

(July 1, 1944, ch. 373, title XIV, §1459C, as added Pub. L. 115-270, title II, §2003, Oct. 23, 2018, 132 Stat. 3841.)

### **§ 300j-19d. Review of technologies**

#### **(a) Review**

The Administrator, after consultation with appropriate departments and agencies of the Federal Government and with State and local governments, shall review (or enter into contracts or cooperative agreements to provide for a review of) existing and potential methods, means, equipment, and technologies (including review of cost, availability, and efficacy of such methods, means, equipment, and technologies) that—

- (1) ensure the physical integrity of community water systems;
- (2) prevent, detect, and respond to any contaminant for which a national primary drinking water regulation has been promulgated in community water systems and source water for community water systems;
- (3) allow for use of alternate drinking water supplies from nontraditional sources; and
- (4) facilitate source water assessment and protection.

#### **(b) Inclusions**

The review under subsection (a) shall include review of methods, means, equipment, and technologies—

- (1) that are used for corrosion protection, metering, leak detection, or protection against water loss;
- (2) that are intelligent systems, including hardware, software, or other technology, used to assist in protection and detection described in paragraph (1);
- (3) that are point-of-use devices or point-of-entry devices;
- (4) that are physical or electronic systems that monitor, or assist in monitoring, contaminants in drinking water in real-time; and
- (5) that allow for the use of nontraditional sources for drinking water, including physical separation and chemical and biological transformation technologies.

#### **(c) Availability**

The Administrator shall make the results of the review under subsection (a) available to the public.

#### **(d) Authorization of appropriations**

There is authorized to be appropriated to the Administrator to carry out this section \$10,000,000 for fiscal year 2019, which shall remain available until expended.

(July 1, 1944, ch. 373, title XIV, §1459D, as added Pub. L. 115-270, title II, §2017, Oct. 23, 2018, 132 Stat. 3856.)

### **§ 300j-19e. Water infrastructure and workforce investment**

#### **(a) Definition of public works department or agency**

In this section, the term “public works department or agency” means a political subdivision of a local, county, or regional government that

designs, builds, operates, and maintains water infrastructure, sewage and refuse disposal systems, and other public water systems and facilities.

#### **(b) Sense of Congress**

It is the sense of Congress that—

(1) water and wastewater utilities provide a unique opportunity for access to stable, high-quality careers;

(2) as water and wastewater utilities make critical investments in infrastructure, water and wastewater utilities can invest in the development of local workers and local small businesses to strengthen communities and ensure a strong pipeline of skilled and diverse workers for today and tomorrow; and

(3) to further the goal of ensuring a strong pipeline of skilled and diverse workers in the water and wastewater utilities sector, Congress urges—

(A) increased collaboration among Federal, State, Tribal, and local governments; and

(B) institutions of higher education, apprentice programs, high schools, and other community-based organizations and public works departments or agencies to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities—

- (i) to accelerate career pipelines;
- (ii) to ensure the sustainability of the water and wastewater utility workforce; and
- (iii) to provide access to workforce opportunities.

#### **(c) Innovative water infrastructure workforce development program**

##### **(1) Grants authorized**

The Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”), in consultation with the Secretary of Agriculture, shall establish a competitive grant program to assist the development and utilization of innovative activities relating to workforce development and career opportunities in the water utility sector, which may include—

(A) expanding the use and availability of activities and resources that relate to the recruitment, including the promotion of diversity within that recruitment, of individuals to careers in the water and wastewater utility sector;

(B) expanding the availability of training opportunities for—

- (i) individuals entering into the water and wastewater utility sector; and
- (ii) individuals seeking to advance careers within the water and wastewater utility sector; and

(C) expanding the use and availability of activities and strategies, including the development of innovative activities and strategies, that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector.

##### **(2) Selection of grant recipients**

In awarding grants under paragraph (1), the Administrator shall, to the extent practicable,

select nonprofit professional or service organizations, labor organizations, community colleges, institutions of higher education, or other training and educational institutions, or public works departments and agencies—

(A) that have qualifications and experience—

(i) in the development of educational or recruitment materials and activities, including those materials and activities that specifically promote diversity within recruitment, for the water and wastewater utility workforce;

(ii) in the development of training programs and curricula relevant to workforce needs of water utilities; or

(iii) developing activities and strategies that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector; and

(B) that will address the human resources and workforce needs of water utilities that—

(i) are geographically diverse;

(ii) are of varying sizes; and

(iii) serve urban, suburban, and rural populations.

