

Referred To The Subcommittee On
Environment And Climate Change 2021 03 03

Status

In House

Position

None

Priority

None

Title

CLEAN Future Act

Description

Climate Leadership and Environmental Action for our Nation's Future Act or the CLEAN Future Act This bill creates requirements and incentives to reduce emissions of greenhouse gases. The bill establishes an interim goal to reduce greenhouse gas emissions to at least 50% below 2005 levels by 2030 as well as a national goal to achieve net-zero greenhouse gas emissions by 2050. Each federal agency must develop a plan to achieve the goals. Beginning in 2023, retail electricity suppliers must provide an increasing percentage of electricity that is generated without the release of greenhouse gases into the atmosphere (zero-emission electricity). By 2035, the suppliers must provide 100% zero-emission electricity or demonstrate alternative means of compliance. For example, the suppliers may buy credits under a trading program that allows entities to buy, sell, and trade credits to demonstrate compliance. The bill also establishes a variety of requirements, programs, and incentives to reduce or eliminate greenhouse gas emissions by * modernizing the electric grid and supporting clean energy microgrids; * increasing the use of renewable energy and advanced nuclear power technologies; * increasing energy efficiency in buildings, homes, and appliances; * supporting clean transportation, including electric vehicles and related charging infrastructure; * issuing greenhouse gas standards for certain vehicles, engines, and aircraft; * promoting manufacturing and industrial decarbonization, including through buy-clean programs; * supporting environmental justice efforts; and * reducing methane, plastics, and super pollutants.

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

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