

113TH CONGRESS
2D SESSION

H. R. 5534

To amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency’s ability to enforce the requirements of the Act; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2014

Mr. TONKO (for himself and Mr. WAXMAN) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency’s ability to enforce the requirements of the Act; 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; TABLE OF CONTENTS; REF-**
4 **ERENCES.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Assistance, Quality, and Affordability Act of 2014”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

- Sec. 1. Short title; table of contents; references.
- Sec. 2. Technical assistance for small public water systems.
- Sec. 3. Prevailing wages.
- Sec. 4. Use of funds.
- Sec. 5. Requirements for use of American materials.
- Sec. 6. Data on variances, exemptions, and persistent violations.
- Sec. 7. Assistance for restructuring.
- Sec. 8. Priority and weight of applications.
- Sec. 9. Disadvantaged communities.
- Sec. 10. Administration of State loan funds.
- Sec. 11. State revolving loan funds for American Samoa, Northern Mariana Islands, Guam, and the Virgin Islands.
- Sec. 12. Authorization of appropriations.
- Sec. 13. Affordability of new standards.
- Sec. 14. Focus on lifecycle costs.
- Sec. 15. Enforcement.
- Sec. 16. Presence of pharmaceuticals and personal care products in sources of drinking water.
- Sec. 17. Electronic reporting of compliance monitoring data to the Administrator.
- Sec. 18. Best practices for administration of State revolving loan fund programs.
- Sec. 19. Water loss and leak control technology.

3 (c) REFERENCES.—Except as otherwise specified,
 4 whenever in this Act an amendment is expressed in terms
 5 of an amendment to a section or other provision, the ref-
 6 erence shall be considered to be made to a section or other
 7 provision of the Safe Drinking Water Act (42 U.S.C. 300f
 8 et seq.).

9 **SEC. 2. TECHNICAL ASSISTANCE FOR SMALL PUBLIC**
 10 **WATER SYSTEMS.**

11 Subsection (e) of section 1442 (42 U.S.C. 300j–1(e))
 12 is amended to read as follows:

13 “(e) TECHNICAL ASSISTANCE.—

1 “(1) IN GENERAL.—The Administrator, directly
2 or through grants or cooperative agreements with
3 nonprofit organizations, may provide technical as-
4 sistance to small public water systems to enable such
5 systems to achieve and maintain compliance with ap-
6 plicable national primary drinking water regulations.

7 “(2) TYPES OF ASSISTANCE.—Technical assist-
8 ance under paragraph (1) may include onsite tech-
9 nical assistance and compliance assistance; circuit-
10 rider and multi-State regional technical assistance
11 programs; training; assistance with implementing
12 source water protection programs; engineering as-
13 sistance provided without cost to the system through
14 volunteer programs or educational programs; assist-
15 ance with increasing water or energy efficiency; as-
16 sistance with designing, installing, or operating sus-
17 tainable energy infrastructure to produce or capture
18 sustainable energy on site or through water trans-
19 port; assistance with developing technical, financial,
20 and managerial capacity; assistance with long-term
21 infrastructure planning; assistance with applying for
22 funds from a State loan fund under section 1452;
23 and assistance with implementation of monitoring
24 plans, rules, regulations, and water security en-
25 hancements.

1 “(3) PRIORITY.—In providing assistance under
2 this subsection, the Administrator shall give priority
3 to assistance that will promote compliance with na-
4 tional primary drinking water standards, public
5 health protection, and long-term sustainability of
6 small public water systems. In awarding grants and
7 cooperative assistance under paragraph (1) to non-
8 profit organizations, the Administrator shall (subject
9 to the preceding sentence) give greater weight to
10 nonprofit organizations that, as determined by the
11 Administrator, are most qualified and most effective
12 and that, as determined by the Administrator using
13 information where available, are providing the types
14 of technical assistance that are preferred by small
15 public water systems.

16 “(4) COMPETITIVE PROCEDURES.—It is the
17 presumption of Congress that any award of assist-
18 ance under this subsection will be awarded using
19 competitive procedures based on merit. If assistance
20 is awarded under this subsection using procedures
21 other than competitive procedures, the Adminis-
22 trator shall submit to the Congress, within 90 days
23 of the award decision, a report explaining why com-
24 petitive procedures were not used.

