

COMMITTEE PRINT

[Showing the text of H.R. 3291, as forwarded by the
Subcommittee on Environment and Climate Change]

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 that has entered
25 into an agreement pursuant to this subsection shall

1 annually prepare a plan that identifies the intended
2 uses of the amounts made available to such State
3 under this subsection, and any such plan shall—

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

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

11 “(5) AMERICAN MADE IRON AND STEEL AND
12 PREVAILING WAGES.—The requirements of para-
13 graphs (4) and (5) of subsection (a) shall apply to
14 any project carried out in whole or in part with
15 funds made available under or pursuant to this sub-
16 section.

17 “(6) LIMITATION.—

18 “(A) PROHIBITION ON PARTIAL LINE RE-
19 PLACEMENT.—No funds made available pursu-
20 ant to this subsection may be used for partial
21 lead service line replacement if, at the conclu-
22 sion of the service line replacement, drinking
23 water is delivered through a publicly or pri-
24 vately owned portion of a lead service line.

1 “(B) NO PRIVATE OWNER CONTRIBU-
2 TION.—Any recipient of funds made available
3 pursuant to this subsection for lead service line
4 replacement shall offer to replace any privately
5 owned portion of the applicable lead service line
6 at no cost to the private owner.

7 “(7) DISADVANTAGED COMMUNITY ASSIST-
8 ANCE.—All funds made available pursuant to this
9 subsection to fund the replacement of lead service
10 lines may be used to replace lead service lines serv-
11 ing disadvantaged communities.

12 “(8) STATE CONTRIBUTION NOT REQUIRED.—
13 No agreement entered into pursuant to paragraph
14 (1) shall require that a State deposit, at any time,
15 in the applicable State loan fund from State moneys
16 any contribution in order to receive funds under this
17 subsection.

18 “(9) AUTHORIZATION OF APPROPRIATIONS.—

19 “(A) IN GENERAL.—There are authorized
20 to be appropriated to carry out this subsection
21 \$4,500,000,000 for each of fiscal years 2022
22 through 2031. Such sums shall remain available
23 until expended.

24 “(B) ADDITIONAL AMOUNTS.—To the ex-
25 tent amounts authorized to be appropriated

1 under this subsection in any fiscal year are not
2 appropriated in that fiscal year, such amounts
3 are authorized to be appropriated in a subse-
4 quent fiscal year. Such sums shall remain avail-
5 able until expended.

6 “(10) DEFINITIONS.—For purposes of this sub-
7 section:

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

11 “(B) ENVIRONMENTAL JUSTICE COMMU-
12 NITY.—The term ‘environmental justice com-
13 munity’ means any population of color, commu-
14 nity of color, indigenous community, or low-in-
15 come community that experiences a dispropor-
16 tionate burden of the negative human health
17 and environmental impacts of pollution or other
18 environmental hazards.

19 “(C) LEAD SERVICE LINE.—The term
20 ‘lead service line’ means a pipe and its fittings,
21 which are not lead free (as defined in section
22 1417(d)), that connect the drinking water main
23 to the building inlet.”.

24 (b) CONFORMING AMENDMENT.—Section
25 1452(m)(1) of the Safe Drinking Water Act (42 U.S.C.

1 300j–12(m)(1)) is amended by striking “(a)(2)(G) and
2 (t)” and inserting “(a)(2)(G), (t), and (u)”.

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

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

6 (1) in subsection (a)—

7 (A) by redesignating paragraph (2) as
8 paragraph (3); and

9 (B) by inserting after paragraph (1) the
10 following new paragraph:

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

13 “(A) A border State.

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

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

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

21 (4) in subsection (e)—

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

24 (B) by striking “1997 through 1999” and
25 inserting “2022 through 2026”.

1 **SEC. 108. PFAS TREATMENT GRANTS.**

2 Part E of the Safe Drinking Water Act (42 U.S.C.
3 300j et seq.) is amended by adding at the end the fol-
4 lowing new section:

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

7 “(a) ESTABLISHMENT.—Not later than 180 days
8 after the date of enactment of this section, the Adminis-
9 trator shall establish a program to award grants to af-
10 fected community water systems to pay for capital costs
11 associated with the implementation of eligible treatment
12 technologies.