### (3) Use of funds

Grants awarded under paragraph (1) may be used for activities such as—

(A) targeted internship, apprenticeship, pre-apprenticeship, and post-secondary bridge programs for skilled water utility trades that provide—

(i) on-the-job training;

(ii) skills development;

(iii) test preparation for skilled trade apprenticeships;

(iv) advance training in the water utility sector relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; or

(v) other support services to facilitate post-secondary success;

(B) education programs designed for elementary, secondary, and higher education students that—

(i) inform people about the role of water and wastewater utilities in their communities;

(ii) increase the awareness of career opportunities and exposure of students to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(iii) connect students to career pathways related to water utilities;

(C) regional industry and workforce development collaborations to address water utility employment needs and coordinate candidate development, particularly in areas of high unemployment or for water utilities with a high proportion of retirement eligible employees;

(D) integrated learning laboratories in secondary educational institutions that provide students with—

(i) hands-on, contextualized learning opportunities;

(ii) dual enrollment credit for post-secondary education and training or certification programs; and

(iii) direct connection to industry employers; and

(E) leadership development, occupational training, mentoring, or cross-training programs that are designed to retain incumbent water and wastewater utility workforce workers by ensuring that those workers are prepared for higher level supervisory or management-level positions.

### (4) Working group; report

#### (A) In general

The Administrator shall establish and coordinate a Federal interagency working group to address recruitment, training, and retention challenges in the water and wastewater utility workforce, which shall include representatives from—

(i) the Department of Education;

(ii) the Department of Labor;

(iii) the Department of Agriculture;

(iv) the Department of Veterans Affairs; and

(v) other Federal agencies, as determined to be appropriate by the Administrator.

#### (B) Report

Not later than 2 years after November 15, 2021, the Administrator, in coordination with the working group established under subparagraph (A), shall submit to Congress a report describing potential solutions to recruitment, training, and retention challenges in the water and wastewater utility workforce.

#### (C) Consultation

In carrying out the duties of the working group established under subparagraph (A), the working group shall consult with State operator certification programs.

### (5) Authorization of appropriations

There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2022 through 2026.

(Pub. L. 115-270, title IV, § 4304, Oct. 23, 2018, 132 Stat. 3882; Pub. L. 117-58, div. E, title II, § 50211, Nov. 15, 2021, 135 Stat. 1170.)

### Editorial Notes

#### CODIFICATION

Section enacted as part of the America's Water Infrastructure Act of 2018, and not as part of the Public Health Service Act which comprises this chapter.

#### AMENDMENTS

2021—Subsec. (a). Pub. L. 117-58, § 50211(4), added subsec. (a). Former subsec. (a) redesignated (b).

Subsec. (a)(3)(A). Pub. L. 117-58, § 50211(1)(A), inserted “Tribal,” after “State.”

Subsec. (a)(3)(B). Pub. L. 117-58, § 50211(1)(B), substituted “community-based organizations and public works departments or agencies to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities—” and cls. (i) to (iii) for “community-based organizations to align workforce training programs and community re-

sources with water and wastewater utilities to accelerate career pipelines and provide access to workforce opportunities.”

Subsec. (b). Pub. L. 117-58, § 50211(3), redesignated subsec. (a) as (b). Former subsec. (b) redesignated (c).

Subsec. (b)(1). Pub. L. 117-58, § 50211(2)(A), added subpars. (A) to (C), struck out former subpar. (A) designation before “to assist”, substituted “program” for “program—” and “, which may include—” for “; and” in introductory provisions, and struck out former subpar. (B) which read as follows: “to expand public awareness about water utilities and connect individuals to careers in the water utility sector.”

Subsec. (b)(2). Pub. L. 117-58, § 50211(2)(B)(i), substituted “institutions, or public works departments and agencies—” for “institutions—” in introductory provisions.