25 “(5) FUNDING.—

1 “(A) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There is authorized to be appropriated
3 to carry out this subsection \$20,000,000 for
4 each of fiscal years 2015 through 2019.

5 “(B) PROHIBITION ON EARMARKS.—No
6 funds made available under this subsection may
7 be used to carry out a provision or report lan-
8 guage included primarily at the request of a
9 Member, Delegate, Resident Commissioner, or
10 Senator providing, authorizing, or recom-
11 mending a specific amount of discretionary
12 budget authority, credit authority, or other
13 spending authority for a contract, loan, loan
14 guarantee, grant, loan authority, or other ex-
15 penditure with or to an entity, or targeted to a
16 specific State, locality, or congressional district,
17 other than through a statutory or administra-
18 tive formula-driven or competitive award proc-
19 ess.

20 “(C) LOBBYING EXPENSES.—No portion of
21 any State loan fund established under section
22 1452 and no portion of any funds made avail-
23 able under this subsection may be used for lob-
24 bying expenses.

1 “(D) INDIAN TRIBES.—Of the total
2 amount made available under this section for
3 each fiscal year, 3 percent shall be used for
4 technical assistance to public water systems
5 owned or operated by Indian Tribes.”.

6 **SEC. 3. PREVAILING WAGES.**

7 Subsection (e) of section 1450 (42 U.S.C. 300j–9)
8 is amended to read as follows:

9 “(e) LABOR STANDARDS.—

10 “(1) IN GENERAL.—The Administrator shall
11 take such action as the Administrator determines to
12 be necessary to ensure that each laborer and me-
13 chanic employed by a contractor or subcontractor in
14 connection with a construction project financed, in
15 whole or in part, by a grant, loan, loan guarantee,
16 refinancing, or any other form of financial assistance
17 provided under this title (including assistance pro-
18 vided by a State loan fund established under section
19 1452) is paid wages at a rate of not less than the
20 wages prevailing for the same type of work on simi-
21 lar construction in the immediate locality, as deter-
22 mined by the Secretary of Labor in accordance with
23 subchapter IV of chapter 31 of title 40, United
24 States Code.

1 “(2) AUTHORITY OF SECRETARY OF LABOR.—
 2 With respect to the labor standards specified in this
 3 subsection, the Secretary of Labor shall have the au-
 4 thority and functions established in Reorganization
 5 Plan Numbered 14 of 1950 (5 U.S.C. App.) and sec-
 6 tion 3145 of title 40, United States Code.”.

7 **SEC. 4. USE OF FUNDS.**

8 Section 1452(a)(2) (42 U.S.C. 300j-12(a)(2)) is
 9 amended—

10 (1) by striking “Except as otherwise” and in-
 11 serting the following:

12 “(A) IN GENERAL.—Except as otherwise”;

13 (2) by striking “Financial assistance under this
 14 section” and inserting the following:

15 “(B) PERMISSIBLE EXPENDITURES.—Fi-
 16 nancial assistance under this section”;

17 (3) by striking “The funds may also be used”
 18 and inserting the following:

19 “(D) CERTAIN LOANS.—Financial assist-
 20 ance under this section may also be used”;

21 (4) by striking “The funds shall not be used”
 22 and inserting the following:

23 “(E) LIMITATION.—Financial assistance
 24 under this section shall not be used”;

1 (5) by striking “Of the amount credited” and
2 inserting the following:

3 “(F) SET-ASIDE.—Of the amount cred-
4 ited”;

5 (6) in subparagraph (B) (as designated by
6 paragraph (2)) by striking “(not” and inserting
7 “(including expenditures for planning, design, siting,
8 and associated preconstruction activities, for replac-
9 ing or rehabilitating aging treatment, storage, or
10 distribution facilities of public water systems, or for
11 producing or capturing sustainable energy on site or
12 through the transportation of water through the
13 public water system, but not”; and

14 (7) by inserting after such subparagraph (B)
15 the following:

16 “(C) SALE OF BONDS.—If a State issues
17 revenue or general obligation bonds to provide
18 all or part of the State contribution required by
19 subsection (e), and the proceeds of the sale of
20 such bonds will be deposited into the State loan
21 fund—

22 “(i) financial assistance made avail-
23 able under this section may be used by the
24 State as security for payment of the prin-
25 cipal and interest on such bonds; and

1 “(ii) interest earnings of the State
2 loan fund may be used by the State as rev-
3 enue for payment of the principal and in-
4 terest on such bonds.”.

