

115TH CONGRESS
1ST SESSION

H. R. 1579

To require drinking water systems to assess and address their vulnerabilities to climate change, source water degradation, and intentional acts to ensure security and resiliency.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2017

Mr. PETERS (for himself, Mr. PALLONE, and Mr. TONKO) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require drinking water systems to assess and address their vulnerabilities to climate change, source water degradation, and intentional acts to ensure security and resiliency.

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 “Secure and Resilient
5 Water Systems Act”.

1 **SEC. 2. CLIMATE RESILIENCY, SECURITY, AND SOURCE**
2 **WATER PROTECTION PLANNING.**

3 Section 1433 of the Safe Drinking Water Act (42
4 U.S.C. 300i-2) is amended to read as follows:

5 **“SEC. 1433. CLIMATE RESILIENCY, SECURITY, AND SOURCE**
6 **WATER PROTECTION.**

7 **“(a) SOURCE WATER AND DISTRIBUTION SYSTEM**
8 **VULNERABILITY ASSESSMENTS.—**

9 **“(1) IN GENERAL.—**Not later than 24 months
10 after the date of enactment of the Secure and Resil-
11 ient Water Systems Act, each community water sys-
12 tem shall submit to the Administrator source water
13 and distribution system vulnerability assessments.

14 **“(2) IDENTIFICATION OF THREATS.—**Assess-
15 ments submitted pursuant to paragraph (1) shall
16 identify—

17 **“(A)** threats to the community water sys-
18 tem’s source water from industrial activity,
19 pipelines and storage tanks, contaminated sites,
20 agricultural activity, and oil and gas explo-
21 ration;

22 **“(B)** threats to the community water sys-
23 tem’s source water and distribution system
24 from climate change, extreme weather, drought,
25 and temperature changes; and

“(C) threats to the community water system’s source water and distribution system from intentional acts, including intentional contamination, sabotage, and theft of any chemical of interest (as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto).

“(3) ASSESSMENT OF ALTERNATIVES.—Assessments submitted pursuant to paragraph (1) shall include a comparison of the disinfection methods used by the community water system and reasonably available alternative disinfection methods, including a determination of whether reasonably available alternative disinfection methods could reduce the community water system’s vulnerability to the threats identified pursuant to paragraph (2).

“(4) PERIODIC REVIEW AND RESUBMISSION.—Each community water system submitting a vulnerability assessment pursuant to paragraph (1) shall review, revise as necessary, and resubmit such assessment not less often than every 5 years.

“(5) GUIDANCE.—Not later than one year after the date of enactment of the Secure and Resilient Water Systems Act, the Administrator shall provide guidance to community water systems for the prepa-

1 ration of vulnerability assessments under this sub-
2 section.

3 “(b) SOURCE WATER AND DISTRIBUTION SYSTEM
4 PROTECTION PLANS.—

5 “(1) IN GENERAL.—Not later than 4 years
6 after the date of enactment of the Secure and Resil-
7 ient Water Systems Act, each community water sys-
8 tem shall submit to the Administrator source water
9 and distribution system protection plans.

10 “(2) MITIGATION OF IDENTIFIED THREATS.—
11 Plans submitted pursuant to paragraph (1) shall
12 identify strategies and resources to mitigate the
13 threats identified in assessments prepared pursuant
14 to subsection (a).

15 “(3) EMERGENCY RESPONSE PLANNING.—
16 Plans submitted pursuant to paragraph (1) shall in-
17 clude specific emergency response plans for the
18 threats identified in assessments prepared pursuant
19 to subsection (a).

20 “(4) PERIODIC REVIEW AND RESUBMISSION.—
21 Each community water system submitting a plan
22 pursuant to paragraph (1) shall review, revise as
23 necessary, and resubmit such plan not less often
24 than every 5 years.

1 “(5) GUIDANCE.—Not later than one year after
2 the date of enactment of the Secure and Resilient
3 Water Systems Act, the Administrator shall provide
4 guidance to community water systems for the prepa-
5 ration of plans under this subsection.

