

under subsection (c), each State report prepared under subsection (d), and other such materials as are considered necessary and appropriate in carrying out the purposes of this subchapter. After reasonable notice by the Administrator to the State or the recipient of a loan from a water pollution control revolving fund, the State or loan recipient shall make available to the Administrator such records as the Administrator reasonably requires to review and determine compliance with this subchapter.

**(f) Applicability of subchapter II provisions**

Except to the extent provided in this subchapter, the provisions of subchapter II shall not apply to grants under this subchapter.

(June 30, 1948, ch. 758, title VI, § 606, as added Pub. L. 100-4, title II, § 212(a), Feb. 4, 1987, 101 Stat. 25; amended Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

**Editorial Notes**

**AMENDMENTS**

2004—Subsec. (b). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

**§ 1387. Authorization of appropriations**

There are authorized to be appropriated to carry out the purposes of this subchapter—

- (1) \$2,400,000,000 for fiscal year 2022;
- (2) \$2,750,000,000 for fiscal year 2023;
- (3) \$3,000,000,000 for fiscal year 2024; and
- (4) \$3,250,000,000 for each of fiscal years 2025 and 2026.

(June 30, 1948, ch. 758, title VI, § 607, as added Pub. L. 100-4, title II, § 212(a), Feb. 4, 1987, 101 Stat. 26; amended Pub. L. 117-58, div. E, title II, § 50210(b), Nov. 15, 2021, 135 Stat. 1169.)

**Editorial Notes**

**AMENDMENTS**

2021—Pub. L. 117-58 amended section generally. Prior to amendment, section related to appropriations for fiscal years 1989 to 1994.

**§ 1388. Requirements**

**(a) In general**

Funds made available from a State water pollution control revolving fund established under this subchapter may not be used for a project for the construction, alteration, maintenance, or repair of treatment works unless all of the iron and steel products used in the project are produced in the United States.

**(b) Definition of iron and steel products**

In this section, the term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, construction materials.

**(c) Application**

Subsection (a) shall not apply in any case or category of cases in which the Administrator finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

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

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

**(d) Waiver**

If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public, on an informal basis, a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet site of the Environmental Protection Agency.

**(e) International agreements**

This section shall be applied in a manner consistent with United States obligations under international agreements.

**(f) Management and oversight**

The Administrator may retain up to 0.25 percent of the funds appropriated for this subchapter for management and oversight of the requirements of this section.

**(g) Effective date**

This section does not apply with respect to a project if a State agency approves the engineering plans and specifications for the project, in that agency's capacity to approve such plans and specifications prior to a project requesting bids, prior to June 10, 2014.

(June 30, 1948, ch. 758, title VI, § 608, as added Pub. L. 113-121, title V, § 5004, June 10, 2014, 128 Stat. 1326.)

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective Oct. 1, 2014, see section 5006 of Pub. L. 113-121, set out as an Effective Date of 2014 Amendment note under section 1381 of this title.

**§ 1389. Clean watersheds needs survey**

**(a) Requirement**

Not later than 2 years after November 15, 2021, and not less frequently than once every 4 years thereafter, the Administrator shall—

(1) conduct and complete an assessment of capital improvement needs for all projects that are eligible under section 1383(c) of this title for assistance from State water pollution control revolving funds; and

(2) submit to Congress a report describing the results of the assessment completed under paragraph (1).

**(b) Authorization of appropriations**

There is authorized to be appropriated to carry out the initial needs survey under subsection (a) \$5,000,000, to remain available until expended.