

# BIL EC FUNDING SOURCES COMPARISON

## Programs

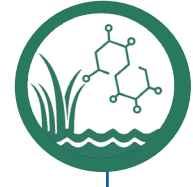
Clean Water State Revolving Fund Bipartisan Infrastructure Law Emerging Contaminants Funding (CWSRF EC)



Drinking Water State Revolving Fund Bipartisan Infrastructure Law Emerging Contaminants Funding (DWSRF EC)



Emerging Contaminants Small and Disadvantaged Communities (EC-SDC) Grant Program



## Who is eligible for funding?

Funding is allocated to states, who then will award the funds to eligible entities.

Eligible entities are dependent on the project type and may include: municipalities, intermunicipal, interstate, or state agencies; non-profit entities; private, for-profit entities; watershed groups; community groups; homeowner's associations; and individuals.

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### Eligible entities include:

- **Public or private community water systems.**  
A community water system is a public water system that serves at least 15 service connections used by year-round residents, or regularly serves at least 25 year-round residents.
- **Non-profit non-community water systems.**  
A non-profit non-community water system is a public water system that is not a community water system and is owned and operated as a non-profit entity (e.g., a school). The non-profit entity could also be government owned.

- States apply for funding. Using this funding, states administer grants, which are made available for eligible entities. Eligible entities are **privately- and publicly-owned community water systems and non-profit non-community water systems that serve small and/or disadvantaged communities.**

- **Small<sup>1</sup>**
- **Disadvantaged** is determined by affected criteria under the Safe Drinking Water Act (SDWA), SDWA 1452.

## How are disadvantaged communities defined?

CWA section 603(i) requires states to establish affordability criteria based on income, unemployment data, population trends, and other data determined relevant by the state. Affordability criteria varies by state.

Under SDWA 1452(d), states are required to define "disadvantaged community" for their DWSRF program. The definition of disadvantaged community varies by state.

Disadvantaged is determined by affected criteria under SDWA 1452. The definition of disadvantaged community varies by state.

## What are the general financial requirements?

- States are required to provide funding from this appropriation to eligible entities as forgivable loans, grants, or a combination of both. States may mix these funds with other CWSRF funding to create a funding package (i.e., assistance agreement) that may include repayable financing.
- No state match required.
- States may use up to 2% of funding to provide technical assistance to small, rural, and tribal publicly-owned treatment works.

- States are required to provide funding from this appropriation to eligible entities as forgivable loans, grants, or a combination of both. States may mix these funds with other DWSRF funding to create a funding package (i.e., assistance agreement) that may include repayable financing.
- No state match required.
- States have the flexibility to take DWSRF set-asides from this appropriation for non-infrastructure support for the state and water systems. The set-asides must be used to administer the grant or serve the primary purpose of this funding (i.e., addressing emerging contaminants).

- 100% of funding will be provided to eligible entities as grants.
- No state match required.
- Up to 3% of funding may be used for program related salaries, expenses, and administration.

<sup>1</sup>"Small" refers to communities that have a population of less than 10,000 individuals and lack the capacity to incur sufficient debt to finance the project.



## What are eligible activities?

Eligible projects must be eligible under CWA section 603(c) and have the **primary purpose** of addressing emerging contaminants. Projects may include, but are not limited to, construction of publicly owned treatment works, nonpoint source projects, national estuary program projects, decentralized wastewater treatment systems, stormwater projects, water conservation and efficiency, watershed pilot projects, energy efficiency projects, water reuse projects, security measures, planning, and technical assistance.

Eligible projects must have the **primary purpose** of addressing emerging contaminants, with prioritization on projects addressing perfluoroalkyl and polyfluoroalkyl substances (PFAS). Projects may include, but are not limited to, those related to drinking water treatment, drinking water transmission and distribution, drinking water sources, storage, consolidation of water systems, creation of new water systems, planning and design, purchase of water rights (in certain circumstances), and technical assistance.

Eligible projects must have the **primary purpose** of addressing emerging contaminants. Projects may include those related to research and testing, planning and design, drinking water treatment, drinking water sources, storage, consolidation of water systems, creation of new systems, providing households access to drinking water services, technical assistance, public communication, engagement, and education.

## What are ineligible activities?

- Projects that do not address a known emerging contaminant
- Operations and maintenance costs
- Routine compliance monitoring and testing

- Projects whose primary purpose is not to address emerging contaminants
- Operations and maintenance costs
- Routine compliance monitoring and testing
- Projects that have received assistance from the national set-aside for Indian Tribes and Alaska Native Villages under the SDWA §1452(i)

- Projects whose primary purpose is not to address emerging contaminants
- Operations and maintenance
- Lead service line replacement
- Replacement of premise plumbing
- Construction or rehabilitation of dams
- Construction or rehabilitation of reservoirs, except for finished water reservoirs and those reservoirs that are part of the treatment process and are on the property where the treatment facility is located
- Activities needed primarily for fire protection
- Activities needed primarily to serve future population growth
- Activities that have received assistance from the tribal allotment for Indian Tribes and Alaska Native Villages
- Costs that are unallowable (e.g., lobbying and alcoholic beverages) under [2 CFR 200 Subpart E – Cost Principles](#)

## Can the EC funding be used with other sources of funding?

All funds can be used in combination with other funding sources to finance projects related to emerging contaminants in drinking water.