

117TH CONGRESS  
1ST SESSION

# H. R. 3691

To amend the Federal Water Pollution Control Act to establish a smart wastewater infrastructure technology grant program, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Ms. BOURDEAUX (for herself and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

---

## A BILL

To amend the Federal Water Pollution Control Act to establish a smart wastewater infrastructure technology grant program, 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.**

4       This Act may be cited as the “Wastewater Infrastruc-  
5       ture Modernization Act”.

6       **SEC. 2. PURPOSES.**

7       The purposes of this Act are—

8               (1) to upgrade and modernize wastewater (in-  
9       cluding stormwater) systems, tackle new contami-

1 nants, and support clean water infrastructure across  
2 the United States;

3 (2) to support the modernization of publicly  
4 owned treatment works to maintain reliable and af-  
5 fordable water quality infrastructure that addresses  
6 demand impacts, including resiliency to improve  
7 public health and natural resources; and

8 (3) to encourage the utilization of water-effi-  
9 cient technologies to address the western drought  
10 crisis and prepare for the growing strain population  
11 growth and climate change will have on already over-  
12 allocated water supplies.

13 **SEC. 3. SMART WASTEWATER INFRASTRUCTURE TECH-**  
14 **NOLOGY GRANT PROGRAM.**

15 Title II of the Federal Water Pollution Control Act  
16 (33 U.S.C. 1281 et seq.) is amended by adding at the end  
17 the following:

18 **“SEC. 222. SMART WASTEWATER INFRASTRUCTURE TECH-**  
19 **NOLOGY GRANT PROGRAM.**

20 “(a) GRANTS.—The Administrator shall establish a  
21 program to provide grants to municipalities for projects  
22 for the planning, design, and construction, at publicly  
23 owned treatment works, of—

1           “(1) intelligent sewage or stormwater collection  
2 systems, including such collection systems that in-  
3 corporate technologies that rely on—

4           “(A) real-time monitoring (including  
5 through sensors), embedded intelligence, and  
6 predictive maintenance capabilities that improve  
7 the energy efficiency, reliability, and resiliency  
8 of treatment works; and

9           “(B) the use of artificial intelligence and  
10 other intelligent optimization tools that reduce  
11 operational costs, including operational costs re-  
12 lating to energy consumption and chemical  
13 treatment; or

14           “(2) innovative and alternative combined storm  
15 and sanitary sewer projects, including groundwater  
16 recharge, that rely on real-time data acquisition to  
17 support predictive aquifer recharge through water  
18 reuse and stormwater management capabilities.

19           “(b) ASSISTANCE.—The Administrator shall use not  
20 less than 20 percent of the amounts appropriated pursu-  
21 ant to this section in a fiscal year to provide assistance  
22 to municipalities with a population of less than 10,000,  
23 to the extent there are sufficient eligible applications.

24           “(c) COST SHARE.—

1           “(1) IN GENERAL.—The non-Federal share of  
2 the costs of an activity carried out using a grant  
3 under this section shall be 25 percent.

4           “(2) EXCEPTION.—The Administrator may  
5 waive the cost-sharing requirement of paragraph (1)  
6 if the Administrator determines that the munici-  
7 pality meets the affordability criteria established  
8 under section 603(i)(2) by the State in which the  
9 municipality is located.

10          “(d) PROGRAM IMPLEMENTATION.—

11           “(1) GUIDANCE.—Not later than 30 days after  
12 the date of enactment of this section, the Adminis-  
13 trator shall issue guidance to municipalities on how  
14 to apply for a grant under this section.

15           “(2) DECISION ON APPLICATIONS.—Not later  
16 than 30 days after the date on which the Adminis-  
17 trator receives an application for a grant under this  
18 section, the Administrator shall determine whether  
19 to provide such grant.

20           “(3) APPLICATION DEFICIENCY.—If the Admin-  
21 istrator determines that an application for a grant  
22 under this section is incomplete, the Administrator  
23 shall notify the applicant and provide the applicant  
24 the opportunity to resubmit the application.

1           “(4) CONSIDERATION.—In determining whether  
2           to provide a grant under this section, the Adminis-  
3           trator shall consider the potential positive effects of  
4           the project on water quality.

5           “(e) COMPLIANCE WITH BUY AMERICA.—The re-  
6           quirements of section 608 shall apply to any project for  
7           construction for which assistance is received under this  
8           section.

9           “(f) REPORT TO CONGRESS.—Not later than 180  
10          days after the date of enactment of this section, and annu-  
11          ally thereafter, the Administrator shall submit to Congress  
12          a report describing projects funded under this section, any  
13          related improvement of the resiliency of publicly owned  
14          treatment works, and recommendations to improve the  
15          grant program established under this section.

16          “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
17          is authorized to be appropriated \$500,000,000 to carry  
18          out this section, to remain available until expended.”.

○