

1986—Subsec. (e). Pub. L. 99-339, §304(a), struck out subsec. (e) which authorized the Administrator to make grants to public water systems which are required, under State or local law, to meet standards relating to drinking turbidity which are more stringent than the standards in effect under this subchapter.

Subsec. (f). Pub. L. 99-339, §301(a), authorized appropriations to carry out subsec. (a)(2)(B) of this section for fiscal years 1987 to 1991 and to carry out provisions of this section other than subsecs. (a)(2)(B) and (g) and provisions relating to research for fiscal years 1987 to 1991.

Subsec. (g). Pub. L. 99-339, §301(g), authorized appropriations to carry out this subsection of \$10,000,000 for each of fiscal years 1987 through 1991 and specified amount to be utilized for public water systems owned or operated by Indian tribes.

Pub. L. 99-339, §107 added subsec. (g).

1980—Subsecs. (e), (f). Pub. L. 96-502 added subsec. (e) and redesignated former subsec. (e) as (f).

1979—Subsec. (e). Pub. L. 96-63 authorized appropriations of \$21,405,000 for fiscal year ending Sept. 30, 1980, \$30,000,000 for fiscal year ending Sept. 30, 1981, and \$35,000,000 for fiscal year ending Sept. 30, 1982 for purposes other than those of subsec. (a)(2)(B) of this section and for purposes of subsec. (a)(2)(B) of this section, \$8,000,000 for fiscal years 1980 through 1982.

1977—Subsec. (a)(2). Pub. L. 95-190, §§9, 13, designated existing provisions as subpar. (A), added subpar. (B) and, in subpar. (B) as added, substituted provisions authorizing Administrator to make grants and provide technical assistance for any emergency situation affecting public water systems and criteria for such grants and assistance for provisions authorizing Administrator to make grants and provide technical assistance for any emergency situation respecting drinking water and criteria for determination of such situations.

Subsec. (a)(3). Pub. L. 95-190, §3(a), designated existing provisions as subpar. (A) and added subpar. (B).

Subsec. (a)(10), (11). Pub. L. 95-190, §3(e)(1), added pars. (10) and (11).

Subsec. (b)(3)(C). Pub. L. 95-190, §10(b), substituted “300j-2(c)” for “300j-2(d)”.

Subsecs. (c), (d). Pub. L. 95-190, §§3(b), 4, added subsecs. (c) and (d). Former subsec. (c) redesignated (e).

Subsec. (e). Pub. L. 95-190, §§2(a), 3(b), redesignated former subsec. (c) as (e) and inserted provisions authorizing appropriations for fiscal years 1978 and 1979, and provisions relating to appropriations for subsec. (a)(2)(B) of this section and for research.

### Statutory Notes and Related Subsidiaries

#### REPORT ON INNOVATIVE WATER TECHNOLOGIES

Pub. L. 114-322, title II, §2109(c), Dec. 16, 2016, 130 Stat. 1729, provided that: “Not later than 1 year after the date of enactment of the Water and Waste Act of 2016 [Dec. 16, 2016], and not less frequently than every 5 years thereafter, the Administrator [of the Environmental Protection Agency] shall report to Congress on—

“(1) the amount of funding used to provide technical assistance under section 1442(f) [now 1442(g)] of the Safe Drinking Water Act [42 U.S.C. 300j-1(g)] to deploy innovative water technologies;

“(2) the barriers impacting greater use of innovative water technologies; and

“(3) the cost-saving potential to cities and future infrastructure investments from innovative water technologies.”

#### FINDINGS

Pub. L. 114-98, §2, Dec. 11, 2015, 129 Stat. 2199, provided that: “Congress finds that—

“(1) the Safe Drinking Water Act Amendments of 1996 (Public Law 104-182) [see Short Title of 1996 Amendments note set out under section 201 of this title] authorized technical assistance for small and

rural communities to assist those communities in complying with regulations promulgated pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

“(2) technical assistance and compliance training—

“(A) ensures that Federal regulations do not overwhelm the resources of small and rural communities; and

“(B) provides small and rural communities lacking technical resources with the necessary skills to improve and protect water resources;

“(3) across the United States, more than 90 percent of the community water systems serve a population of less than 10,000 individuals;

“(4) small and rural communities have the greatest difficulty providing safe, affordable public drinking water and wastewater services due to limited economies of scale and lack of technical expertise; and

“(5) in addition to being the main source of compliance assistance, small and rural water technical assistance has been the main source of emergency response assistance in small and rural communities.”

#### SCIENTIFIC RESEARCH REVIEW

Pub. L. 104-182, title II, §202, Aug. 6, 1996, 110 Stat. 1682, provided that:

“(a) IN GENERAL.—The Administrator shall—

“(1) develop a strategic plan for drinking water research activities throughout the Environmental Protection Agency (in this section referred to as the ‘Agency’);

“(2) integrate that strategic plan into ongoing Agency planning activities; and

“(3) review all Agency drinking water research to ensure the research—

“(A) is of high quality; and

“(B) does not duplicate any other research being conducted by the Agency.

