Office of Congressional and Intergovernmental Relations
Water, Pesticides, and Toxics Team
Week of May 17, 2021

NEW:

– Sen. Heinrich (NM) TA request on draft bill language on Colonias/infrastructure w/OW (Denis)
– House T&I TA requests on updated version of H.R. 1915 clean water infra legislation w/OW (Matt)
– House T&I TA request on Rep. Norton DC CWSRF grant match waiver bill w/OW, R3 (Matt)
– Sen. Shaheen (NH) TA request on PFAS Testing & Treatment Act (CWA & SDWA) w/OW, OLEM, OECA (Matt)
– Rep. Pappas (NH) followup TA request on CWA PFAS bill (Matt)
– Rep. Hinson (IA) request re: funding eligibility for constituent wastewater project (Matt)
– Sen. Markey (MA) TA request on Toxic Schools bill (PCBs and PFAS) w/OCSPP (Sven)
– Senate Ag question on chlorpyrifos w/OCSPP (Sven)
– Rep. Lawrence (MI) et al letter re: WATER Act (H.R. 1352) and American Jobs Plan (Matt)

MEETINGS/BRIEFINGS/ANNOUNCEMENTS/INQUIRIES:

May 10 – Regional Beach Grants announcement w/OW (Denis)
May 10 – TA provided to CRS on Border Water Infrastructure Program funding (Denis)
May 10 – HEC minority staff request on states with UIC Class VI applications w/OW (Sven)
May 11 – NEMW Institute congressional staff briefing on Asian/Invasive Carp w/GLNPO, FWS (Denis)
May 11 – Rep. Underwood (IL) follow-up info on WIFIA and IL water infrastructure w/ R5 (Matt/Ronna)
May 12 – Notifications on small water system TA grant selections w/OW (Matt)
May 12 – Notification on asbestos and PV29 environmental justice consultations w/OCSPP (Sven)
May 13 – Rep. McMorris Rodgers (WA) inquiry on Aquaox disinfectant w/OCSPP (Sven)
May 20 – Rep. Mast (FL) member followup call with Radhika Fox on microcystin w/OW, R4 (Denis)
Pending – Sen. Heinrich (NM) staff briefing followup request on Colonias TA w/OW (Denis)
Pending – Rep. Axne (IA) member meeting request on Des Moines water w/R7, OW (Denis)
Pending – Sen. Hassan (NH) inquiry on EPA PFAS Council announcement (Matt)
Pending – Sen. Inhofe (OK) question on Dicamba 24(c) special needs request denial w/OCSPP (Sven)
Pending – Senate EPW maj staff TA request on revised water tech innovation bill w/OW (Sven)
Pending – Rep. González-Colón Inquiry on MTBE Drinking Water Standards w/OW (Sven)
Pending – Rep. DesJarlais request on Tennessee DO Levels w/R4, OW (Janay Wilborn, Sven)
Pending – Sen. Casey (PA) and Rep. Wild (PA) inquiries on TSCA PBTs w/OCSPP (Sven)
Pending – Rep. Ruiz (CA) TA request on DW system flushing w/OW, OECA, R9 (Sven)
Pending – HEC minority staff inquiry on TSCA New Chemicals program w/OCSPP (Sven)
Pending – Rep. Carbajal (CA) and CRS inquiries on Seresto pet products w/OCSPP (Sven)
Pending – Long Island Sound CCMP Report to Congress – cleared by OMB, w/OCIR for sending out (Denis)
Pending – Great Lakes Restoration Initiative Report to Congress – cleared by OMB, w/OCIR for review (Denis)
Pending – Integrated Planning Report to Congress – cleared by OMB, w/OCIR for sending out (Sven)
Pending – Hypoxia Task Force Report to Congress w/OW (Denis)
Pending – Stormwater Infrastructure Funding and Financing Report to Congress w/OCIR (Matt)
Pending – Alternative Wastewater Treatment Technologies Report to Congress w/OCIR (Denis)