6 “(c) TECHNICAL ASSISTANCE AND GRANTS.—

7 “(1) IN GENERAL.—The Administrator shall es-
8 tablish and implement a program, to be known as
9 the Drinking Water Infrastructure Resiliency and
10 Sustainability Program, under which the Adminis-
11 trator may award grants in each of fiscal years 2018
12 through 2022 to owners or operators of community
13 water systems for the purpose of increasing the re-
14 siliency or adaptability of the community water sys-
15 tems to threats identified pursuant to subsection (a).

16 “(2) USE OF FUNDS.—As a condition on receipt
17 of a grant under this section, an owner or operator
18 of a community water system shall agree to use the
19 grant funds exclusively to assist in the planning, de-
20 sign, construction, implementation, operation, or
21 maintenance of a program or project consistent with
22 a plan developed pursuant to subsection (b).

23 “(3) PRIORITY.—

24 “(A) WATER SYSTEMS AT GREATEST AND
25 MOST IMMEDIATE RISK.—In selecting grantees

1 under this subsection, the Administrator shall
2 give priority to applicants that are owners or
3 operators of community water systems that are,
4 based on the best available research and data,
5 at the greatest and most immediate risk of fac-
6 ing significant negative impacts due to threats
7 described in subsection (a)(2).

8 “(B) GOALS.—In selecting among appli-
9 cants described in subparagraph (A), the Ad-
10 ministrator shall ensure that, to the maximum
11 extent practicable, the final list of applications
12 funded for each year includes a substantial
13 number that propose to use innovative ap-
14 proaches to meet one or more of the following
15 goals:

16 “(i) Promoting more efficient water
17 use, water conservation, water reuse, or
18 water recycling.

19 “(ii) Using decentralized, low-impact
20 development technologies and non-
21 structural approaches, including practices
22 that use, enhance, or mimic the natural
23 hydrological cycle or protect natural flows.

1 “(iii) Reducing stormwater runoff or
2 flooding by protecting or enhancing nat-
3 ural ecosystem functions.

4 “(iv) Modifying, upgrading, enhance-
5 ing, or replacing existing community water
6 system infrastructure in response to
7 changing hydrologic conditions.

8 “(v) Improving water quality or quan-
9 tity for agricultural and municipal uses, in-
10 cluding through salinity reduction.

11 “(vi) Providing multiple benefits, in-
12 cluding to water supply enhancement or
13 demand reduction, water quality protection
14 or improvement, increased flood protection,
15 and ecosystem protection or improvement.

16 “(4) COST-SHARING.—

17 “(A) FEDERAL SHARE.—The share of the
18 cost of any activity that is the subject of a
19 grant awarded by the Administrator to the
20 owner or operator of a community water system
21 under this subsection shall not exceed 50 per-
22 cent of the cost of the activity.

23 “(B) CALCULATION OF NON-FEDERAL
24 SHARE.—In calculating the non-Federal share
25 of the cost of an activity proposed by a commu-

1 nity water system in an application submitted
2 under this subsection, the Administrator shall—

3 “(i) include the value of any in-kind
4 services that are integral to the completion
5 of the activity, including reasonable admin-
6 istrative and overhead costs; and

7 “(ii) not include any other amount
8 that the community water system involved
9 receives from the Federal Government.

10 “(5) REPORT TO CONGRESS.—Not later than 3
11 years after the date of the enactment of the Secure
12 and Resilient Water Systems Act, and every 3 years
13 thereafter, the Administrator shall submit to the
14 Congress a report on progress in implementing this
15 subsection, including information on project applica-
16 tions received and funded annually.

17 “(6) AUTHORIZATION OF APPROPRIATIONS.—
18 To carry out this subsection, there are authorized to
19 be appropriated \$50,000,000 for each of fiscal years
20 2018 through 2022.”.

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