“(b) PLAN.—The Administrator shall transmit the plan to the Committees on Commerce [now Energy and Commerce] and Science [now Science, Space, and Technology] of the House of Representatives and the Committee on Environment and Public Works of the Senate and the plan shall be made available to the public.”

#### NATIONAL CENTER FOR GROUND WATER RESEARCH

Pub. L. 104-182, title II, §203, Aug. 6, 1996, 110 Stat. 1683, provided that: “The Administrator of the Environmental Protection Agency, acting through the Robert S. Kerr Environmental Research Laboratory, is authorized to reestablish a partnership between the Laboratory and the National Center for Ground Water Research, a university consortium, to conduct research, training, and technology transfer for ground water quality protection and restoration. No funds are authorized by this section.”

#### COMPARATIVE HEALTH EFFECTS ASSESSMENT

Pub. L. 99-339, title III, §304(b), June 19, 1986, 100 Stat. 667, required the Administrator of the Environmental Protection Agency to conduct an assessment comparing the public health effects associated with water treatment chemicals and their byproducts to the public health effects associated with contaminants found in public water supplies and to submit a report to Congress on the assessment no later than 18 months after June 19, 1986.

### § 300j-1a. Innovative water technology grant program

#### (a) Definitions

In this section:

##### (1) Administrator

The term “Administrator” means the Administrator of the Environmental Protection Agency.

##### (2) Eligible entity

The term “eligible entity” means—

- (A) a public water system (as defined under section 300f(4) of this title);
- (B) an institution of higher education;
- (C) a research institution or foundation;
- (D) a regional water organization; or
- (E) a nonprofit organization described in section 300j-1(e)(8) of this title.

**(b) Grant program authorized**

The Administrator shall carry out a grant program for the purpose of accelerating the development and deployment of innovative water technologies that address pressing drinking water supply, quality, treatment, or security challenges of public water systems, areas served by private wells, or source waters.

**(c) Grants**

In carrying out the program under subsection (b), the Administrator shall make grants to eligible entities—

- (1) to develop, test, and deploy innovative water technologies; or
- (2) to provide technical assistance to deploy demonstrated innovative water technologies.

**(d) Selection criteria**

In making grants under this section, the Administrator shall—

- (1) award grants through a competitive process to eligible entities the Administrator determines are best able to carry out the purpose of the program; and
- (2) give priority to projects that have the potential—
  - (A) to reduce ratepayer or community costs or costs of future capital investments;
  - (B) to significantly improve human health or the environment; or
  - (C) to provide additional drinking water supplies with minimal environmental impact.

**(e) Cost-sharing**

The Federal share of the cost of activities carried out using a grant under this section shall be not more than 65 percent.

**(f) Limitation**

The maximum amount of a grant under this section shall be \$5,000,000.

**(g) Report**

Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

**(h) Partnerships**

Grants awarded under this program may include projects that are carried out by an eligible entity in cooperation with a private entity, including a farmer, farmer cooperative, or manufacturer of water technologies.

**(i) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 and 2020.

(Pub. L. 115-270, title II, §2007, Oct. 23, 2018, 132 Stat. 3845.)

**Editorial Notes**

**CODIFICATION**

Section was 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.

**§ 300j-2. Grants for State programs**

**(a) Public water systems supervision programs; applications for grants; allotment of sums; waiver of grant restrictions; notice of approval or disapproval of application; authorization of appropriations**

(1) From allotments made pursuant to paragraph (4), the Administrator may make grants to States to carry out public water system supervision programs.

(2) No grant may be made under paragraph (1) unless an application therefor has been submitted to the Administrator in such form and manner as he may require. The Administrator may not approve an application of a State for its first grant under paragraph (1) unless he determines that the State—

(A) has established or will establish within one year from the date of such grant a public water system supervision program, and

(B) will, within that one year, assume primary enforcement responsibility for public water systems within the State.

No grant may be made to a State under paragraph (1) for any period beginning more than one year after the date of the State's first grant unless the State has assumed and maintains primary enforcement responsibility for public water systems within the State. The prohibitions contained in the preceding two sentences shall not apply to such grants when made to Indian Tribes.

(3) A grant under paragraph (1) shall be made to cover not more than 75 per centum of the grant recipient's costs (as determined under regulations of the Administrator) in carrying out, during the one-year period beginning on the date the grant is made, a public water system supervision program.

(4) In each fiscal year the Administrator shall, in accordance, with regulations, allot the sums appropriated for such year under paragraph (5) among the States on the basis of population, geographical area, number of public water systems, and other relevant factors. No State shall receive less than 1 per centum of the annual appropriation for grants under paragraph (1): *Provided*, That the Administrator may, by regulation, reduce such percentage in accordance with the criteria specified in this paragraph: *And provided further*, That such percentage shall not apply to grants allotted to Guam, American Samoa, or the Virgin Islands.

(5) The prohibition contained in the last sentence of paragraph (2) may be waived by the Administrator with respect to a grant to a State through fiscal year 1979 but such prohibition may only be waived if, in the judgment of the Administrator—

(A) the State is making a diligent effort to assume and maintain primary enforcement responsibility for public water systems within the State;