13 “(b) APPLICATIONS.—

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

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

22 “(A) information showing the presence of a
23 perfluoroalkyl or polyfluoroalkyl substance in
24 water of the community water system; and

25 “(B) a certification that the treatment
26 technology in use by the community water sys-

1 tem at the time of application is not sufficient
2 to remove all detectable amounts of
3 perfluoroalkyl and polyfluoroalkyl substances.

4 “(c) LIST OF ELIGIBLE TREATMENT TECH-
5 NOLOGIES.—Not later than 150 days after the date of en-
6 actment of this section, and every 2 years thereafter, the
7 Administrator shall publish a list of treatment tech-
8 nologies that the Administrator determines are effective
9 at removing all detectable amounts of perfluoroalkyl and
10 polyfluoroalkyl substances from drinking water.

11 “(d) PRIORITY FOR FUNDING.—In awarding grants
12 under this section, the Administrator shall prioritize af-
13 fected community water systems that—

14 “(1) serve a disadvantaged community;

15 “(2) will provide at least a 10-percent cost
16 share for the cost of implementing an eligible treat-
17 ment technology; or

18 “(3) demonstrate the capacity to maintain the
19 eligible treatment technology to be implemented
20 using the grant.

21 “(e) AUTHORIZATION OF APPROPRIATIONS.—

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

1 “(2) SPECIAL RULE.—Of the amounts author-
2 ized to be appropriated by paragraph (1),
3 \$25,000,000 are authorized to be appropriated for
4 each of fiscal years 2022 and 2023 for grants under
5 subsection (a) to pay for capital costs associated
6 with the implementation of eligible treatment tech-
7 nologies during the period beginning on October 1,
8 2014, and ending on the date of enactment of this
9 section.

10 “(f) DEFINITIONS.—In this section:

11 “(1) AFFECTED COMMUNITY WATER SYSTEM.—
12 The term ‘affected community water system’ means
13 a community water system that is affected by the
14 presence of a perfluoroalkyl or polyfluoroalkyl sub-
15 stance in the water in the community water system.

16 “(2) DISADVANTAGED COMMUNITY.—The term
17 ‘disadvantaged community’ has the meaning given
18 that term in section 1452.

19 “(3) ELIGIBLE TREATMENT TECHNOLOGY.—
20 The term ‘eligible treatment technology’ means a
21 treatment technology included on the list published
22 under subsection (c).”.

1 **SEC. 109. VOLUNTARY SCHOOL AND CHILD CARE PROGRAM**
2 **LEAD TESTING GRANT PROGRAM.**

3 Section 1464(d)(8) of the Safe Drinking Water Act
4 (42 U.S.C. 300j-24(d)(8)) is amended by striking “and
5 2021” and inserting “through 2031”.

6 **SEC. 110. GRANT PROGRAM FOR INSTALLATION OF FILTRA-**
7 **TION STATIONS AT SCHOOLS AND CHILD**
8 **CARE PROGRAMS.**

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

12 “(e) GRANT PROGRAM FOR INSTALLATION AND
13 MAINTENANCE OF FILTRATION STATIONS.—

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

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

23 “(A) any local educational agency de-
24 scribed in clause (i) or (iii) of subsection
25 (d)(1)(B) located in a State that does not par-

1 ticipate in the program established under para-
2 graph (1); or

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

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

8 “(A) installation and maintenance of filtra-
9 tion stations at schools and child care pro-
10 grams; and

11 “(B) annual testing of drinking water at
12 such schools and child care programs following
13 the installation of filtration stations.

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

21 “(5) GUIDANCE.—Not later than 180 days
22 after the date of enactment of this subsection, the
23 Administrator shall establish guidance to carry out
24 the program established under this subsection.

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

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

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

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

13 “(i) is connected to building plumb-
14 ing;

15 “(ii) is certified to the latest version
16 of NSF/ANSI 53 for lead reduction and
17 NSF/ANSI 42 for particulate reduction
18 (Class I) by a certification body accredited
19 by the American National Standards Insti-
20 tute National Accreditation Board;

21 “(iii) has an indicator to show filter
22 performance;

23 “(iv) can fill bottles or containers for
24 water consumption; and

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

3 “(8) AUTHORIZATION OF APPROPRIATIONS.—
4 There is authorized to be appropriated to carry out
5 this subsection \$50,000,000 for each of fiscal years
6 2022 through 2031.”.