5 **SEC. 5. REQUIREMENTS FOR USE OF AMERICAN MATE-**
6 **RIALS.**

7 Section 1452(a) (42 U.S.C. 300j–12(a)) is amended
8 by adding at the end the following new paragraph:

9 “(4) REQUIREMENTS FOR USE OF AMERICAN
10 MATERIALS.—

11 “(A) IN GENERAL.—Notwithstanding any
12 other provision of law, none of the funds made
13 available by a State loan fund as authorized
14 under this section may be used for a project for
15 the construction, alteration, maintenance, or re-
16 pair of a public water system unless all of the
17 iron and steel products used in such project are
18 produced in the United States.

19 “(B) APPLICATION.—Subparagraph (A)
20 shall not apply in any case in which the Admin-
21 istrator (in consultation with the Governor of
22 the State) finds that—

23 “(i) applying subparagraph (A) would
24 be inconsistent with the public interest;

1 “(ii) iron and steel products are not
2 produced in the United States in sufficient
3 and reasonably available quantities and of
4 a satisfactory quality; or

5 “(iii) inclusion of iron and steel prod-
6 ucts produced in the United States will in-
7 crease the cost of the overall project by
8 more than 25 percent.

9 “(C) WAIVER.—If the Administrator re-
10 ceives a request for a waiver under this section,
11 the Administrator shall—

12 “(i) make available to the public, on
13 an informal basis, a copy of the request
14 and information available to the Adminis-
15 trator concerning the request;

16 “(ii) make the request and accom-
17 panying information available by electronic
18 means, including on the official public
19 Internet site of the Environmental Protec-
20 tion Agency; and

21 “(iii) allow for informal public input
22 on the request for at least 15 days prior to
23 making a finding based on the request.

24 “(D) CONSISTENCY WITH INTERNATIONAL
25 AGREEMENTS.—This paragraph shall be applied

1 in a manner consistent with United States obli-
2 gations under international agreements.

3 “(E) DEFINITION OF IRON AND STEEL
4 PRODUCTS.—In this paragraph, the term ‘iron
5 and steel products’ means the following prod-
6 ucts made primarily of iron or steel: lined or
7 unlined pipes and fittings, manhole covers and
8 other municipal castings, hydrants, tanks,
9 flanges, pipe clamps and restraints, valves,
10 structural steel, reinforced precast concrete,
11 and construction materials.”.

12 **SEC. 6. DATA ON VARIANCES, EXEMPTIONS, AND PER-**
13 **SISTENT VIOLATIONS.**

14 Section 1452(b)(2) (42 U.S.C. 300j–12(b)(2)) is
15 amended—

16 (1) in subparagraph (B), by striking “and” at
17 the end;

18 (2) in subparagraph (C), by striking the period
19 at the end and inserting “; and”; and

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

21 “(D) a list of all water systems within the
22 State that have in effect an exemption or vari-
23 ance for any national primary drinking water
24 regulation or that are in persistent violation of
25 the requirements for any maximum contami-

1 nant level or treatment technique under a na-
2 tional primary drinking water regulation, in-
3 cluding identification of—

4 “(i) the national primary drinking
5 water regulation in question for each such
6 exemption, variance, or violation; and

7 “(ii) the date on which the exemption
8 or variance came into effect or the viola-
9 tion began.”.

10 **SEC. 7. ASSISTANCE FOR RESTRUCTURING.**

11 (a) **DEFINITION.**—Section 1401 (42 U.S.C. 300f) is
12 amended by adding at the end the following:

13 “(17) **RESTRUCTURING.**—The term ‘restruc-
14 turing’ means changes in operations (including own-
15 ership, management, cooperative partnerships, joint
16 purchasing arrangements, consolidation, and alter-
17 native water supply).”.

