

117TH CONGRESS
1ST SESSION

H. R. 4069

To amend the Federal Water Pollution Control Act to provide for additional subsidization assistance to a municipality to carry out on-site wastewater treatment system projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2021

Mr. SUOZZI (for himself and Mr. GARBARINO) 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 provide for additional subsidization assistance to a municipality to carry out on-site wastewater treatment system projects, 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 “Septic Upgrade Grant
5 Act”.

1 **SEC. 2. WATER POLLUTION CONTROL REVOLVING LOAN**
2 **FUNDS.**

3 Section 603(i) of the Federal Water Pollution Control
4 Act (33 U.S.C. 1383(i)) is amended—

5 (1) by striking paragraph (1)(B) and inserting
6 the following:

7 “(B) to implement a program, process,
8 material, technique, or technology to—

9 “(i) address water-efficiency goals;

10 “(ii) address energy-efficiency goals;

11 “(iii) mitigate stormwater runoff;

12 “(iv) mitigate pollution from from on-
13 site wastewater treatment systems; or

14 “(v) encourage sustainable project
15 planning, design, and construction.”;

16 (2) by striking paragraph (3) and inserting the
17 following:

18 “(3) SUBSIDIZATION AMOUNTS.—A State may
19 use for providing additional subsidization in a fiscal
20 year under this subsection an amount that does not
21 exceed the greater of—

22 “(A) 30 percent of the total amount re-
23 ceived by the State in capitalization grants
24 under this title for the fiscal year; or

25 “(B) the annual average over the previous
26 10 fiscal years of the amounts deposited by the

1 State in the State water pollution control re-
2 volving fund from State moneys that exceed the
3 amounts required to be so deposited under sec-
4 tion 602(b)(2).”; and

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

6 “(4) ADDITIONAL SUBSIDIZATION FOR ON-SITE
7 WASTEWATER TREATMENT SYSTEM PROGRAMS.—

8 “(A) ELIGIBILITY.—

9 “(i) IN GENERAL.—To be eligible for
10 additional subsidization for an on-site
11 wastewater treatment system program
12 under paragraph (1)(B)(iv), a municipality
13 shall ensure that such program is included
14 in a conservation management plan ap-
15 proved pursuant to any State or local law
16 or in a conservation and management plan
17 approved pursuant to section 320.

18 “(ii) PLAN CONTENTS.—A plan de-
19 scribed in clause (i) shall—

20 “(I) identify any pollutants of
21 concern or water pollution problems
22 that threaten public health, drinking
23 water, natural resources, or fresh-
24 water or marine ecosystem recovery;
25 and

1 “(II) address how the on-site
2 wastewater treatment system program
3 described in clause (i) will abate the
4 pollutants or water pollution problems
5 identified in subclause (I).

6 “(iii) PROGRAM MANAGEMENT.—An
7 on-site wastewater treatment system pro-
8 gram carried out using funds provided
9 under this subsection shall be managed by
10 a municipality and have enforceable pro-
11 gram requirements to ensure the long-term
12 sustainability of an on-site wastewater
13 treatment system, including proper oper-
14 ation and maintenance of such system.

15 “(B) NEW CONSTRUCTION NOT ELIGI-
16 BLE.—Any on-site wastewater treatment system
17 project proposed to be carried out on a new
18 construction site shall not be eligible for addi-
19 tional subsidization pursuant to this subsection.

20 “(C) NON-FEDERAL SHARE.—The non-
21 Federal share of the cost of an on-site waste-
22 water treatment system project carried out
23 under this subsection shall be not more than 20
24 percent.

“(D) PRIORITY.—A State shall prioritize awarding additional subsidization under paragraph (1)(B)(iv) for on-site wastewater treatment system programs that—

“(i) benefit a financially distressed community (as such term is defined in section 221(c)); or

“(ii) are carried out in an area that—

“(I) is in close proximity to threatened or impaired water bodies or groundwater; or

“(II) has groundwater, or surface waters used as drinking water where a septic system or cesspool is known or suspected to be a major source of pollutants.

“(5) DEFINITIONS.—In this subsection:

“(A) NEW CONSTRUCTION.—The term ‘new construction’ means the preparation for and construction of—

“(i) a new housing structure on a site;

or

“(ii) a significant extension to an existing housing structure on a site.

1 “(B) ON-SITE WASTEWATER TREATMENT
2 SYSTEM PROGRAM.—The term ‘on-site waste-
3 water treatment system program’ means a pro-
4 gram to carry out more than 1 on-site waste-
5 water treatment system project in a munici-
6 pality that meets the eligibility criteria under
7 paragraph (4)(A).

8 “(C) ON-SITE WASTEWATER TREATMENT
9 SYSTEM PROJECT.—The term ‘on-site waste-
10 water treatment system project’ means a
11 project that replaces a septic system or cesspool
12 serving a single dwelling or small business with
13 a wastewater treatment system that reduces ni-
14 trogen pollution by at least 50 percent, in ac-
15 cordance with standard 245 developed by the
16 National Sanitation Foundation.”.

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