7 **SEC. 111. DRINKING WATER FOUNTAIN REPLACEMENT FOR**
8 **SCHOOLS.**

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

12 **SEC. 112. INDIAN RESERVATION DRINKING WATER PRO-**
13 **GRAM.**

14 Section 2001(d) of America’s Water Infrastructure
15 Act of 2018 (Public Law 115–270) is amended by striking
16 “2022” and inserting “2031”.

17 **SEC. 113. ASSISTANCE FOR AREAS AFFECTED BY NATURAL**
18 **DISASTERS.**

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

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

23 (2) by redesignating subsections (e) through (e)
24 as subsections (d) through (f), respectively;

1 (3) by inserting after subsection (b) the fol-
2 lowing:

3 “(c) ASSISTANCE FOR TERRITORIES.—The Adminis-
4 trator may use funds made available under subsection
5 (f)(1) to make grants to Guam, the Virgin Islands, Amer-
6 ican Samoa, and the Northern Mariana Islands for the
7 purposes of providing assistance to eligible systems to re-
8 store or increase compliance with national primary drink-
9 ing water regulations.”; and

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

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

13 (B) in paragraph (1)—

14 (i) in the matter preceding subpara-
15 graph (A), by inserting “and to make
16 grants under subsection (c) of this sec-
17 tion,” before “to be available”; and

18 (ii) in subparagraph (A), by inserting
19 “or subsection (c), as applicable” after
20 “subsection (b)(1)”.

21 **TITLE II—SAFETY**

22 **SEC. 201. ENABLING EPA TO SET STANDARDS FOR NEW** 23 **DRINKING WATER CONTAMINANTS.**

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

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

4 (1) in paragraph (3)(C)(i)—

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

7 (B) by striking “paragraphs (4), (5), and
8 (6)” and inserting “paragraphs (4) and (5)”;
9 and

10 (2) in paragraph (4)(B), by striking “para-
11 graphs (5) and (6)” and inserting “paragraph (5)”.

12 **SEC. 202. NATIONAL PRIMARY DRINKING WATER REGULA-**
13 **TIONS FOR PFAS.**

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

17 “(16) PERFLUOROALKYL AND
18 POLYFLUOROALKYL SUBSTANCES.—

19 “(A) IN GENERAL.—Not later than 2 years
20 after the date of enactment of this paragraph,
21 the Administrator shall, after notice and oppor-
22 tunity for public comment, promulgate a na-
23 tional primary drinking water regulation for
24 perfluoroalkyl and polyfluoroalkyl substances,

1 which shall, at a minimum, include standards
2 for—

3 “(i) perfluorooctanoic acid (commonly
4 referred to as ‘PFOA’); and

5 “(ii) perfluorooctane sulfonic acid
6 (commonly referred to as ‘PFOS’).

7 “(B) ALTERNATIVE PROCEDURES.—

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

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

3 “(I) the level of a perfluoroalkyl
4 or polyfluoroalkyl substance;

5 “(II) the total levels of
6 perfluoroalkyl and polyfluoroalkyl sub-
7 stances; and

8 “(III) the total levels of organic
9 fluorine.

10 “(C) INCLUSIONS.—The Administrator
11 may include a perfluoroalkyl or polyfluoroalkyl
12 substance or class of perfluoroalkyl or
13 polyfluoroalkyl substances on—

14 “(i) the list of contaminants for con-
15 sideration of regulation under paragraph
16 (1)(B)(i), in accordance with such para-
17 graph; and

18 “(ii) the list of unregulated contami-
19 nants to be monitored under section
20 1445(a)(2)(B)(i), in accordance with such
21 section.

22 “(D) MONITORING.—When establishing
23 monitoring requirements for public water sys-
24 tems as part of a national primary drinking
25 water regulation under subparagraph (A) or

1 subparagraph (G)(ii), the Administrator shall
2 tailor the monitoring requirements for public
3 water systems that do not detect or are reliably
4 and consistently below the maximum contami-
5 nant level (as defined in section 1418(b)(2)(B))
6 for the perfluoroalkyl or polyfluoroalkyl sub-
7 stance or class of perfluoroalkyl or
8 polyfluoroalkyl substances subject to the na-
9 tional primary drinking water regulation.

