

America's Water Infrastructure Act of 2018

National Drinking Water Advisory Council (NDWAC) | December 6th 2018

Anita Thompkins, Director
Drinking Water Protection Division



OFFICE OF GROUND WATER
AND DRINKING WATER

AWIA Changes to DWSRF Law (SDWA Section 1452)



- Reauthorizes DWSRF and increases *authorized* amounts to \$1.174b in FY19, \$1.3b in FY20, and \$1.95b in FY21
- Extends max DWSRF loan amortization to 30 years (up from current 20) or 40 years (up from 30) for disadvantaged communities, or useful life, whichever is shorter
- Extends repayment initiation to 18 months (up from 12) after project completion
- Codifies Davis-Bacon for DWSRF-funded construction projects (was already codified as permanent in past Congressional appropriation bill)
- Makes AIS “permanent” from FY2019-2023

AWIA Changes to DWSRF Law (SDWA Section 1452)



- Additional subsidy for state-defined Disadvantaged Communities must be between 6% and 35% of cap grant, if enough DACs (up from current floor of 0% and max of 30%)
- Expands use of 15% set-aside for source water protection: allows funding for delineating and assessing SWP areas (current authorization ended in 1997) and updating existing assessments
- Future EPA drinking water needs surveys to include an estimate of replacement costs for all lead service lines, both public and private portions
- Requires EPA to collect state best practices on DWSRF administration and disseminate them to states within 3 years

Other Changes



- Requires GAO, within one year, to conduct a study of state or local environmental requirements that may be substantially equivalent to existing federal cross-cutting requirements of the DWSRF.
- *Authorizes* \$100 million in supplemental DWSRF capitalization grants to water systems impacted by natural disasters since January 1, 2017, in order to assist underserved areas in returning to or improving compliance with SDWA requirements.
- Creates new, competitive Drinking Water System Infrastructure Resilience and Sustainability grant program for FY19 and FY20; *authorizes* \$4m per year.
- Creates new grant program for pre-1988 drinking water fountain monitoring and replacement, with priority given to areas of economic need. *Authorizes* \$5m for FY19-FY21.
- Creates new competitive EPA grant program to provide assistance to public water systems, educational institutions, or NGOs to develop or deploy innovative water technologies. *Authorizes* \$10m in both FY19 and FY20.

Next Steps on DWSRF AWIA Changes



- Implementation Plan
- AIS-specific AWIA Memo will be issued



DISCUSSION AND Q/A

Discussion Questions



- What are your thoughts on the extended term financing that is now available to communities – up to 30 years for all communities, and up to 40 for state-defined disadvantaged communities – as a significant help to assist systems, particularly the small systems, in making their infrastructure financing more affordable?
- What has your experience been with community perspective on the DWSRF? Do they see it only as a program for small systems to ACHIEVE compliance?

Consumer Confidence Report (CCR) Rule Revisions



- AWIA requires changes to the content, form, manner, and frequency of CCRs
 - CWS serving $\geq 10,000$ persons must deliver CCRs biannually
 - Increase the readability, clarity, understandability, accuracy of information and risk communication of CCRs
 - Allows electronic delivery
 - CWS must include additional information on
 - corrosion control efforts, and
 - any lead action level exceedances that required corrective action
- Consultation
 - EPA will consult with stakeholders, PWS, States, and others during the revisions
- Timeline: Required within two years of AWIA enactment



DISCUSSION AND Q/A

Discussion Questions



- How can EPA increase the readability, clarity and understandability of CCRs?
- How can EPA improve the accuracy of information presented and risk communication in the CCRs?
- The AWIA amends SDWA to require biannually reporting (2 reports per year). What would be the best way to implement this requirement? Note that due to the nature of our monitoring requirements in the drinking water regulations, the compliance numbers will only change slightly, if any at all.
- Is there any feedback or experience to share regarding electronic delivery of the CCR?