

## S 1400

### Water Infrastructure Financing Act

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Water Resources Development

**Introduced:** Jul 14, 2005

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 304.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 304. (Dec 8, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/1400>

### Sponsor

**Name:** Sen. Chafee, Lincoln [R-RI]

**Party:** Republican • **State:** RI • **Chamber:** Senate

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jul 14, 2005
Sen. Inhofe, James M. [R-OK]	R · OK		Jul 14, 2005
Sen. Jeffords, James M. [I-VT]	I · VT		Jul 14, 2005
Sen. Voinovich, George V. [R-OH]	R · OH		Jul 20, 2005

### Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Dec 8, 2005

### Subjects & Policy Tags

#### Policy Area:

Water Resources Development

### Related Bills

No related bills are listed.

Water Infrastructure Financing Act - **Title I: Water Pollution Infrastructure** - (Sec. 101) Amends the Federal Water Pollution Control Act (FWPCA) to establish a grant program for qualified nonprofit technical assistance providers of water and wastewater services that assist treatment works serving small rural communities (not more than 10,000 users). Requires grant recipients to report annually to the Administrator of the Environmental Protection Agency (EPA) on their activities. Authorizes appropriations for FY2006-FY2010.

Directs the Administrator to assist states in establishing simplified procedures for small systems (serving 10,000 or fewer individuals) seeking technical assistance.

(Sec. 102) Expands the list of projects for which state water pollution control revolving funds may be used.

(Sec. 103) Authorizes the use of water pollution control revolving funds for projects included in state nonpoint source management programs and estuary conservation and management plans operated by a municipal, intermunicipal, or interstate entity, a state, a public or private utility, a corporation, a partnership, an association, or a nonprofit agency. Requires project loans to be fully amortized within 30 years after project completion.

(Sec. 104) Authorizes states to provide additional assistance, including loan forgiveness, to disadvantaged communities (defined as treatment works service areas or portions thereof that meet state affordability criteria). Limits the total loan subsidy to not more than 30% of the state's capitalization grant for the fiscal year. Authorizes a state to provide extended loan terms. Authorizes the Administrator to publish information to assist states in establishing affordability criteria for purposes of identifying disadvantaged communities.

(Sec. 105) Authorizes the governor of a state to transfer a percentage of federal capitalization grants between water pollution control revolving funds and drinking water treatment revolving funds.

(Sec. 106) Increases from 4 to 6% the portion of state water pollution control revolving funds a state is authorized to set aside for program administration.

(Sec. 107) Sets forth a system for prioritizing projects eligible for water pollution control revolving fund assistance that requires states to: (1) give greater weight to applications by treatment works containing specified information; (2) take into consideration appropriate chemical, physical, and biological data; (3) provide for public notice and opportunity to comment on priority projects; (4) biennially publish summary descriptions of eligible projects; and (5) ensure that funded projects are designed to achieve optimum water quality management.

(Sec. 108) Denies assistance to publicly-owned treatment works that have been in significant noncompliance with FWPCA requirements.

(Sec. 109) Establishes a formula for the allocation of federal funds to state water pollution control revolving funds. Requires the Administrator to allocate 1.5% of funding to Indian tribes.

(Sec. 110) Authorizes appropriations for FY2006-FY2010. Reserves up to \$1 million of such funding for conducting needs surveys required by FWPCA.

(Sec. 111) Requires the Administrator to establish a grant program for watershed restoration through the protection or improvement of water quality. Sets forth criteria for project selection, distribution of funding, and cost sharing. Authorizes appropriations for FY2006-FY2010.

(Sec. 112) Requires all projects financed by water pollution control revolving loan funds to meet federal prevailing wage requirements under the Davis-Bacon Act.

**Title II: Safe Drinking Water Infrastructure** - (Sec. 201) Amends the Safe Drinking Water Act (SDWA) to permit funding of costs for: (1) planning, design, and preconstruction; and (2) replacement or rehabilitation of aging treatment, storage, or distribution facilities of public water systems or capital projects to upgrade the security of public water systems.

(Sec. 202) Redefines "disadvantaged communities" for purposes of state subsidization to include portions of service areas of public water systems.

(Sec. 203) Revises requirements for state safe drinking water revolving loan funds to: (1) permit states to reserve up to six percent of funding for administrative costs; (2) eliminate matching requirements; (3) permit states to transfer up to 33% of funding into a clean water revolving fund.