Subsec. (b)(2)(A). Pub. L. 117-58, § 50211(2)(B)(ii), added cls. (i) and (iii), redesignated former cl. (i) as (ii), and struck out former cls. (ii) and (iii) which read as follows:

“(ii) working in cooperation with water utilities; or

“(iii) developing public education materials appropriate for communicating with groups of different ages and educational backgrounds; and”.

Subsec. (b)(3)(D)(ii). Pub. L. 117-58, § 50211(2)(C)(i), inserted “or certification” after “training”.

Subsec. (b)(3)(E). Pub. L. 117-58, § 50211(2)(C)(ii), substituted “are designed to retain incumbent water and wastewater utility workforce workers by ensuring that those workers” for “ensure that incumbent water and waste water utilities workers”.

Subsec. (b)(4), (5). Pub. L. 117-58, § 50211(2)(D), added pars. (4) and (5) and struck out former par. (4). Prior to amendment, text of par. (4) read as follows: “There is authorized to be appropriated to carry out this subsection \$1,000,000 for each of fiscal years 2019 and 2020.”

Subsec. (c). Pub. L. 117-58, § 50211(3), redesignated subsec. (b) as (c).

### **§ 300j-19f. Operational sustainability of small public water systems**

#### **(a) Definitions**

In this section:

##### **(1) Eligible entity**

The term “eligible entity” means—

- (A) a State;
- (B) a unit of local government;
- (C) a public corporation established by a unit of local government to provide water service;
- (D) a nonprofit corporation, public trust, or cooperative association that owns or operates a public water system;
- (E) an Indian Tribe that owns or operates a public water system;
- (F) a nonprofit organization that provides technical assistance to public water systems; and
- (G) a Tribal consortium.

##### **(2) Operational sustainability**

The term “operational sustainability” means the ability to improve the operation of a small system through the identification and prevention of potable water loss due to leaks, breaks, and other metering or infrastructure failures.

##### **(3) Program**

The term “program” means the grant program established under subsection (b).

##### **(4) Small system**

The term “small system”, for the purposes of this section, means a public water system that—

- (A) serves fewer than 10,000 people; and
- (B) is owned or operated by—
  - (i) a unit of local government;
  - (ii) a public corporation;
  - (iii) a nonprofit corporation;
  - (iv) a public trust;
  - (v) a cooperative association; or
  - (vi) an Indian Tribe.

#### **(b) Establishment**

Subject to the availability of appropriations, the Administrator shall establish a program to award grants to eligible entities for the purpose of improving the operational sustainability of 1 or more small systems.

#### **(c) Applications**

To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

- (1) a proposal of the project to be carried out using grant funds under the program;
- (2) documentation provided by the eligible entity describing the deficiencies or suspected deficiencies in operational sustainability of 1 or more small systems that are to be addressed through the proposed project;
- (3) a description of how the proposed project will improve the operational sustainability of 1 or more small systems;
- (4) a description of how the improvements described in paragraph (3) will be maintained beyond the life of the proposed project, including a plan to maintain and update any asset data collected as a result of the proposed project; and
- (5) any additional information the Administrator may require.

#### **(d) Additional required information**

Before the award of funds for a grant under the program to a grant recipient, the grant recipient shall submit to the Administrator—

- (1) if the grant recipient is located in a State that has established a State drinking water treatment revolving loan fund under section 300j-12 of this title, a copy of a written agreement between the grant recipient and the State in which the grant recipient agrees to provide a copy of any data collected under the proposed project to the State agency administering the State drinking water treatment revolving loan fund (or a designee); or
- (2) if the grant recipient is located in an area other than a State that has established a State drinking water treatment revolving loan fund under section 300j-12 of this title, a copy of a written agreement between the grant recipient and the Administrator in which the eligible entity agrees to provide a copy of any data collected under the proposed project to the Administrator (or a designee).

#### **(e) Use of funds**

An eligible entity that receives a grant under the program shall use the grant funds to carry out projects that improve the operational sustainability of 1 or more small systems through—

- (1) the development of a detailed asset inventory, which may include drinking water