HEARINGS/FORUMS:

Topic:	[HYPERLINK "https://www.hsgac.senate.gov/hearings/prevention-response-and-recovery-improving-federal-cybersecurity-post-solarwinds"]
Committee:	Senate Homeland Security and Governmental Affairs
Date:	May 11, 2021, 10:00 am

ED_013272_00000037-00001

Witnesses:	No EPA witnesses
Contact:	Sven-Erik Kaiser

Topic:	[HYPERLINK "https://www.epw.senate.gov/public/index.cfm/hearings?ID=1F9BED2A-2CE1-4F72-8A12-895E0F140036"]
Committee:	Senate Environment and Public Works
Date:	May 12, 2021, 10:00 am
Witnesses:	Radhika Fox (OW), Michal Freedhoff (OCSPP), Shannon Estenoz (DOI)
Contact:	Radha Adhar, Matt Klasen, Sven-Erik Kaiser

117th CONGRESS ACTIVE LEGISLATION:

PFAS

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2467/text?q=%7B%22search%22%3A%5B%22h.r.+2467%22%5D%7D&r=1&s=1"] -

Dingell (MI), requires EPA to declare PFOA/PFOS as CERCLA hazardous substances, develop a PFOA/PFOS MCL, require PFAS testing, create PFAS infrastructure grant program, list PFAS as Clean Air Act HAPs, prohibit PFAS waste incineration, label PFAS-free cooking products, and develop guidance to minimize firefighting-foam use, same as H.R. 535 in 116th Congress, **Introduced Apr 13** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2742"] – Pappas (NH), Requires VA registry of servicemembers exposed to PFAS, Same as S. 1121, **Introduced Apr 21, Bicameral Veterans' Affairs Committees hearing May 5** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2751"] – Dean (PA), PFAS Accountability Act [[HYPERLINK "https://www.gillibrand.senate.gov/imo/media/doc/PFAS%20Accountability%20Act%20-%20Bill%20Text.pdf"]], Amends TSCA to enable claims for medical monitoring and other remedies in response to PFAS exposure, **Introduced Apr 22** [[HYPERLINK "https://www.gillibrand.senate.gov/news/press/release/senator-gillibrand-representatives-dean-and-kildee-mark-ruffalo-environmental-attorney-rob-bilott-and-clean-water-advocates-introduce-landmark-bicameral-legislation-to-create-access-to-medical-monitoring-for-victims-of-significant-pfas-exposure"]], Same as S. 1121 (Sven/Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/231"] – Peters (MI), requires FEMA to develop guidance (in coordination w/EPA) on protecting first responders from PFAS exposure & to minimize releases, Likely same as S. 2353 in 116th Congress, **Passed Senate HSGAC March 17 w/ minor amendment** (Matt)

ED_013272_00000037-00002

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1121"] – Shaheen (NH), Requires VA registry of servicemembers exposed to PFAS, Same as H.R. 2742, **Introduced Apr 14, Bicameral Veterans Affairs' Committees hearing May 5** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1334"] – Gillibrand (NY), PFAS Accountability Act [[HYPERLINK "https://www.gillibrand.senate.gov/imo/media/doc/PFAS%20Accountability%20Act%20-%20Bill%20Text.pdf"]], Amends TSCA to enable claims for medical monitoring and other remedies in response to PFAS exposure, **Introduced Apr 22** [[HYPERLINK "https://www.gillibrand.senate.gov/news/press/release/senator-gillibrand-representatives-dean-and-kildee-mark-ruffalo-environmental-attorney-rob-bilott-and-clean-water-advocates-introduce-landmark-bicameral-legislation-to-create-access-to-medical-monitoring-for-victims-of-significant-pfas-exposure"]], Same as H.R. 2751 (Sven/Matt)

