

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO THE COMMITTEE PRINT FOR H.R. 3291**  
**OFFERED BY M. \_\_\_\_\_**

Strike all and insert the following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Assistance, Quality, and Affordability Act of 2021”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—INFRASTRUCTURE**

- Sec. 101. Drinking water system resilience funding.
- Sec. 102. Grants for State programs.
- Sec. 103. American iron and steel products.
- Sec. 104. Allotments for territories.
- Sec. 105. Drinking water SRF funding.
- Sec. 106. Lead service line replacement.
- Sec. 107. Drinking water assistance to colonias.
- Sec. 108. PFAS treatment grants.
- Sec. 109. Voluntary school and child care program lead testing grant program.
- Sec. 110. Grant program for installation of filtration stations at schools and child care programs.
- Sec. 111. Drinking water fountain replacement for schools.
- Sec. 112. Indian reservation drinking water program.
- Sec. 113. Assistance for areas affected by natural disasters.

**TITLE II—SAFETY**

- Sec. 201. Enabling EPA to set standards for new drinking water contaminants.
- Sec. 202. National primary drinking water regulations for PFAS.
- Sec. 203. National primary drinking water regulations for microcystin toxin.
- Sec. 204. National primary drinking water regulations for 1,4-dioxane.
- Sec. 205. Elimination of small system variances.

**TITLE III—AFFORDABILITY**

- Sec. 301. Emergency relief program.

# 1           **TITLE I—INFRASTRUCTURE**

## 2   **SEC. 101. DRINKING WATER SYSTEM RESILIENCE FUNDING.**

3           Section 1433(g) of the Safe Drinking Water Act (42  
4 U.S.C. 300i–2(g)) is amended—

5                   (1) in paragraph (1), by striking “and 2021”  
6                   and inserting “through 2031”; and

7                   (2) in paragraph (6)—

8                           (A) by striking “25,000,000” and inserting  
9                           “50,000,000”; and

10                           (B) by striking “2020 and 2021” and in-  
11                           serting “2022 through 2031”.

## 12   **SEC. 102. GRANTS FOR STATE PROGRAMS.**

13           Section 1443(a)(7) of the Safe Drinking Water Act  
14 (42 U.S.C. 300j–2(a)(7)) is amended by striking “and  
15 2021” and inserting “through 2031”.

## 16   **SEC. 103. AMERICAN IRON AND STEEL PRODUCTS.**

17           Section 1452(a)(4)(A) of the Safe Drinking Water  
18 Act (42 U.S.C. 300j–12(a)(4)(A)) is amended by striking  
19 “During fiscal years 2019 through 2023, funds” and in-  
20 serting “Funds”.

## 21   **SEC. 104. ALLOTMENTS FOR TERRITORIES.**

22           Section 1452(j) of the Safe Drinking Water Act (42  
23 U.S.C. 300j–12(j)) is amended by striking “0.33 percent”  
24 and inserting “1.5 percent”.

1 **SEC. 105. DRINKING WATER SRF FUNDING.**

2 Section 1452(m)(1) of the Safe Drinking Water Act  
3 (42 U.S.C. 300j–12(m)(1)) is amended—

4 (1) in subparagraph (B), by striking “and”;

5 (2) in subparagraph (C), by striking “2021.”  
6 and inserting “2021;”; and

7 (3) by adding at the end the following:

8 “(D) \$4,140,000,000 for fiscal year 2022;

9 “(E) \$4,800,000,000 for fiscal year 2023;

10 and

11 “(F) \$5,500,000,000 for each of fiscal  
12 years 2024 through 2031.”.

13 **SEC. 106. LEAD SERVICE LINE REPLACEMENT.**

14 (a) IN GENERAL.—Section 1452 of the Safe Drink-  
15 ing Water Act (42 U.S.C. 300j–12) is amended by adding  
16 at the end the following:

17 “(u) LEAD SERVICE LINE REPLACEMENT.—

18 “(1) IN GENERAL.—In addition to the capital-  
19 ization grants to eligible States under subsection  
20 (a)(1), the Administrator shall offer to enter into  
21 agreements with States, Indian Tribes, and the ter-  
22 ritories described in subsection (j) to make grants,  
23 including letters of credit, to such States, Indian  
24 Tribes, and territories under this subsection to fund  
25 the replacement of lead service lines.

26 “(2) ALLOTMENTS.—

1           “(A) STATES.—Funds made available to  
2 carry out this subsection shall be—

3           “(i) allotted and reallocated to the ex-  
4 tent practicable to States as if allotted or  
5 reallocated under subsection (a)(1) as a cap-  
6 italization grant under such subsection;  
7 and

8           “(ii) deposited into the State loan  
9 fund of a State receiving such funds pur-  
10 suant to an agreement entered into pursu-  
11 ant to this subsection.

