

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

Strike all after the enacting clause 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. Drinking water fountain replacement for schools.
- Sec. 111. Indian reservation drinking water program.
- Sec. 112. 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. DRINKING WATER FOUNTAIN REPLACEMENT FOR**  
7 **SCHOOLS.**

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

11 **SEC. 111. INDIAN RESERVATION DRINKING WATER PRO-**  
12 **GRAM.**

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

16 **SEC. 112. ASSISTANCE FOR AREAS AFFECTED BY NATURAL**  
17 **DISASTERS.**

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

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

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

24 (3) by inserting after subsection (b) the fol-  
25 lowing:

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

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

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

11 (B) in paragraph (1)—

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

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

## 19 **TITLE II—SAFETY**

### 20 **SEC. 201. ENABLING EPA TO SET STANDARDS FOR NEW** 21 **DRINKING WATER CONTAMINANTS.**

22 (a) IN GENERAL.—Section 1412(b)(6) of the Safe  
23 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.”.