Water Infrastructure

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1352"] – Lawrence (MI), WATER Act, Creates new $35b water infrastructure trust fund to finance EPA water infrastructure programs + makes many other EPA infrastructure program tweaks, Same as S. 916, **Introduced Feb 25, WH** [HYPERLINK "https://lawrence.house.gov/media-center/press-releases/us-reps-lawrence-and-khanna-lead-letter-president-biden-urging-inclusion"] **from Lawrence et al. about WATER Act and AJP** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1376"] – Ryan (OH), GET THE LEAD OUT Act, Targets lead pipe removal in housing; includes rulemaking requirements for EPA, **Introduced Feb 25** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1848"] – Pallone (NJ), LIFT Act, Broad infrastructure bill including (in Title II) significant new, extended, or reauthorized programs for PFAS in drinking water, DWSRF, WIIN/AWIA grants, PWSS, plus $4.5b authorization for LSL replacement, **Introduced Mar 12** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1915"] – DeFazio (OR), Water Quality Protection and Job Creation Act ([HYPERLINK "https://transportation.house.gov/news/press-releases/defazio-napolitano-and-fitzpatrick-to-introduce-legislation-to-help-communities-across-the-country-upgrade-their-wastewater-infrastructure-and-address-local-water-quality-challenges-"]), Authorizes $50b in clean water infrastructure investment, including CWSRF, sewer overflows, CWA 106, watershed pilots, alternative water source projects, PFAS treatment, and tribal infrastructure**, Introduced Mar 16, T&I TA request on substitute version of bill w/ OW (Matt)**

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2468"] – Garamendi (CA), Made in America Act, Expands federal "made in America" requirements, includes manufactured goods, Commerce to set uniform federal standards, Same as S. 1094, **Introduced Apr 13** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2810"] – Ryan (OH), Build America Buy America Act, Requires American products in federal infrastructure projects, including iron, steel, and manufactured products, Same as S. 1303, **Introduced Apr 22, recent OMB views exercise on revised text** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2895"] – Peters (CA), REPAIR Act, Creates federal Infrastructure Financing Authority to provide loans & loan guarantees, with water treatment & stormwater as eligible activities, Same as S 1499, **Introduced Apr 28** (Matt)

ED_013272_00000037-00003

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2919"] – Dingell (MI), THRIVE Act, Authorizes $1b in annual investments, including water infrastructure, EJ, and climate, Same as S 1525, **Press release Apr 29** [[HYPERLINK "https://debbiedingell.house.gov/news/documentsingle.aspx?DocumentID=3012"]] (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/3218"] – Rouzer (NC), Wastewater Infrastructure Improvement Act, House T&I Republican clean water infrastructure proposal, including financing program reauthorizations and CWSRF authorizations at $2.4-$3.2b /yr, **Introduced May 13** [[HYPERLINK "https://republicans-transportation.house.gov/news/documentsingle.aspx?DocumentID=405395"]] (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/112"] – Sinema (AZ), Authorizes an additional $1.3b for IHS's Sanitation Facilities Construction Program for water and sanitation projects in tribal communities, Same as S. 4168 in 116th Congress, **Introduced Jan 28** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/914"] – Duckworth (IL), Drinking Water and Wastewater Infrastructure Act of 2021, authorizes more than $35 billion for water resource development projects across the country with a focus on upgrading aging infrastructure, addressing the threat of climate change, investing in new technologies, and providing assistance to marginalized communities, [HYPERLINK "https://www.duckworth.senate.gov/news/press-releases/senate-committee-unanimously-passes-duckworths-bipartisan-infrastructure-bill-to-rebuild-our-nations-water-systems" \l ":~:text=public%20health%20crisis.%E2%80%9D-,The%20Drinking%20Water%20and%20Wastewater%20Infrastructure%20Act%20of%202021%20(DWWIA,technologies%2C%20and%20providing%20assistance%20to"], **Senate passed 89-2 Apr 29** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/916"] – Sanders (VT), WATER Act, Creates new $35b water infrastructure trust fund to finance EPA water infrastructure programs + makes many other EPA infrastructure program tweaks, Same as H.R. 1352, **Introduced Mar 23** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1094"] – Baldwin (WI), Made in America Act, Expands federal "made in America" requirements, includes manufactured goods, Commerce to set uniform federal standards, Same as H.R. 2468, **Introduced Apr 13** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1303"] – Ryan (OH), Build America Buy America Act, Requires American products in federal infrastructure projects, including iron, steel, and manufactured products, Same as H.R. 2810, **Introduced Apr 22, recent OMB views exercise on revised text** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1499"] – Warner (VA), REPAIR Act, Creates federal Infrastructure Financing Authority to provide loans & loan guarantees, with water treatment & stormwater as eligible activities, Same as HR 2895, **Introduced Apr 29** [[HYPERLINK "https://www.warner.senate.gov/public/index.cfm/pressreleases?id=041C7B1A-484A-40BF-8244-24EE0C62AEF0"]] (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1525"] – Markey (MA), THRIVE Act, Authorizes $1b in annual investments, including water infrastructure, EJ, and climate, Same as S 2919, **Press release Apr 29** [[HYPERLINK "https://debbiedingell.house.gov/news/documentsingle.aspx?DocumentID=3012"]] (Matt)