12           “(B) INDIAN TRIBES.—The Administrator  
13 shall set aside 1½ percent of the amounts  
14 made available each fiscal year to carry out this  
15 subsection to make grants to Indian Tribes.

16           “(C) OTHER AREAS.—Funds made avail-  
17 able to carry out this subsection shall be allot-  
18 ted to territories described in subsection (j) in  
19 accordance with such subsection.

20           “(3) GRANTS.—Notwithstanding any other pro-  
21 vision of this section, funds made available under  
22 this subsection shall be used only for providing  
23 grants for the replacement of lead service lines.

24           “(4) PRIORITY.—Each State, Indian Tribe, and  
25 territory that has entered into an agreement pursu-

1 ant to this subsection shall annually prepare a plan  
2 that identifies the intended uses of the amounts  
3 made available to such State, Indian Tribe, or terri-  
4 tory under this subsection, and any such plan  
5 shall—

6 “(A) not be required to comply with sub-  
7 section (b)(3); and

8 “(B) provide, to the maximum extent prac-  
9 ticable, that priority for the use of funds be  
10 given to projects that replace lead service lines  
11 serving disadvantaged communities and envi-  
12 ronmental justice communities.

13 “(5) PLAN FOR REPLACEMENT.—Each State,  
14 Indian Tribe, and territory that has entered into an  
15 agreement pursuant to this subsection shall require  
16 each recipient of funds made available pursuant to  
17 this subsection to submit to the State, Indian Tribe,  
18 or territory a plan to replace all lead service lines in  
19 the applicable public water system within 10 years  
20 of receiving such funds.

21 “(6) AMERICAN MADE IRON AND STEEL AND  
22 PREVAILING WAGES.—The requirements of para-  
23 graphs (4) and (5) of subsection (a) shall apply to  
24 any project carried out in whole or in part with

1 funds made available under or pursuant to this sub-  
2 section.

3 “(7) LIMITATION.—

4 “(A) PROHIBITION ON PARTIAL LINE RE-  
5 PLACEMENT.—No funds made available pursu-  
6 ant to this subsection may be used for partial  
7 lead service line replacement if, at the conclu-  
8 sion of the service line replacement, drinking  
9 water is delivered through a publicly or pri-  
10 vately owned portion of a lead service line.

11 “(B) NO PRIVATE OWNER CONTRIBU-  
12 TION.—Any recipient of funds made available  
13 pursuant to this subsection for lead service line  
14 replacement shall offer to replace any privately  
15 owned portion of any lead service line with re-  
16 spect to which such funds are used at no cost  
17 to the private owner.

18 “(8) DISADVANTAGED COMMUNITY ASSIST-  
19 ANCE.—All funds made available pursuant to this  
20 subsection to fund the replacement of lead service  
21 lines may be used to replace lead service lines serv-  
22 ing disadvantaged communities.

23 “(9) STATE CONTRIBUTION NOT REQUIRED.—  
24 No agreement entered into pursuant to paragraph  
25 (1) shall require that a State deposit, at any time,

1 in the applicable State loan fund from State moneys  
2 any contribution in order to receive funds under this  
3 subsection.

4 “(10) AUTHORIZATION OF APPROPRIATIONS.—

5 “(A) IN GENERAL.—There are authorized  
6 to be appropriated to carry out this subsection  
7 \$4,500,000,000 for each of fiscal years 2022  
8 through 2031. Such sums shall remain available  
9 until expended.

10 “(B) ADDITIONAL AMOUNTS.—To the ex-  
11 tent amounts authorized to be appropriated  
12 under this subsection in any fiscal year are not  
13 appropriated in that fiscal year, such amounts  
14 are authorized to be appropriated in a subse-  
15 quent fiscal year. Such sums shall remain avail-  
16 able until expended.

17 “(11) DEFINITIONS.—For purposes of this sub-  
18 section:

19 “(A) DISADVANTAGED COMMUNITY.—The  
20 term ‘disadvantaged community’ has the mean-  
21 ing given such term in subsection (d)(3).

22 “(B) ENVIRONMENTAL JUSTICE COMMU-  
23 NITY.—The term ‘environmental justice com-  
24 munity’ means any population of color, commu-  
25 nity of color, indigenous community, or low-in-

1           come community that experiences a dispropor-  
2           tionate burden of the negative human health  
3           and environmental impacts of pollution or other  
4           environmental hazards.