18 (b) **RESTRUCTURING.**—Clause (ii) of section
19 1452(a)(3)(B) (42 U.S.C. 300j–12(a)(3)(B)) is amended
20 by striking “changes in operations (including ownership,
21 management, accounting, rates, maintenance, consolida-
22 tion, alternative water supply, or other procedures)” and
23 inserting “restructuring”.

1 **SEC. 8. PRIORITY AND WEIGHT OF APPLICATIONS.**

2 (a) PRIORITY.—Section 1452(b)(3) (42 U.S.C. 300j–
3 12(b)(3)) is amended—

4 (1) in subparagraph (A)—

5 (A) in clause (ii), by striking “and” at the
6 end;

7 (B) in clause (iii), by striking the period at
8 the end and inserting “; and”; and

9 (C) by adding at the end the following:

10 “(iv) improve the ability of systems to
11 protect human health and comply with the
12 requirements of this title affordably in the
13 future.”;

14 (2) by redesignating subparagraph (B) as sub-
15 paragraph (D);

16 (3) by inserting after subparagraph (A) the fol-
17 lowing:

18 “(B) AFFORDABILITY OF NEW STAND-
19 ARDS.—For any year in which enforcement be-
20 gins for a new national primary drinking water
21 standard, each State that has entered into a
22 capitalization agreement pursuant to this sec-
23 tion shall evaluate whether capital improve-
24 ments required to meet the standard are afford-
25 able for disadvantaged communities in the
26 State. If the State finds that such capital im-

1 provements do not meet affordability criteria
2 for disadvantaged communities in the State, the
3 State’s intended use plan shall provide that pri-
4 ority for the use of funds for such year be given
5 to public water systems affected by the stand-
6 ard and serving disadvantaged communities.

7 “(C) WEIGHT GIVEN TO APPLICATIONS.—
8 After determining priority under subparagraphs
9 (A) and (B), an intended use plan shall provide
10 that the State will give greater weight to an ap-
11 plication for assistance if the application con-
12 tains—

13 “(i) a description of measures under-
14 taken by the system to improve the man-
15 agement and financial stability of the sys-
16 tem, which may include—

17 “(I) an inventory of assets, in-
18 cluding a description of the condition
19 of the assets;

20 “(II) a schedule for replacement
21 of assets;

22 “(III) an audit of water losses;

23 “(IV) a financing plan that fac-
24 tors in all lifecycle costs indicating
25 sources of revenue from ratepayers,

1 grants, bonds, other loans, and other
2 sources to meet the costs; and

3 “(V) a review of options for re-
4 structuring;

5 “(ii) a demonstration of consistency
6 with State, regional, and municipal water-
7 shed plans;

8 “(iii) a water conservation plan con-
9 sistent with guidelines developed for such
10 plans by the Administrator under section
11 1455(a); and

12 “(iv) a description of measures under-
13 taken by the system to improve the effi-
14 ciency of the system or reduce the system’s
15 environmental impact, which may in-
16 clude—

17 “(I) water efficiency or conserva-
18 tion, including the rehabilitation or re-
19 placement of existing leaking pipes;

20 “(II) use of reclaimed water;

21 “(III) actions to increase energy
22 efficiency;

23 “(IV) actions to generate or cap-
24 ture sustainable energy on site or

1 through the transportation of water
2 through the system;

3 “(V) actions to protect source
4 water;

5 “(VI) actions to mitigate or pre-
6 vent corrosion, including design, selec-
7 tion of materials, selection of coating,
8 and cathodic protection; and

9 “(VII) actions to reduce disinfec-
10 tion byproducts.”; and

11 (4) in subparagraph (D) (as redesignated by
12 paragraph (2)) by striking “periodically” and insert-
13 ing “at least biennially”.

14 (b) GUIDANCE.—Section 1452 (42 U.S.C. 300j–12)
15 is amended—

16 (1) by redesignating subsection (r) as sub-
17 section (t); and

18 (2) by inserting after subsection (q) the fol-
19 lowing:

20 “(r) SMALL SYSTEM GUIDANCE.—The Administrator
21 may provide guidance and, as appropriate, tools, meth-
22 odologies, or computer software, to assist small systems
23 in undertaking measures to improve the management, fi-
24 nancial stability, and efficiency of the system or reduce
25 the system’s environmental impact.”.

