

117TH CONGRESS
1ST SESSION

H. R. 3691

To amend the Federal Water Pollution Control Act to establish a smart wastewater infrastructure technology grant program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Ms. BOURDEAUX (for herself and Mr. HUFFMAN) introduced the following bill;
which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to establish a smart wastewater infrastructure technology grant program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wastewater Infrastruc-
5 ture Modernization Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to upgrade and modernize wastewater (in-
9 cluding stormwater) systems, tackle new contami-

1 nants, and support clean water infrastructure across
2 the United States;

3 (2) to support the modernization of publicly
4 owned treatment works to maintain reliable and af-
5 fordable water quality infrastructure that addresses
6 demand impacts, including resiliency to improve
7 public health and natural resources; and

8 (3) to encourage the utilization of water-effi-
9 cient technologies to address the western drought
10 crisis and prepare for the growing strain population
11 growth and climate change will have on already over-
12 allocated water supplies.

13 **SEC. 3. SMART WASTEWATER INFRASTRUCTURE TECH-**
14 **NOLOGY GRANT PROGRAM.**

15 Title II of the Federal Water Pollution Control Act
16 (33 U.S.C. 1281 et seq.) is amended by adding at the end
17 the following:

18 **“SEC. 222. SMART WASTEWATER INFRASTRUCTURE TECH-**
19 **NOLOGY GRANT PROGRAM.**

20 “(a) GRANTS.—The Administrator shall establish a
21 program to provide grants to municipalities for projects
22 for the planning, design, and construction, at publicly
23 owned treatment works, of—

1 “(1) intelligent sewage or stormwater collection
2 systems, including such collection systems that in-
3 corporate technologies that rely on—

4 “(A) real-time monitoring (including
5 through sensors), embedded intelligence, and
6 predictive maintenance capabilities that improve
7 the energy efficiency, reliability, and resiliency
8 of treatment works; and

9 “(B) the use of artificial intelligence and
10 other intelligent optimization tools that reduce
11 operational costs, including operational costs re-
12 lating to energy consumption and chemical
13 treatment; or

14 “(2) innovative and alternative combined storm
15 and sanitary sewer projects, including groundwater
16 recharge, that rely on real-time data acquisition to
17 support predictive aquifer recharge through water
18 reuse and stormwater management capabilities.

19 “(b) ASSISTANCE.—The Administrator shall use not
20 less than 20 percent of the amounts appropriated pursu-
21 ant to this section in a fiscal year to provide assistance
22 to municipalities with a population of less than 10,000,
23 to the extent there are sufficient eligible applications.

24 “(c) COST SHARE.—

1 “(1) IN GENERAL.—The non-Federal share of
2 the costs of an activity carried out using a grant
3 under this section shall be 25 percent.

4 “(2) EXCEPTION.—The Administrator may
5 waive the cost-sharing requirement of paragraph (1)
6 if the Administrator determines that the munici-
7 pality meets the affordability criteria established
8 under section 603(i)(2) by the State in which the
9 municipality is located.

10 “(d) PROGRAM IMPLEMENTATION.—

11 “(1) GUIDANCE.—Not later than 30 days after
12 the date of enactment of this section, the Adminis-
13 trator shall issue guidance to municipalities on how
14 to apply for a grant under this section.

15 “(2) DECISION ON APPLICATIONS.—Not later
16 than 30 days after the date on which the Adminis-
17 trator receives an application for a grant under this
18 section, the Administrator shall determine whether
19 to provide such grant.

20 “(3) APPLICATION DEFICIENCY.—If the Admin-
21 istrator determines that an application for a grant
22 under this section is incomplete, the Administrator
23 shall notify the applicant and provide the applicant
24 the opportunity to resubmit the application.

1 “(4) CONSIDERATION.—In determining whether
2 to provide a grant under this section, the Adminis-
3 trator shall consider the potential positive effects of
4 the project on water quality.

5 “(e) COMPLIANCE WITH BUY AMERICA.—The re-
6 quirements of section 608 shall apply to any project for
7 construction for which assistance is received under this
8 section.

9 “(f) REPORT TO CONGRESS.—Not later than 180
10 days after the date of enactment of this section, and annu-
11 ally thereafter, the Administrator shall submit to Congress
12 a report describing projects funded under this section, any
13 related improvement of the resiliency of publicly owned
14 treatment works, and recommendations to improve the
15 grant program established under this section.

16 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
17 is authorized to be appropriated \$500,000,000 to carry
18 out this section, to remain available until expended.”.

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