5           “(C) LEAD SERVICE LINE.—The term  
6           ‘lead service line’ means a pipe and its fittings,  
7           which are not lead free (as defined in section  
8           1417(d)), that connect the drinking water main  
9           to the building inlet.”.

10          (b) CONFORMING AMENDMENT.—Section  
11   1452(m)(1) of the Safe Drinking Water Act (42 U.S.C.  
12   300j–12(m)(1)) is amended by striking “(a)(2)(G) and  
13   (t)” and inserting “(a)(2)(G), (t), and (u)”.

14   **SEC. 107. DRINKING WATER ASSISTANCE TO COLONIAS.**

15          Section 1456 of the Safe Drinking Water Act (42  
16   U.S.C. 300j–16) is amended—

17           (1) in subsection (a)—

18           (A) by redesignating paragraph (2) as  
19           paragraph (3); and

20           (B) by inserting after paragraph (1) the  
21           following new paragraph:

22           “(2) COVERED ENTITY.—The term ‘covered en-  
23   tity’ means each of the following:

24           “(A) A border State.



1 “(B) A local government with jurisdiction  
2 over an eligible community.”;

3 (2) in subsection (b), by striking “border  
4 State” and inserting “covered entity”;

5 (3) in subsection (d), by striking “shall not ex-  
6 ceed 50 percent” and inserting “may not be less  
7 than 80 percent”; and

8 (4) in subsection (e)—

9 (A) by striking “\$25,000,000” and insert-  
10 ing “\$100,000,000”; and

11 (B) by striking “1997 through 1999” and  
12 inserting “2022 through 2026”.

13 **SEC. 108. PFAS TREATMENT GRANTS.**

14 Part E of the Safe Drinking Water Act (42 U.S.C.  
15 300j et seq.) is amended by adding at the end the fol-  
16 lowing new section:

17 **“SEC. 1459E. ASSISTANCE FOR COMMUNITY WATER SYS-  
18 TEMS AFFECTED BY PFAS.**

19 “(a) ESTABLISHMENT.—Not later than 180 days  
20 after the date of enactment of this section, the Adminis-  
21 trator shall establish a program to award grants to af-  
22 fected community water systems to pay for capital costs  
23 associated with the implementation of eligible treatment  
24 technologies.

25 “(b) APPLICATIONS.—

1           “(1) GUIDANCE.—Not later than 12 months  
2 after the date of enactment of this section, the Ad-  
3 ministrator shall publish guidance describing the  
4 form and timing for community water systems to  
5 apply for grants under this section.

6           “(2) REQUIRED INFORMATION.—The Adminis-  
7 trator shall require a community water system ap-  
8 plying for a grant under this section to submit—

9           “(A) information showing the presence of a  
10 perfluoroalkyl or polyfluoroalkyl substance in  
11 water of the community water system; and

12           “(B) a certification that the treatment  
13 technology in use by the community water sys-  
14 tem at the time of application is not sufficient  
15 to meet all applicable standards, and all appli-  
16 cable health advisories published pursuant to  
17 section 1412(b)(1)(F), for perfluoroalkyl and  
18 polyfluoroalkyl substances.

19           “(c) LIST OF ELIGIBLE TREATMENT TECH-  
20 NOLOGIES.—Not later than 150 days after the date of en-  
21 actment of this section, and every 2 years thereafter, the  
22 Administrator shall publish a list of treatment tech-  
23 nologies that the Administrator determines are the most  
24 effective at removing perfluoroalkyl and polyfluoroalkyl  
25 substances from drinking water.

1 “(d) PRIORITY FOR FUNDING.—In awarding grants  
2 under this section, the Administrator shall prioritize an  
3 affected community water system that—

4 “(1) serves a disadvantaged community;

5 “(2) will provide at least a 10-percent cost  
6 share for the cost of implementing an eligible treat-  
7 ment technology;

8 “(3) demonstrates the capacity to maintain the  
9 eligible treatment technology to be implemented  
10 using the grant; or

11 “(4) is located within an area with respect to  
12 which the Administrator has published a determina-  
13 tion under the first sentence of section 1424(e) re-  
14 lating to an aquifer that is the sole or principal  
15 drinking water source for the area.

16 “(e) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—There is authorized to be  
18 appropriated to carry out this section \$500,000,000  
19 for each of the fiscal years 2022 through 2031.

20 “(2) SPECIAL RULE.—Of the amounts author-  
21 ized to be appropriated by paragraph (1),  
22 \$25,000,000 are authorized to be appropriated for  
23 each of fiscal years 2022 and 2023 for grants under  
24 subsection (a) to pay for capital costs associated  
25 with the implementation of eligible treatment tech-

1 nologies during the period beginning on October 1,  
2 2014, and ending on the date of enactment of this  
3 section.