(Sec. 204) Allows the use of state safe drinking water revolving loan funds for implementation of source water protection plans. Establishes a priority system for the use of such funds. Authorizes appropriations for FY2006-FY2010 for such funds. Reserves up to \$1 million for conducting needs surveys required by SDWA.

(Sec. 207) Requires the Administrator to establish a grant program to assist community water systems in meeting the requirements of the Safe Drinking Water Act. Authorizes appropriations for FY2006-FY2010.

(Sec. 208) Authorizes the Administrator to make grants to private nonprofit entities to establish small water system revolving loan funds for predevelopment and short-term costs. Authorizes appropriations for FY2006-FY2010.

(Sec. 209) Directs the Administrator to: (1) enter into a cooperative agreement with the National Academy of Sciences to study plumbing components; and (2) report to Congress on such study. Authorizes appropriations.

(Sec. 210) Authorizes appropriations for FY2006-FY2010 for lead service line replacement in the District of Columbia. Sets aside \$2 million per year for assistance to low-income residents for the replacement of privately-owned portions of lead service lines. Limits individual grants to \$5,000.

(Sec. 211) Requires the Administrator to: (1) report to Congress on contaminant prevention, detection, and response activities; and (2) develop and carry out an implementation plan for such activities. Authorizes appropriation for FY2006-FY2010.

(Sec. 212) Directs the Administrator to ensure that laborers and mechanics employed by contractors and subcontractors on projects financed by safe drinking water revolving loan funds are paid in accordance with prevailing wage rates as determined under the Davis-Bacon Act.

**Title III: Miscellaneous** - (Sec. 302) Requires the Administrator to: (1) establish a grant program for research and development on the use of innovative and alternative technologies to improve water quality or drinking water supply; (2) establish a nationwide demonstration grant program to promote innovations in technology and alternative approaches to water quality management or water supply or to reduce costs to municipalities incurred in complying with the Federal Water Pollution Control Act and the Safe Drinking Water Act; and (3) report to specified congressional committees on the results of such demonstration program. Authorizes appropriations for FY2006-FY2010.

(Sec. 303) Directs the Administrator to provide to eligible states one or more capitalization grants to establish an agricultural pollution control technology state revolving fund. Requires states with a revolving fund to provide loans to

agricultural producers to design and construct agricultural pollution control projects. Authorizes appropriations.

(Sec. 304) Requires the Administrator to: (1) identify ways to expedite and improve the application and review process for obtaining assistance from state water pollution and drinking water treatment revolving loan funds; (2) take necessary administrative action to expedite and improve the process; and (3) submit recommendations to Congress to further streamline and improve the process.

(Sec. 305) Requires the Administrator to: (1) contract with the National Academy of Sciences to study the means by which selected public water systems and treatment works meet the costs associated with operations, maintenance, capital replacement, and regulatory requirements; and (2) report to Congress on the results of such study and make such results available to publicly-owned treatment works and public water systems for use in determining, on a voluntary basis, whether new approaches may be implemented. Establishes requirements for such study, including a survey of each state and disadvantaged communities in each state. Authorizes appropriations for FY2006-FY2007.

(Sec. 306) Directs the Secretary of the Interior, acting through the Director of the U.S. Geological Survey, to: (1) assess water resources in the United States every two years after enactment of this Act; (2) coordinate federal and state agencies to develop and publish a list of water resource research priorities; (3) develop an effective information delivery system to communicate information on water resources; and (4) report to Congress on such activities. Authorizes appropriations.

## **Actions Timeline**

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- **Dec 8, 2005:** Committee on Environment and Public Works. Reported by Senator Inhofe under authority of the order of the Senate of 11/18/2005 with an amendment in the nature of a substitute. With written report No. 109-186.
- **Dec 8, 2005:** Committee on Environment and Public Works. Reported by Senator Inhofe under authority of the order of the Senate of 11/18/2005 with an amendment in the nature of a substitute. With written report No. 109-186.
- **Dec 8, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 304.
- **Jul 20, 2005:** Committee on Environment and Public Works. Ordered to be reported with amendments favorably.
- **Jul 14, 2005:** Introduced in Senate
- **Jul 14, 2005:** Read twice and referred to the Committee on Environment and Public Works. (text of measure as introduced: CR S8311-8317)