1 **SEC. 9. DISADVANTAGED COMMUNITIES.**

2 (a) ASSISTANCE TO INCREASE COMPLIANCE.—Sec-
3 tion 1452(b)(3) (42 U.S.C. 300j–12(b)(3)), as amended,
4 is further amended by adding at the end the following:

5 “(E) ASSISTANCE TO INCREASE COMPLI-
6 ANCE.—A State’s intended use plan shall pro-
7 vide that, of the funds received by the State
8 through a capitalization grant under this sec-
9 tion for a fiscal year, the State will, to the ex-
10 tent that there are sufficient eligible project ap-
11 plications, reserve not less than 6 percent to be
12 spent on assistance under subsection (d) to
13 public water systems included in the State’s
14 most recent list under paragraph (2)(D).”.

15 (b) ASSISTANCE FOR DISADVANTAGED COMMU-
16 NITIES.—Section 1452(d) (42 U.S.C. 300j–12(d)) is
17 amended—

18 (1) in paragraph (1), by adding at the end the
19 following: “Such additional subsidization shall di-
20 rectly and primarily benefit the disadvantaged com-
21 munity.”; and

22 (2) in paragraph (3), by inserting “, or portion
23 of a service area,” after “service area”.

24 (c) AFFORDABILITY CRITERIA.—Section 1452(d)(3)
25 is amended by adding at the end: “Each State that has
26 entered into a capitalization agreement pursuant to this

1 section shall, in establishing affordability criteria, con-
 2 sider, solicit public comment on, and include as appro-
 3 priate—

4 “(A) the methods or criteria that the State
 5 will use to identify disadvantaged communities;

6 “(B) a description of the institutional, reg-
 7 ulatory, financial, tax, or legal factors at the
 8 Federal, State, or local level that affect identi-
 9 fied affordability criteria; and

10 “(C) a description of how the State will
 11 use the authorities and resources under this
 12 subsection to assist communities meeting the
 13 identified criteria.”.

14 **SEC. 10. ADMINISTRATION OF STATE LOAN FUNDS.**

15 Section 1452(g) (42 U.S.C. 300j-12(g)) is amend-
 16 ed—

17 (1) in paragraph (2)—

18 (A) in the first sentence, by striking “up
 19 to 4 percent of the funds allotted to the State
 20 under this section” and inserting “, for each
 21 fiscal year, an amount that does not exceed the
 22 sum of the amount of any fees collected by the
 23 State for use in covering reasonable costs of ad-
 24 ministration of programs under this section, re-
 25 gardless of the source, and an amount equal to

1 the greatest of \$400,000, $\frac{1}{5}$ of one percent of
 2 the current valuation of the State loan fund, or
 3 6 percent of all grant awards to the State loan
 4 fund under this section for the fiscal year,”;

5 (B) by striking “1419,” and all that fol-
 6 lows through “1993.” and inserting “1419.”;
 7 and

8 (C) in the matter following subparagraph
 9 (D), by striking “2 percent” and inserting “4
 10 percent”; and

11 (2) by adding at the end the following:

12 “(5) TRANSFER OF FUNDS.—

13 “(A) IN GENERAL.—The Governor of a
 14 State may—

15 “(i) reserve for any fiscal year not
 16 more than the lesser of—

17 “(I) 33 percent of a capitaliza-
 18 tion grant made under this section; or

19 “(II) 33 percent of a capitaliza-
 20 tion grant made under section 601 of
 21 the Federal Water Pollution Control
 22 Act; and

23 “(ii) add the funds so reserved to any
 24 funds provided to the State under this sec-

1 tion or section 601 of the Federal Water
2 Pollution Control Act.

3 “(B) STATE MATCHING FUNDS.—Funds
4 reserved under this paragraph shall not be con-
5 sidered for purposes of calculating the amount
6 of a State contribution required by subsection
7 (e) of this section or section 602(b) of the Fed-
8 eral Water Pollution Control Act.”.