4 “(f) DEFINITIONS.—In this section:

5 “(1) AFFECTED COMMUNITY WATER SYSTEM.—  
6 The term ‘affected community water system’ means  
7 a community water system that is affected by the  
8 presence of a perfluoroalkyl or polyfluoroalkyl sub-  
9 stance in the water in the community water system.

10 “(2) DISADVANTAGED COMMUNITY.—The term  
11 ‘disadvantaged community’ has the meaning given  
12 that term in section 1452.

13 “(3) ELIGIBLE TREATMENT TECHNOLOGY.—  
14 The term ‘eligible treatment technology’ means a  
15 treatment technology included on the list published  
16 under subsection (c).”.

17 **SEC. 109. VOLUNTARY SCHOOL AND CHILD CARE PROGRAM**  
18 **LEAD TESTING GRANT PROGRAM.**

19 Section 1464(d)(8) of the Safe Drinking Water Act  
20 (42 U.S.C. 300j–24(d)(8)) is amended by striking “and  
21 2021” and inserting “through 2031”.

1 **SEC. 110. GRANT PROGRAM FOR INSTALLATION OF FILTRA-**  
2 **TION STATIONS AT SCHOOLS AND CHILD**  
3 **CARE PROGRAMS.**

4 Section 1464 of the Safe Drinking Water Act (42  
5 U.S.C. 300j-24) is amended by adding at the end the fol-  
6 lowing:

7 “(e) GRANT PROGRAM FOR INSTALLATION AND  
8 MAINTENANCE OF FILTRATION STATIONS.—

9 “(1) PROGRAM.—The Administrator shall es-  
10 tablish a program to make grants to States to assist  
11 local educational agencies in voluntary installation  
12 and maintenance of filtration stations at schools and  
13 child care programs under the jurisdiction of the  
14 local educational agencies.

15 “(2) DIRECT GRANTS TO LOCAL EDUCATIONAL  
16 AGENCIES.—The Administrator may make a grant  
17 described in paragraph (1) directly available to—

18 “(A) any local educational agency de-  
19 scribed in clause (i) or (iii) of subsection  
20 (d)(1)(B) located in a State that does not par-  
21 ticipate in the program established under para-  
22 graph (1); or

23 “(B) any local educational agency de-  
24 scribed in clause (ii) of subsection (d)(1)(B).

1           “(3) USE OF FUNDS.—Grants made under the  
2           program established under this subsection may be  
3           used to pay the costs of—

4                   “(A) installation and maintenance of filtra-  
5                   tion stations at schools and child care pro-  
6                   grams; and

7                   “(B) annual testing of drinking water at  
8                   such schools and child care programs following  
9                   the installation of filtration stations.

10           “(4) PRIORITY.—In making grants under the  
11           program established under this subsection, the Ad-  
12           ministrator shall give priority to States and local  
13           educational agencies that will assist in voluntary in-  
14           stallation and maintenance of filtration stations at  
15           schools and child care programs that are in low-in-  
16           come areas.

17           “(5) GUIDANCE.—Not later than 180 days  
18           after the date of enactment of this subsection, the  
19           Administrator shall establish guidance to carry out  
20           the program established under this subsection.

21           “(6) NO PRIOR TESTING REQUIRED.—The pro-  
22           gram established under this subsection shall not re-  
23           quire testing for lead contamination in drinking  
24           water at schools and child care programs prior to  
25           participation in such program.

1 “(7) DEFINITIONS.—In this subsection:

2 “(A) CHILD CARE PROGRAM AND LOCAL  
3 EDUCATIONAL AGENCY.—The terms ‘child care  
4 program’ and ‘local educational agency’ have  
5 the meaning given such terms in subsection (d).

6 “(B) FILTRATION STATION.—The term  
7 ‘filtration station’ means an apparatus that—

8 “(i) is connected to building plumb-  
9 ing;

10 “(ii) is certified to the latest version  
11 of NSF/ANSI 53 for lead reduction and  
12 NSF/ANSI 42 for particulate reduction  
13 (Class I) by a certification body accredited  
14 by the American National Standards Insti-  
15 tute National Accreditation Board;

16 “(iii) has an indicator to show filter  
17 performance;

18 “(iv) can fill bottles or containers for  
19 water consumption; and

20 “(v) allows users to drink directly  
21 from a stream of flowing water.

