

115TH CONGRESS  
2D SESSION

# S. 2771

To amend the Federal Water Pollution Control Act to require the Administrator of the Environmental Protection Agency to provide grants for the construction, refurbishing, and servicing of individual household decentralized wastewater systems to individuals with low or moderate income.

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## IN THE SENATE OF THE UNITED STATES

APRIL 26, 2018

Mr. BOOKER (for himself, Mrs. CAPITO, and Mr. JONES) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Federal Water Pollution Control Act to require the Administrator of the Environmental Protection Agency to provide grants for the construction, refurbishing, and servicing of individual household decentralized wastewater systems to individuals with low or moderate income.

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 “Residential Decentral-  
5 ized Wastewater System Improvement Act”.

1 **SEC. 2. GRANTS FOR CONSTRUCTION, REFURBISHING, AND**  
 2 **SERVICING OF INDIVIDUAL HOUSEHOLD DE-**  
 3 **CENTRALIZED WASTEWATER SYSTEMS FOR**  
 4 **INDIVIDUALS WITH LOW OR MODERATE IN-**  
 5 **COME.**

6 Title II of the Federal Water Pollution Control Act  
 7 (33 U.S.C. 1281 et seq.) is amended by adding at the end  
 8 the following:

9 **“SEC. 222. GRANTS FOR CONSTRUCTION, REFURBISHING,**  
 10 **AND SERVICING OF INDIVIDUAL HOUSEHOLD**  
 11 **DECENTRALIZED WASTEWATER SYSTEMS**  
 12 **FOR INDIVIDUALS WITH LOW OR MODERATE**  
 13 **INCOME.**

14 “(a) DEFINITION OF ELIGIBLE INDIVIDUAL.—In this  
 15 section, the term ‘eligible individual’ means a member of  
 16 a household, the members of which have a combined in-  
 17 come (for the most recent 12-month period for which in-  
 18 formation is available) equal to not more than 60 percent  
 19 of the median nonmetropolitan household income for the  
 20 State or territory in which the household is located, ac-  
 21 cording to the most recent decennial census.

22 “(b) GRANT PROGRAM.—

23 “(1) IN GENERAL.—The Administrator shall es-  
 24 tablish a program under which the Administrator  
 25 shall provide grants to private nonprofit organiza-

1 tions for the purpose of providing subgrants to eligi-  
2 ble individuals, in accordance with subsection (c).

3 “(2) APPLICATION.—To be eligible to receive a  
4 grant under this subsection, a private nonprofit or-  
5 ganization shall submit to the Administrator an ap-  
6 plication at such time, in such manner, and con-  
7 taining such information as the Administrator deter-  
8 mines to be appropriate.

9 “(3) PRIORITY.—In awarding grants under this  
10 subsection, the Administrator shall give priority to  
11 applicants that have substantial expertise and expe-  
12 rience in promoting the safe and effective use of in-  
13 dividual household decentralized wastewater systems.

14 “(4) ADMINISTRATIVE EXPENSES.—A private  
15 nonprofit organization may use amounts provided  
16 under this subsection to pay the administrative ex-  
17 penses associated with the provision of subgrants  
18 under subsection (c), as the Administrator deter-  
19 mines to be appropriate.

20 “(c) SUBGRANTS.—

21 “(1) IN GENERAL.—Subject to paragraph (2), a  
22 private nonprofit organization shall use a grant pro-  
23 vided under subsection (b) to provide subgrants to  
24 eligible individuals for the construction, refurbishing,

1 and servicing of individual household decentralized  
2 wastewater systems.

3 “(2) PUBLIC UTILITY CONNECTION AVAIL-  
4 ABLE.—

5 “(A) IN GENERAL.—In any case in which  
6 an eligible individual who submits to a private  
7 nonprofit organization an application for a  
8 subgrant under this subsection resides in a  
9 household that could be connected to an avail-  
10 able public wastewater utility, the private non-  
11 profit organization shall conduct a cost analysis  
12 to determine whether establishing such a con-  
13 nection would be a more cost-effective use of  
14 subgrant funds, as compared to the eligible uses  
15 described in paragraph (1).

16 “(B) USE OF FUNDS.—If a cost analysis  
17 under subparagraph (A) demonstrates that the  
18 connection of the applicable household to a pub-  
19 lic wastewater utility is more cost-effective than  
20 the eligible uses described in paragraph (1)  
21 with respect to the household, the eligible indi-  
22 vidual may use a subgrant provided under this  
23 subsection to establish the connection.

24 “(3) APPLICATION.—To be eligible to receive a  
25 subgrant under this subsection, an eligible individual

1 shall submit to the private nonprofit organization  
2 serving the area in which the individual household  
3 decentralized wastewater system of the eligible indi-  
4 viduals is, or is proposed to be, located an applica-  
5 tion at such time, in such manner, and containing  
6 such information as the private nonprofit organiza-  
7 tion determines to be appropriate.

8 “(4) PRIORITY.—In awarding subgrants under  
9 this subsection, a private nonprofit organization  
10 shall give priority to any eligible individual who does  
11 not have access to a sanitary sewage disposal sys-  
12 tem.

13 “(5) MAXIMUM AMOUNT.—The amount of a  
14 subgrant provided under this subsection shall not ex-  
15 ceed \$20,000.

16 “(d) REPORT.—Not later than 2 years after the date  
17 of enactment of this section, the Administrator shall sub-  
18 mit to Congress a report describing the results of the pro-  
19 gram under this section with respect to the prevalence  
20 throughout the United States of low- and moderate-in-  
21 come households without access to a sanitary sewage dis-  
22 posal system.

1       “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to the Administrator  
3 such sums as are necessary to carry out this section.”.

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