9 **SEC. 11. STATE REVOLVING LOAN FUNDS FOR AMERICAN**
10 **SAMOA, NORTHERN MARIANA ISLANDS,**
11 **GUAM, AND THE VIRGIN ISLANDS.**

12 Section 1452(j) (42 U.S.C. 300j–12(j)) is amended
13 by striking “0.33 percent” and inserting “1 percent”.

14 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

15 Subsection (m) of section 1452 (42 U.S.C. 300j–12)
16 is amended to read as follows:

17 “(m) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—There are authorized to be
19 appropriated to carry out this section—

20 “(A) \$1,200,000,000 for fiscal year 2015;

21 “(B) \$1,400,000,000 for fiscal year 2016;

22 and

23 “(C) \$1,600,000,000 for fiscal year 2017.

1 “(2) AVAILABILITY.—Amounts made available
2 pursuant to this subsection shall remain available
3 until expended.

4 “(3) RESERVATION FOR NEEDS SURVEYS.—Of
5 the amount made available under paragraph (1) to
6 carry out this section for a fiscal year, the Adminis-
7 trator may reserve not more than \$1,000,000 per
8 year to pay the costs of conducting needs surveys
9 under subsection (h).”.

10 **SEC. 13. AFFORDABILITY OF NEW STANDARDS.**

11 (a) TREATMENT TECHNOLOGIES FOR SMALL PUBLIC
12 WATER SYSTEMS.—Clause (ii) of section 1412(b)(4)(E)
13 (42 U.S.C. 300g–1(b)(4)(E)) is amended by adding at the
14 end the following: “If no technology, treatment technique,
15 or other means is included in a list under this subpara-
16 graph for a category of small public water systems, the
17 Administrator shall periodically review the list and supple-
18 ment it when new technology becomes available.”.

19 (b) ASSISTANCE FOR DISADVANTAGED COMMU-
20 NITIES.—

21 (1) IN GENERAL.—Subparagraph (E) of section
22 1452(a)(1) (42 U.S.C. 300j–12(a)(1)) is amended—

23 (A) by striking “except that the Adminis-
24 trator may reserve” and inserting “except
25 that—

“(i) in any year in which enforcement of a new national primary drinking water standard begins, the Administrator may use the remaining amount to make grants to States whose public water systems are disproportionately affected by the new standard for the provision of assistance under subsection (d) to such public water systems;

“(ii) the Administrator may reserve”;

and

(B) by striking “and none of the funds reallotted” and inserting “; and

“(iii) none of the funds reallotted”.

(2) ELIMINATION OF CERTAIN PROVISIONS.—

(A) Section 1412(b) (42 U.S.C. 300g–1(b)) is amended by striking paragraph (15).

(B) Section 1415 (42 U.S.C. 300g–4) is amended by striking subsection (e).

(3) CONFORMING AMENDMENT.—Subparagraph

(B) of section 1414(c)(1) (42 U.S.C. 300g–3(c)(1)(B)) is amended by striking “(a)(2), or (e)” and inserting “or (a)(2)”.

1 **SEC. 14. FOCUS ON LIFECYCLE COSTS.**

2 Section 1412(b)(4) (42 U.S.C. 300g-1(b)(4)) is
3 amended—

4 (1) in subparagraph (D), by striking “taking
5 cost into consideration” and inserting “taking
6 lifecycle costs, including maintenance, replacement,
7 and avoided costs, into consideration”; and

8 (2) in the matter preceding subclause (I) in
9 subparagraph (E)(ii), by inserting “taking lifecycle
10 costs, including maintenance, replacement, and
11 avoided costs, into consideration,” after “as deter-
12 mined by the Administrator in consultation with the
13 States,”.