22 “(8) AUTHORIZATION OF APPROPRIATIONS.—  
23 There is authorized to be appropriated to carry out  
24 this subsection \$50,000,000 for each of fiscal years  
25 2022 through 2031.”.

1 **SEC. 111. DRINKING WATER FOUNTAIN REPLACEMENT FOR**  
2 **SCHOOLS.**

3 Section 1465(d) of the Safe Drinking Water Act (42  
4 U.S.C. 300j–25(d)) is amended by striking “2021” and  
5 inserting “2031”.

6 **SEC. 112. INDIAN RESERVATION DRINKING WATER PRO-**  
7 **GRAM.**

8 Section 2001(d) of America’s Water Infrastructure  
9 Act of 2018 (Public Law 115–270) is amended by striking  
10 “2022” and inserting “2031”.

11 **SEC. 113. ASSISTANCE FOR AREAS AFFECTED BY NATURAL**  
12 **DISASTERS.**

13 Section 2020 of America’s Water Infrastructure Act  
14 of 2018 (Public Law 115–270) is amended—

15 (1) in subsection (b)(1), by striking “subsection  
16 (e)(1)” and inserting “subsection (f)(1)”;

17 (2) by redesignating subsections (c) through (e)  
18 as subsections (d) through (f), respectively;

19 (3) by inserting after subsection (b) the fol-  
20 lowing:

21 “(c) ASSISTANCE FOR TERRITORIES.—The Adminis-  
22 trator may use funds made available under subsection  
23 (f)(1) to make grants to Guam, the Virgin Islands, Amer-  
24 ican Samoa, and the Northern Mariana Islands for the  
25 purposes of providing assistance to eligible systems to re-



1 store or increase compliance with national primary drink-  
2 ing water regulations.”; and

3 (4) in subsection (f), as so redesignated—

4 (A) in the heading, by striking “STATE  
5 REVOLVING FUND CAPITALIZATION”; and

6 (B) in paragraph (1)—

7 (i) in the matter preceding subpara-  
8 graph (A), by inserting “and to make  
9 grants under subsection (c) of this sec-  
10 tion,” before “to be available”; and

11 (ii) in subparagraph (A), by inserting  
12 “or subsection (c), as applicable” after  
13 “subsection (b)(1)”.

## 14 **TITLE II—SAFETY**

### 15 **SEC. 201. ENABLING EPA TO SET STANDARDS FOR NEW** 16 **DRINKING WATER CONTAMINANTS.**

17 (a) IN GENERAL.—Section 1412(b)(6) of the Safe  
18 Drinking Water Act (42 U.S.C. 300g–1(b)(6)) is repealed.

19 (b) CONFORMING AMENDMENTS.—Section 1412(b)  
20 of the Safe Drinking Water Act (42 U.S.C. 300g–1(b))  
21 is amended—

22 (1) in paragraph (3)(C)(i)—

23 (A) by striking “paragraph (5) or (6)(A)”  
24 and inserting “paragraph (5)”; and

1 (B) by striking “paragraphs (4), (5), and  
2 (6)” and inserting “paragraphs (4) and (5)”;  
3 and  
4 (2) in paragraph (4)(B), by striking “para-  
5 graphs (5) and (6)” and inserting “paragraph (5)”.

6 **SEC. 202. NATIONAL PRIMARY DRINKING WATER REGULA-**  
7 **TIONS FOR PFAS.**

8 Section 1412(b) of the Safe Drinking Water Act (42  
9 U.S.C. 300g–1(b)) is amended by adding at the end the  
10 following:

11 “(16) PERFLUOROALKYL AND  
12 POLYFLUOROALKYL SUBSTANCES.—

13 “(A) IN GENERAL.—Not later than 2 years  
14 after the date of enactment of this paragraph,  
15 the Administrator shall, after notice and oppor-  
16 tunity for public comment, promulgate a na-  
17 tional primary drinking water regulation for  
18 perfluoroalkyl and polyfluoroalkyl substances,  
19 which shall, at a minimum, include standards  
20 for—

21 “(i) perfluorooctanoic acid (commonly  
22 referred to as ‘PFOA’); and

23 “(ii) perfluorooctane sulfonic acid  
24 (commonly referred to as ‘PFOS’).

25 “(B) ALTERNATIVE PROCEDURES.—

1                   “(i) IN GENERAL.—Not later than 1  
2                   year after the validation by the Adminis-  
3                   trator of an equally effective quality con-  
4                   trol and testing procedure to ensure com-  
5                   pliance with the national primary drinking  
6                   water regulation promulgated under sub-  
7                   paragraph (A) to measure the levels de-  
8                   scribed in clause (ii) or other methods to  
9                   detect and monitor perfluoroalkyl and  
10                  polyfluoroalkyl substances in drinking  
11                  water, the Administrator shall add the pro-  
12                  cedure or method as an alternative to the  
13                  quality control and testing procedure de-  
14                  scribed in such national primary drinking  
15                  water regulation by publishing the proce-  
16                  dure or method in the Federal Register in  
17                  accordance with section 1401(1)(D).