General

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/491/text?r=1&s=1"] – Vargas (CA), establishes New River Restoration program, **Introduced Jan 25** (Denis)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/587"] – Peters (CA), Ocean Pollution Reduction Act II, to modify permitting requirements with respect to the discharge of any pollutant from the Point Loma Wastewater Treatment Plant in certain circumstances, **Passed House T&I Mar 24** (Sven)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/610/text?q=%7B%22search%22%3A%5B%22HR+610%22%5D%7D&r=1&s=6"] – Speier (CA), San Francisco Bay Restoration Act, protection and restoration of the San Francisco Bay estuary and the recovery of certain species in the estuary. Establishes a San Francisco Bay Program Office in the EPA. Authorizes $50M per year for FY22-26, **Passed House T&I Mar 24** (Denis)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/616"] **–** Tlaib (MI), Emergency Water is a Human Right Act, creates $1.5B HHS grant program for providing assistance to low-income drinking water & wastewater customers, prohibits water shutoffs by grant recipients, Introduced Jan 28, Same as H.R. 6552 in 116th Congress, **Introduced Jan 28** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/895"] – Rouzer (NC), provides financial assistance to rural water, wastewater, and waste disposal systems affected by COVID-19, same as S.209 and to S.4633 in 116th Congress, **Introduced Feb 5** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1144/text"] – Kilmer (WA), Promoting United Government Efforts To Save Our Sound Act (''PUGET SOS Act''), support for the restoration and protection of the Puget Sound. Establishes a Puget Sound Recovery National Program Office within the EPA, and a Puget Sound Federal Leadership Task Force (replaces existing). Authorizes $50M per year for FY22-26, **Passed House T&I March 24** (Denis)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1660"] – Trahan (MA), Stop Sewage Overflow Act, Amends the CWA 221 sewer overflow & stormwater reuse grant program to prioritize municipalities with high levels of sewage in their rivers, modify cost share, and increase & extend authorization, **Introduced Mar 8** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1663/text"] – Vargas (CA), provides water quality restoration for the Tijuana River and the New River**, Introduced Mar 8** (Denis)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1844"] – Moulton (MA), amends CWA to ensure that publicly owned treatment works monitor for and report sewer overflows + requires EPA rulemaking, **Introduced Mar 11** (Sven)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1881/text"] – Garamendi (CA), extends the NPDES permit term for public owned facilities to 10 years, **Introduced Mar 12** (Sven)