14 **SEC. 15. ENFORCEMENT.**

15 (a) **ADVICE AND TECHNICAL ASSISTANCE.**—Section
16 1414 (42 U.S.C. 300g-3) is amended—

17 (1) in the matter following clause (ii) in sub-
18 section (a)(1)(A), by striking “and provide such ad-
19 vice and technical assistance to such State and pub-
20 lic water system as may be appropriate to bring the
21 system into compliance with the requirement by the
22 earliest feasible time”; and

23 (2) in subsection (a)(1), by adding at the end
24 the following:

25 “(C) At any time after providing notice of a violation
26 to a State and public water system under subparagraph

1 (A), the Administrator may provide such advice and tech-
 2 nical assistance to such State and public water system as
 3 may be appropriate to bring the system into compliance
 4 with the requirement by the earliest feasible time. In de-
 5 ciding whether the provision of advice or technical assist-
 6 ance is appropriate, the Administrator may consider the
 7 potential for the violation to result in serious adverse ef-
 8 fects to human health, whether the violation has occurred
 9 continuously or frequently, and the effectiveness of past
 10 technical assistance efforts.”.

11 (b) ADDITIONAL INSPECTIONS.—

12 (1) IN GENERAL.—Section 1414 (42 U.S.C.
 13 300g-3) is amended—

14 (A) by redesignating subsections (d)
 15 through (i) as subsections (e) through (j), re-
 16 spectively; and

17 (B) by inserting after subsection (c) the
 18 following:

19 “(d) ADDITIONAL INSPECTIONS FOLLOWING VIOLA-
 20 TIONS.—

21 “(1) IN GENERAL.—The Administrator shall,
 22 by regulation, and after consultation with the States,
 23 prescribe the number, frequency, and type of addi-
 24 tional inspections to follow any violation requiring

1 notice under subsection (c). Regulations under this
2 subsection shall—

3 “(A) take into account—

4 “(i) differences between violations
5 that are intermittent or infrequent and vio-
6 lations that are continuous or frequent;

7 “(ii) the seriousness of any potential
8 adverse health effects that may be in-
9 volved; and

10 “(iii) the number and severity of past
11 violations by the public water system; and

12 “(B) specify procedures for inspections fol-
13 lowing a violation by a public water system that
14 has the potential to have serious adverse effects
15 on human health as a result of short-term expo-
16 sure.

17 “(2) STATE PRIMARY ENFORCEMENT RESPONSI-
18 BILITY.—Nothing in this subsection shall be con-
19 strued or applied to modify the requirements of sec-
20 tion 1413.”.

21 (2) CONFORMING AMENDMENTS.—

22 (A) Subsections (a)(1)(B), (a)(2)(A), and
23 (b) of section 1414 (42 U.S.C. 300g-3) are
24 amended by striking “subsection (g)” each
25 place it appears and inserting “subsection (h)”.

1 (B) Section 1448(a) is amended by strik-
2 ing “1414(g)(3)(B)” and inserting
3 “1414(h)(3)(B)”.

4 **SEC. 16. PRESENCE OF PHARMACEUTICALS AND PERSONAL**
5 **CARE PRODUCTS IN SOURCES OF DRINKING**
6 **WATER.**

7 Subsection (a) of section 1442 (42 U.S.C. 300j-1)
8 is amended by adding at the end the following:

9 “(11) PRESENCE OF PHARMACEUTICALS AND PER-
10 SONAL CARE PRODUCTS IN SOURCES OF DRINKING
11 WATER.—

12 “(A) STUDY.—The Administrator shall carry
13 out a study on the presence of pharmaceuticals and
14 personal care products in sources of drinking water,
15 which shall—

16 “(i) identify pharmaceuticals and personal
17 care products that have been detected in
18 sources of drinking water and the levels at
19 which such pharmaceuticals and personal care
20 products have been detected;

21 “(ii) identify the sources of pharma-
22 ceuticals and personal care products in sources
23 of drinking water, including point sources and
24 nonpoint sources of pharmaceutical and per-
25 sonal care products;

1 “(iii) identify the effects of such products
2 on humans, the environment, and the safety of
3 drinking water; and

4 “(iv) identify methods to control, limit,
5 treat, or prevent the presence of such products.

6 “(B) CONSULTATION.—The Administrator shall
7 conduct the study described in subparagraph (A) in
8 consultation with the Secretary of Health and
9 Human Services (acting through the Commissioner
10 of Food and Drugs), the Director of the United
11 States Geological Survey, the heads of other appro-
12 priate Federal agencies (including the National In-
13 stitute of Environmental Health Sciences), and other
14 interested stakeholders (including manufacturers of
15 pharmaceuticals and personal care products and
16 consumer groups and advocates).