18                  “(ii) LEVELS DESCRIBED.—The levels  
19                  referred to in clause (i) are—

20                         “(I) the level of a perfluoroalkyl  
21                         or polyfluoroalkyl substance;

22                         “(II) the total levels of  
23                         perfluoroalkyl and polyfluoroalkyl sub-  
24                         stances; and

1                   “(III) the total levels of organic  
2                   fluorine.

3                   “(C) INCLUSIONS.—The Administrator  
4                   may include a perfluoroalkyl or polyfluoroalkyl  
5                   substance or class of perfluoroalkyl or  
6                   polyfluoroalkyl substances on—

7                   “(i) the list of contaminants for con-  
8                   sideration of regulation under paragraph  
9                   (1)(B)(i), in accordance with such para-  
10                  graph; and

11                  “(ii) the list of unregulated contami-  
12                  nants to be monitored under section  
13                  1445(a)(2)(B)(i), in accordance with such  
14                  section.

15                  “(D) MONITORING.—When establishing  
16                  monitoring requirements for public water sys-  
17                  tems as part of a national primary drinking  
18                  water regulation under subparagraph (A) or  
19                  subparagraph (G)(ii), the Administrator shall  
20                  tailor the monitoring requirements for public  
21                  water systems that do not detect or are reliably  
22                  and consistently below the maximum contami-  
23                  nant level (as defined in section 1418(b)(2)(B))  
24                  for the perfluoroalkyl or polyfluoroalkyl sub-  
25                  stance or class of perfluoroalkyl or

1 polyfluoroalkyl substances subject to the na-  
2 tional primary drinking water regulation.

3 “(E) HEALTH PROTECTION.—The national  
4 primary drinking water regulation promulgated  
5 under subparagraph (A) shall be protective of  
6 the health of subpopulations at greater risk, as  
7 described in section 1458.

8 “(F) HEALTH RISK REDUCTION AND COST  
9 ANALYSIS.—In meeting the requirements of  
10 paragraph (3)(C), the Administrator may rely  
11 on information available to the Administrator  
12 with respect to one or more specific  
13 perfluoroalkyl or polyfluoroalkyl substances to  
14 extrapolate reasoned conclusions regarding the  
15 health risks and effects of a class of  
16 perfluoroalkyl or polyfluoroalkyl substances of  
17 which the specific perfluoroalkyl or  
18 polyfluoroalkyl substances are a part.

19 “(G) REGULATION OF ADDITIONAL SUB-  
20 STANCES.—

21 “(i) DETERMINATION.—The Adminis-  
22 trator shall make a determination under  
23 paragraph (1)(A), using the criteria de-  
24 scribed in clauses (i) through (iii) of that  
25 paragraph, whether to include a

1 perfluoroalkyl or polyfluoroalkyl substance  
2 or class of perfluoroalkyl or polyfluoroalkyl  
3 substances in the national primary drink-  
4 ing water regulation under subparagraph  
5 (A) not later than 18 months after the  
6 later of—

7 “(I) the date on which the  
8 perfluoroalkyl or polyfluoroalkyl sub-  
9 stance or class of perfluoroalkyl or  
10 polyfluoroalkyl substances is listed on  
11 the list of contaminants for consider-  
12 ation of regulation under paragraph  
13 (1)(B)(i); and

14 “(II) the date on which—

15 “(aa) the Administrator has  
16 received the results of monitoring  
17 under section 1445(a)(2)(B) for  
18 the perfluoroalkyl or  
19 polyfluoroalkyl substance or class  
20 of perfluoroalkyl or  
21 polyfluoroalkyl substances; or

22 “(bb) the Administrator has  
23 received reliable water data or  
24 water monitoring surveys for the  
25 perfluoroalkyl or polyfluoroalkyl

1 substance or class of  
2 perfluoroalkyl or polyfluoroalkyl  
3 substances from a Federal or  
4 State agency that the Adminis-  
5 trator determines to be of a qual-  
6 ity sufficient to make a deter-  
7 mination under paragraph  
8 (1)(A).