10 “(E) HEALTH PROTECTION.—The national
11 primary drinking water regulation promulgated
12 under subparagraph (A) shall be protective of
13 the health of subpopulations at greater risk, as
14 described in section 1458.

15 “(F) HEALTH RISK REDUCTION AND COST
16 ANALYSIS.—In meeting the requirements of
17 paragraph (3)(C), the Administrator may rely
18 on information available to the Administrator
19 with respect to one or more specific
20 perfluoroalkyl or polyfluoroalkyl substances to
21 extrapolate reasoned conclusions regarding the
22 health risks and effects of a class of
23 perfluoroalkyl or polyfluoroalkyl substances of
24 which the specific perfluoroalkyl or
25 polyfluoroalkyl substances are a part.

1 “(G) REGULATION OF ADDITIONAL SUB-
2 STANCES.—

3 “(i) DETERMINATION.—The Adminis-
4 trator shall make a determination under
5 paragraph (1)(A), using the criteria de-
6 scribed in clauses (i) through (iii) of that
7 paragraph, whether to include a
8 perfluoroalkyl or polyfluoroalkyl substance
9 or class of perfluoroalkyl or polyfluoroalkyl
10 substances in the national primary drink-
11 ing water regulation under subparagraph
12 (A) not later than 18 months after the
13 later of—

14 “(I) the date on which the
15 perfluoroalkyl or polyfluoroalkyl sub-
16 stance or class of perfluoroalkyl or
17 polyfluoroalkyl substances is listed on
18 the list of contaminants for consider-
19 ation of regulation under paragraph
20 (1)(B)(i); and

21 “(II) the date on which—

22 “(aa) the Administrator has
23 received the results of monitoring
24 under section 1445(a)(2)(B) for
25 the perfluoroalkyl or

1 polyfluoroalkyl substance or class
2 of perfluoroalkyl or
3 polyfluoroalkyl substances; or

4 “(bb) the Administrator has
5 received reliable water data or
6 water monitoring surveys for the
7 perfluoroalkyl or polyfluoroalkyl
8 substance or class of
9 perfluoroalkyl or polyfluoroalkyl
10 substances from a Federal or
11 State agency that the Adminis-
12 trator determines to be of a qual-
13 ity sufficient to make a deter-
14 mination under paragraph
15 (1)(A).

16 “(ii) PRIMARY DRINKING WATER REG-
17 ULATIONS.—

18 “(I) IN GENERAL.—For each
19 perfluoroalkyl or polyfluoroalkyl sub-
20 stance or class of perfluoroalkyl or
21 polyfluoroalkyl substances that the
22 Administrator determines to regulate
23 under clause (i), the Administrator—

24 “(aa) not later than 18
25 months after the date on which

1 the Administrator makes the de-
2 termination, shall propose a na-
3 tional primary drinking water
4 regulation for the perfluoroalkyl
5 or polyfluoroalkyl substance or
6 class of perfluoroalkyl or
7 polyfluoroalkyl substances; and

8 “(bb) may publish the pro-
9 posed national primary drinking
10 water regulation described in
11 item (aa) concurrently with the
12 publication of the determination
13 to regulate the perfluoroalkyl or
14 polyfluoroalkyl substance or class
15 of perfluoroalkyl or
16 polyfluoroalkyl substances.

17 “(II) DEADLINE.—

18 “(aa) IN GENERAL.—Not
19 later than 1 year after the date
20 on which the Administrator pub-
21 lishes a proposed national pri-
22 mary drinking water regulation
23 under clause (i)(I) and subject to
24 item (bb), the Administrator
25 shall take final action on the pro-

1 posed national primary drinking
2 water regulation.

3 “(bb) EXTENSION.—The
4 Administrator, on publication of
5 notice in the Federal Register,
6 may extend the deadline under
7 item (aa) by not more than 6
8 months.