17 “(C) REPORT.—Not later than 4 years after
18 the date of the enactment of this paragraph, the Ad-
19 ministrator shall submit to the Congress a report on
20 the results of the study carried out under this para-
21 graph.

22 “(D) DEFINITIONS.—In this paragraph:

23 “(i) The term ‘personal care product’ has
24 the meaning given the term ‘cosmetic’ in section

1 201 of the Federal Food, Drug, and Cosmetic
2 Act.

3 “(ii) The term ‘pharmaceutical’ has the
4 meaning given the term ‘drug’ in section 201 of
5 the Federal Food, Drug, and Cosmetic Act.”.

6 **SEC. 17. ELECTRONIC REPORTING OF COMPLIANCE MONI-**
7 **TORING DATA TO THE ADMINISTRATOR.**

8 (a) REQUIREMENT.—Section 1414 (42 U.S.C. 300g–
9 3), as amended, is further amended by adding at the end
10 the following:

11 “(k) ELECTRONIC REPORTING OF COMPLIANCE
12 MONITORING DATA TO THE ADMINISTRATOR.—The Ad-
13 ministrator shall by rule establish requirements for—

14 “(1) electronic submission by public water sys-
15 tems of all compliance monitoring data—

16 “(A) to the Administrator; or

17 “(B) with respect to public water systems
18 in a State which has primary enforcement re-
19 sponsibility under section 1413, to such State;
20 and

21 “(2) electronic submission to the Administrator
22 by each State which has primary enforcement re-
23 sponsibility under section 1413 of all compliance
24 monitoring data submitted to such State by public
25 water systems pursuant to paragraph (1)(B).”.

1 (b) FINAL RULE.—Not later than 12 months after
 2 the date of the enactment of this Act, the Administrator
 3 of the Environmental Protection Agency shall issue a final
 4 rule to carry out section 1414(k) of the Safe Drinking
 5 Water Act, as added by subsection (a).

6 **SEC. 18. BEST PRACTICES FOR ADMINISTRATION OF STATE**
 7 **REVOLVING LOAN FUND PROGRAMS.**

8 Section 1452 of the Safe Drinking Water Act (42
 9 U.S.C. 300j–12) is amended by inserting after subsection
 10 (r), as added by section 8(b), the following:

11 “(s) BEST PRACTICES FOR PROGRAM ADMINISTRA-
 12 TION.—The Administrator shall—

13 “(1) collect information from States on admin-
 14 istration of State programs with respect to State
 15 loan funds, including—

16 “(A) efforts to streamline the process for
 17 applying for assistance through such programs;

18 “(B) programs in place to assist with the
 19 completion of application forms;

20 “(C) incentives provided to systems that
 21 partner with small public water systems for the
 22 application process; and

23 “(D) techniques to ensure that obligated
 24 balances are liquidated in a timely fashion;

1 “(2) not later than 3 years after the date of en-
 2 actment of the Assistance, Quality, and Affordability
 3 Act of 2014, disseminate to the States best practices
 4 for administration of such programs, based on the
 5 information collected pursuant to this subsection;
 6 and

7 “(3) periodically update such best practices, as
 8 appropriate.”.

9 **SEC. 19. WATER LOSS AND LEAK CONTROL TECHNOLOGY.**

10 Part E of the Safe Drinking Water Act (42 U.S.C.
 11 300j et seq.) is amended by adding at the end the fol-
 12 lowing:

13 **“SEC. 1459. WATER LOSS AND LEAK CONTROL TECH-**
 14 **NOLOGY.**

15 “The Administrator shall—

16 “(1) not later than 5 years after the date of en-
 17 actment of the Assistance, Quality, and Affordability
 18 Act of 2014, develop criteria for effective water loss
 19 and leak control technology to be used by water sys-
 20 tems; and

21 “(2) implement a program through which a
 22 manufacturer of such technology may apply, on a
 23 voluntary basis, for certification of compliance with
 24 such criteria.”.

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