9 “(ii) PRIMARY DRINKING WATER REG-  
10 ULATIONS.—

11 “(I) IN GENERAL.—For each  
12 perfluoroalkyl or polyfluoroalkyl sub-  
13 stance or class of perfluoroalkyl or  
14 polyfluoroalkyl substances that the  
15 Administrator determines to regulate  
16 under clause (i), the Administrator—

17 “(aa) not later than 18  
18 months after the date on which  
19 the Administrator makes the de-  
20 termination, shall propose a na-  
21 tional primary drinking water  
22 regulation for the perfluoroalkyl  
23 or polyfluoroalkyl substance or  
24 class of perfluoroalkyl or  
25 polyfluoroalkyl substances; and

1 “(bb) may publish the pro-  
2 posed national primary drinking  
3 water regulation described in  
4 item (aa) concurrently with the  
5 publication of the determination  
6 to regulate the perfluoroalkyl or  
7 polyfluoroalkyl substance or class  
8 of perfluoroalkyl or  
9 polyfluoroalkyl substances.

10 “(II) DEADLINE.—

11 “(aa) IN GENERAL.—Not  
12 later than 1 year after the date  
13 on which the Administrator pub-  
14 lishes a proposed national pri-  
15 mary drinking water regulation  
16 under clause (i)(I) and subject to  
17 item (bb), the Administrator  
18 shall take final action on the pro-  
19 posed national primary drinking  
20 water regulation.

21 “(bb) EXTENSION.—The  
22 Administrator, on publication of  
23 notice in the Federal Register,  
24 may extend the deadline under



1 item (aa) by not more than 6  
2 months.

3 “(H) HEALTH ADVISORY.—

4 “(i) IN GENERAL.—Subject to clause  
5 (ii), the Administrator shall publish a  
6 health advisory under paragraph (1)(F) for  
7 a perfluoroalkyl or polyfluoroalkyl sub-  
8 stance or class of perfluoroalkyl or  
9 polyfluoroalkyl substances not subject to a  
10 national primary drinking water regulation  
11 not later than 1 year after the later of—

12 “(I) the date on which the Ad-  
13 ministrator finalizes a toxicity value  
14 for the perfluoroalkyl or  
15 polyfluoroalkyl substance or class of  
16 perfluoroalkyl or polyfluoroalkyl sub-  
17 stances; and

18 “(II) the date on which the Ad-  
19 ministrator validates an effective qual-  
20 ity control and testing procedure for  
21 the perfluoroalkyl or polyfluoroalkyl  
22 substance or class of perfluoroalkyl or  
23 polyfluoroalkyl substances.

24 “(ii) WAIVER.—The Administrator  
25 may waive the requirements of clause (i)

1 with respect to a perfluoroalkyl or  
2 polyfluoroalkyl substance or class of  
3 perfluoroalkyl and polyfluoroalkyl sub-  
4 stances if the Administrator determines  
5 that there is a substantial likelihood that  
6 the perfluoroalkyl or polyfluoroalkyl sub-  
7 stance or class of perfluoroalkyl or  
8 polyfluoroalkyl substances will not occur in  
9 drinking water with sufficient frequency to  
10 justify the publication of a health advisory,  
11 and publishes such determination, includ-  
12 ing the information and analysis used, and  
13 basis for, such determination, in the Fed-  
14 eral Register.”.

15 **SEC. 203. NATIONAL PRIMARY DRINKING WATER REGULA-**  
16 **TIONS FOR MICROCYSTIN TOXIN.**

17 Section 1412(b) of the Safe Drinking Water Act (42  
18 U.S.C. 300g–1(b)) is further amended by adding at the  
19 end the following:

20 “(17) MICROCYSTIN TOXIN.—

21 “(A) IN GENERAL.—Notwithstanding any  
22 other deadline established in this subsection,  
23 not later than 2 years after the date of enact-  
24 ment of the Assistance, Quality, and Afford-  
25 ability Act of 2021, the Administrator shall

1 publish a maximum contaminant level goal and  
2 promulgate a national primary drinking water  
3 regulation for microcystin toxin.

4 “(B) HEALTH PROTECTION.—The max-  
5 imum contaminant level goal and national pri-  
6 mary drinking water regulation promulgated  
7 under subparagraph (A) shall be protective of  
8 the health of subpopulations at greater risk, as  
9 described in section 1458.”.

10 **SEC. 204. NATIONAL PRIMARY DRINKING WATER REGULA-**  
11 **TIONS FOR 1,4-DIOXANE.**

12 Section 1412(b) of the Safe Drinking Water Act (42  
13 U.S.C. 300g-1(b)) is further amended by adding at the  
14 end the following:

15 “(18) 1,4-DIOXANE.—

16 “(A) IN GENERAL.—Notwithstanding any  
17 other deadline established in this subsection,  
18 not later than 2 years after the date of enact-  
19 ment of the Assistance, Quality, and Afford-  
20 ability Act of 2021, the Administrator shall  
21 publish a maximum contaminant level goal and  
22 promulgate a national primary drinking water  
23 regulation for 1,4-dioxane.

