

the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, of the area where the proposed project is to be located;

(4) a description of any recent natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerabilities that have affected the publicly owned treatment works;

(5) a description of how the proposed project would improve the performance of the publicly owned treatment works under an anticipated natural hazard or natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable; and

(6) an explanation of how the proposed project is expected to enhance the resilience of the publicly owned treatment works to a natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable.

(e) Grant amount and other Federal requirements

(1) Cost share

Except as provided in paragraph (2), a grant under the program shall not exceed 75 percent of the total cost of the proposed project.

(2) Exception

(A) In general

Except as provided in subparagraph (B), a grant under the program shall not exceed 90 percent of the total cost of the proposed project if the project serves a community that—

(i) has a population of fewer than 10,000 individuals; or

(ii) meets the affordability criteria established by the State in which the community is located under section 1383(i)(2) of this title.

(B) Waiver

At the discretion of the Administrator, a grant for a project described in subparagraph (A) may cover 100 percent of the total cost of the proposed project.

(3) Requirements

The requirements of section 1388 of this title shall apply to a project funded with a grant under the program.

(f) Report

Not later than 2 years after November 15, 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include an accounting of all grants awarded under the program, including a description of each grant recipient and each project funded using a grant under the program.

(g) Authorization of appropriations

(1) In general

There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2022 through 2026.

(2) Limitation on use of funds

Of the amounts made available for grants under paragraph (1), not more than 2 percent

may be used to pay the administrative costs of the Administrator.

(June 30, 1948, ch. 758, title II, §223, as added Pub. L. 117–58, div. E, title II, §50205, Nov. 15, 2021, 135 Stat. 1162.)

§ 1302b. Small and medium publicly owned treatment works circuit rider program

(a) Establishment

Subject to the availability of appropriations, not later than 180 days after November 15, 2021, the Administrator shall establish a circuit rider program (referred to in this section as the “circuit rider program”) under which the Administrator shall award grants to qualified nonprofit entities, as determined by the Administrator, to provide assistance to owners and operators of small and medium publicly owned treatment works to carry out the activities described in section 1382(b)(13) of this title.

(b) Limitation

A grant provided under the circuit rider program shall be in an amount that is not more than \$75,000.

(c) Prioritization

In selecting recipients of grants under the circuit rider program, the Administrator shall give priority to qualified nonprofit entities, as determined by the Administrator, that would serve a community that—

(1) has a history, for not less than the 10 years prior to the award of the grant, of unresolved wastewater issues, stormwater issues, or a combination of wastewater and stormwater issues;

(2) is considered financially distressed;

(3) faces the cumulative burden of stormwater and wastewater overflow issues; or

(4) has previously failed to access Federal technical assistance due to cost-sharing requirements.

(d) Communication

Each qualified nonprofit entity that receives funding under this section shall, before using that funding to undertake activities to carry out this section, consult with the State in which the assistance is to be expended or otherwise made available.

(e) Report

Not later than 2 years after the date on which the Administrator establishes the circuit rider program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

(1) each recipient of a grant under the circuit rider program; and

(2) a summary of the activities carried out under the circuit rider program.

(f) Authorization of appropriations

(1) In general

There is authorized to be appropriated to carry out this section \$10,000,000 for the period of fiscal years 2022 through 2026.

(2) Limitation on use of funds

Of the amounts made available for grants under paragraph (1), not more than 2 percent

may be used to pay the administrative costs of the Administrator.

(June 30, 1948, ch. 758, title II, §224, as added Pub. L. 117-58, div. E, title II, §50206, Nov. 15, 2021, 135 Stat. 1164.)

§ 1302c. Small publicly owned treatment works efficiency grant program

(a) Establishment

Subject to the availability of appropriations, not later than 180 days after November 15, 2021, the Administrator shall establish an efficiency grant program (referred to in this section as the “efficiency grant program”) under which the Administrator shall award grants to eligible entities for the replacement or repair of equipment that improves water or energy efficiency of small publicly owned treatment works, as identified in an efficiency audit.

(b) Eligible entities

The Administrator may award a grant under the efficiency grant program to—

- (1) an owner or operator of a small publicly owned treatment works that serves—
 - (A) a population of not more than 10,000 people; or
 - (B) a disadvantaged community; or
- (2) a nonprofit organization that seeks to assist a small publicly owned treatment works described in paragraph (1) to carry out the activities described in subsection (a).

(c) Report

Not later than 2 years after the date on which the Administrator establishes the efficiency grant program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

- (1) each recipient of a grant under the efficiency grant program; and
- (2) a summary of the activities carried out under the efficiency grant program.

(d) Use of funds

(1) Small systems

Of the amounts made available for grants under this section, to the extent that there are sufficient applications, not less than 15 percent shall be used for grants to publicly owned treatment works that serve fewer than 3,300 people.

(2) Limitation on use of funds

Of the amounts made available for grants under this section, not more than 2 percent may be used to pay the administrative costs of the Administrator.

(June 30, 1948, ch. 758, title II, §225, as added Pub. L. 117-58, div. E, title II, §50207, Nov. 15, 2021, 135 Stat. 1165.)

§ 1302d. Grants for construction and refurbishing of individual household decentralized wastewater systems for individuals with low or moderate income

(a) Definition of eligible individual

In this section, the term “eligible individual” means a member of a low-income or moderate-

income household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median non-metropolitan household income for the State or territory in which the household is located, according to the most recent decennial census.

(b) Grant program

(1) In general

Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of improving general welfare by providing assistance to eligible individuals—

- (A) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or
- (B) for the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside, if—
 - (i) site conditions at the households are unsuitable for the installation of an individually owned decentralized wastewater system;
 - (ii) multiple examples of unsuitable site conditions exist in close geographic proximity to each other; and
 - (iii) a larger decentralized wastewater system could be cost-effectively installed.

(2) Application

To be eligible to receive a grant under this subsection, a private nonprofit organization shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator determines to be appropriate.

(3) Priority

In awarding grants under this subsection, the Administrator shall give priority to applicants that have substantial expertise and experience in promoting the safe and effective use of individual household decentralized wastewater systems.

(4) Administrative expenses

A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of the services described in paragraph (1), as the Administrator determines to be appropriate.

(c) Grants

(1) In general

Subject to paragraph (2), a private nonprofit organization shall use a grant provided under subsection (b) for the services described in paragraph (1) of that subsection.

(2) Application

To be eligible to receive the services described in subsection (b)(1), an eligible individual shall submit to the private nonprofit organization serving the area in which the individual household decentralized wastewater system of the eligible individuals is, or is proposed to be, located an application at such