ED_013272_00000037-00005

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1921/text"] – Graves (LA), re-authorizes Lake Pontchartrain Program (CWA Section 121), with clarifications to the CCMP and Basin definition. Authorizes $20M per year for FY 22-26. **Passed House T&I March 24** (Denis)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/1992"] – Veasey (TX), SCALE Act ([HYPERLINK "https://www.coons.senate.gov/news/press-releases/bipartisan-group-introduces-nations-first-comprehensive-co2-infrastructure-bill"]), Comprehensive carbon sequestration bill including a DOE-managed "CIFIA" program for carbon sequestration infrastructure (modeled on WIFIA & TIFIA), authorizes EPA SDWA UIC Class VI program at $5m/yr, and authorizes $50m grant program for state Class VI programs, **Introduced Mar 17** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2008/text"], Craig (MN) and Mast (FL), reauthorizes CWA Section 319 grants at $200M per year for FY22-26, **Passed House T&I March 24** (Denis)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2173"] – Stanton (AZ), wastewater infrastructure workforce development, **Introduced Mar 23** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2197"] – Cicilline (RI), to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, Introduced **Mar 26** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2952"] – Williams (GA), WISE Act, Sets aside 20% of CWSRF funds for green projects, **Introduced Apr 30** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/2979"] – Garamendi (CA), Amends WIFIA to extend loan terms up to 55 yrs, **Introduced May 4** [[HYPERLINK "https://garamendi.house.gov/media/press-releases/garamendi-bill-unlocks-federal-financing-western-water-storage"]] (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/3023"] – Costa (CA), Restoring WIFIA Eligibility Act, Broadens WIFIA eligibility for federal projects w/ focus on Western water delivery, **Introduced May 7** [[HYPERLINK "https://costa.house.gov/media-center/press-releases/costa-legislation-aims-improve-water-quality-and-supply"]]

[HYPERLINK "https://www.congress.gov/bill/117th-congress/house-bill/3061"] – Norton (DC), Waives CWSRF grant match requirement for DC, **Introduced May 7, Pending T&I TA request w/ OW** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/209"] – Shaheen (NH), provides financial assistance to rural water, wastewater, and waste disposal systems affected by the COVID-19, identical to H.R.895 and to S.4633 in 116th Congress, **Introduced Feb 3** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/421"] – Wyden (OR), Western Tribal Water Infrastructure Act, Makes changes to EPA AWIA tribal drinking water program, **Passed Senate Indian Affairs Mar 24** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/572"] – Feinstein (CA), Border Water Quality Restoration and Protection Act, designates EPA as the lead agency to coordinate all federal, state and local agencies to build and maintain needed infrastructure projects to decrease pollution along the border, **Introduced Mar 3**; [HYPERLINK "https://www.feinstein.senate.gov/public/index.cfm/press-releases?ID=C8DF07D6-D9B1-4979-90DC-AEFF149DBA93"] (Denis)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/755"] – Hyde-Smith (MS), Emergency Water Infrastructure Improvements Act ([HYPERLINK "https://www.hydesmith.senate.gov/hyde-smith-

introduces-bill-help-fix-jackson-water-woes"]), Funds water infrastructure improvements in Jackson MS through Corps, EDA, and EPA assistance (including $150m for DWSRF), **Introduced Mar 16 (Matt)**

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/799"] – Coons (DE), SCALE Act ([HYPERLINK "https://www.coons.senate.gov/news/press-releases/bipartisan-group-introduces-nations-first-comprehensive-co2-infrastructure-bill"]), Comprehensive carbon sequestration bill including a DOE-managed "CIFIA" program for carbon sequestration infrastructure (modeled on WIFIA & TIFIA), authorizes EPA SDWA UIC Class VI program at $5m/yr, and authorizes $50m grant program for state Class VI programs, **Introduced Mar 17** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/939"] – Whitehouse (RI), IMAGINE Act, Innovative materials bill for infrastructure projects; creates a Water Infrastructure Innovation grant program at EPA, **Introduced Mar 24** (Matt)

[HYPERLINK "https://www.congress.gov/bill/117th-congress/senate-bill/1345/text"] – Collins (ME), mercury monitoring, same as S.181 in 116th Congress, **Introduced Apr 22** (Sven)

ED_013272_00000037-00007