24 “(B) HEALTH PROTECTION.—The max-  
25 imum contaminant level goal and national pri-

1           mary drinking water regulation promulgated  
2           under subparagraph (A) shall be protective of  
3           the health of subpopulations at greater risk, as  
4           described in section 1458.”.

5 **SEC. 205. ELIMINATION OF SMALL SYSTEM VARIANCES.**

6           (a) SMALL SYSTEM VARIANCES.—Section 1415 (42  
7 U.S.C. 300g–4) of the Safe Drinking Water Act is amend-  
8 ed by striking subsection (e).

9           (b) CONFORMING AMENDMENTS.—

10           (1) Section 1412(b)(15) of the Safe Drinking  
11 Water Act (42 U.S.C. 300g–1(b)(15)) is amended by  
12 striking subparagraph (D).

13           (2) Section 1414(c)(1)(B) of the Safe Drinking  
14 Water Act (42 U.S.C. 300g–3(c)(1)(B)) is amended  
15 by striking “, (a)(2), or (e)” and inserting “or  
16 (a)(2)”.

17           (3) Section 1416(b)(2) of the Safe Drinking  
18 Water Act (42 U.S.C. 300g–5(b)(2)) is amended by  
19 striking subparagraph (D).

20           (4) Section 1445(h) of the Safe Drinking Water  
21 Act (42 U.S.C. 300j–4(h)) is amended—

22           (A) by striking “sections 1412(b)(4)(E)  
23 and 1415(e) (relating to small system variance  
24 program)” and inserting “section  
25 1412(b)(4)(E)”; and

1 (B) by striking “guidance under sections  
2 1412(b)(4)(E) and 1415(e)” and inserting  
3 “guidance under section 1412(b)(4)(E)”.

## 4 **TITLE III—AFFORDABILITY**

### 5 **SEC. 301. EMERGENCY RELIEF PROGRAM.**

6 Part F of the Safe Drinking Water Act (42 U.S.C.  
7 300j–21 et seq.) is amended by adding at the end the fol-  
8 lowing new section:

#### 9 **“SEC. 1466. EMERGENCY RELIEF PROGRAM.**

10 “(a) EMERGENCY RELIEF PROGRAM.—The Adminis-  
11 trator shall establish and carry out a residential emer-  
12 gency relief program to provide payments to public water  
13 systems to reimburse such public water systems for pro-  
14 viding forgiveness of arrearages and fees incurred by eligi-  
15 ble residential customers before the date of enactment of  
16 this section to help such eligible residential customers re-  
17 tain water service.

18 “(b) CONDITIONS.—To receive funds under this sec-  
19 tion, a public water system shall agree to—

20 “(1) except as provided in paragraph (2), use  
21 such funds to forgive all arrearages and fees relating  
22 to nonpayment or arrearages incurred by eligible  
23 residential customers before the date of enactment  
24 of this section;

1           “(2) if forgiveness of all arrearages and fees de-  
2           scribed in paragraph (1) is not possible given the  
3           amount of funds received, use such funds to reduce  
4           such arrearages and fees for each eligible residential  
5           customer by, to the extent practicable, a consistent  
6           percentage;

7           “(3) take no action that negatively affects the  
8           credit score of an eligible residential customer, or  
9           pursue any type of collection action against such eli-  
10          gible residential customer, during the 5-year period  
11          that begins on the date on which the public water  
12          system receives such funds; and

13          “(4) not disconnect or interrupt the service of  
14          any eligible residential customer as a result of non-  
15          payment or arrearages during such 5-year period.

16          “(c) ELIGIBLE CUSTOMERS.—To be eligible for for-  
17          giveness or reduction of arrearages and fees pursuant to  
18          the program established under subsection (a), a residential  
19          customer of a public water system shall have accrued new  
20          arrearsages on or after March 1, 2020.

21          “(d) ADMINISTRATIVE EXPENSES.—The Adminis-  
22          trator may authorize—

23                 “(1) States to implement the program estab-  
24                 lished under subsection (a); and

1           “(2) a State implementing such program to use  
2           up to 4 percent of funds made available to carry out  
3           such program in such State for administrative ex-  
4           penses.

5           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
6           is authorized to be appropriated to carry out this section  
7           \$4,000,000,000, to remain available until expended.”.