9 “(H) HEALTH ADVISORY.—

10 “(i) IN GENERAL.—Subject to clause
11 (ii), the Administrator shall publish a
12 health advisory under paragraph (1)(F) for
13 a perfluoroalkyl or polyfluoroalkyl sub-
14 stance or class of perfluoroalkyl or
15 polyfluoroalkyl substances not subject to a
16 national primary drinking water regulation
17 not later than 1 year after the later of—

18 “(I) the date on which the Ad-
19 ministrator finalizes a toxicity value
20 for the perfluoroalkyl or
21 polyfluoroalkyl substance or class of
22 perfluoroalkyl or polyfluoroalkyl sub-
23 stances; and

24 “(II) the date on which the Ad-
25 ministrator validates an effective qual-

1 ity control and testing procedure for
2 the perfluoroalkyl or polyfluoroalkyl
3 substance or class of perfluoroalkyl or
4 polyfluoroalkyl substances.

5 “(ii) WAIVER.—The Administrator
6 may waive the requirements of clause (i)
7 with respect to a perfluoroalkyl or
8 polyfluoroalkyl substance or class of
9 perfluoroalkyl and polyfluoroalkyl sub-
10 stances if the Administrator determines
11 that there is a substantial likelihood that
12 the perfluoroalkyl or polyfluoroalkyl sub-
13 stance or class of perfluoroalkyl or
14 polyfluoroalkyl substances will not occur in
15 drinking water with sufficient frequency to
16 justify the publication of a health advisory,
17 and publishes such determination, includ-
18 ing the information and analysis used, and
19 basis for, such determination, in the Fed-
20 eral Register.”.

21 **SEC. 203. NATIONAL PRIMARY DRINKING WATER REGULA-**
22 **TIONS FOR MICROCYSTIN TOXIN.**

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

1 “(17) MICROCYSTIN TOXIN.—

2 “(A) IN GENERAL.—Notwithstanding any
3 other deadline established in this subsection,
4 not later than 2 years after the date of enact-
5 ment of the Assistance, Quality, and Afford-
6 ability Act of 2021, the Administrator shall
7 publish a maximum contaminant level goal and
8 promulgate a national primary drinking water
9 regulation for microcystin toxin.

10 “(B) HEALTH PROTECTION.—The max-
11 imum contaminant level goal and national pri-
12 mary drinking water regulation promulgated
13 under subparagraph (A) shall be protective of
14 the health of subpopulations at greater risk, as
15 described in section 1458.”.

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

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

21 “(18) 1,4-DIOXANE.—

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

1 ability Act of 2021, the Administrator shall
2 publish a maximum contaminant level goal and
3 promulgate a national primary drinking water
4 regulation for 1,4-dioxane.

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

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

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

15 (b) CONFORMING AMENDMENTS.—

16 (1) Section 1412(b)(15) of the Safe Drinking
17 Water Act (42 U.S.C. 300g-1(b)(15)) is amended by
18 striking subparagraph (D).

19 (2) Section 1414(c)(1)(B) of the Safe Drinking
20 Water Act (42 U.S.C. 300g-3(c)(1)(B)) is amended
21 by striking “, (a)(2), or (e)” and inserting “or
22 (a)(2)”.

23 (3) Section 1416(b)(2) of the Safe Drinking
24 Water Act (42 U.S.C. 300g-5(b)(2)) is amended by
25 striking subparagraph (D).

1 (4) Section 1445(h) of the Safe Drinking Water
2 Act (42 U.S.C. 300j-4(h)) is amended—

3 (A) by striking “sections 1412(b)(4)(E)
4 and 1415(e) (relating to small system variance
5 program)” and inserting “section
6 1412(b)(4)(E)”; and

7 (B) by striking “guidance under sections
8 1412(b)(4)(E) and 1415(e)” and inserting
9 “guidance under section 1412(b)(4)(E)”.

10 **TITLE III—AFFORDABILITY**

11 **SEC. 301. EMERGENCY RELIEF PROGRAM.**

12 Part F of the Safe Drinking Water Act (42 U.S.C.
13 300j-21 et seq.) is amended by adding at the end the fol-
14 lowing new section:

15 **“SEC. 1466. EMERGENCY RELIEF PROGRAM.**

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

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

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

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

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

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

21 “(c) ELIGIBLE CUSTOMERS.—To be eligible for for-
22 giveness or reduction of arrearages and fees pursuant to
23 the program established under subsection (a), a residential
24 customer of a public water system shall have accrued new
25 arrears on or after March 1, 2020.

1 “(d) ADMINISTRATIVE EXPENSES.—The Adminis-
2 trator may authorize—

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

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

9 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to carry out this section
11 \$4,000,000,000, to remain available until expended.”.

