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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To amend the Safe Drinking Water Act to provide grants for nitrate and arsenic reduction projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. TORRES of California introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Safe Drinking Water Act to provide grants for nitrate and arsenic reduction projects, 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 “Removing Nitrate and
5 Arsenic in Drinking Water Act”.

1 **SEC. 2. NITRATE AND ARSENIC REDUCTION GRANT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Part E of the Safe Drinking
4 Water Act (42 U.S.C. 300j et seq.) is amended by insert-
5 ing after section 1459G the following:

6 **“SEC. 1459H. NITRATE AND ARSENIC REDUCTION GRANT**
7 **PROGRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) ARSENIC REDUCTION PROJECT.—The term
10 ‘arsenic reduction project’ means a project or activ-
11 ity the primary purpose of which is to reduce the
12 concentration of arsenic in water for human con-
13 sumption.

14 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
15 tity’ means—

16 “(A) a community water system;

17 “(B) a nontransient noncommunity water
18 system;

19 “(C) a qualified nonprofit organization
20 with experience in nitrate or arsenic reduction,
21 as determined by the Administrator; and

22 “(D) a municipality or State, interstate, or
23 intermunicipal agency, including a special-pur-
24 pose unit of local government.

25 “(3) NITRATE REDUCTION PROJECT.—The
26 term ‘nitrate reduction project’ means a project or

1 activity the primary purpose of which is to reduce
2 the concentration of nitrate in water for human con-
3 sumption.

4 “(4) LOW-INCOME.—The term ‘low-income’,
5 with respect to assistance under subsection (b)(4),
6 has such meaning as may be given the term by the
7 Governor of the State in which the eligible entity is
8 located, based upon the affordability criteria estab-
9 lished by the State under section 1452(d)(3).

10 “(5) NONTRANSIENT NONCOMMUNITY WATER
11 SYSTEM.—The term ‘nontransient noncommunity
12 water system’ means a noncommunity water system
13 that regularly serves at least 25 of the same persons
14 over a 6 month period, or more, per year.

15 “(b) GRANT PROGRAM.—

16 “(1) ESTABLISHMENT.—Subject to the avail-
17 ability of appropriations, the Administrator shall es-
18 tablish a grant program to provide assistance to eli-
19 gible entities for nitrate or arsenic reduction projects
20 in the United States.

21 “(2) PRECONDITION.—As a condition of receipt
22 of assistance under this subsection, an eligible entity
23 shall take steps to identify—

1 “(A) the source of nitrate or arsenic, as
2 applicable, in the public water system that is
3 subject to human consumption; and

4 “(B) the means by which the proposed ni-
5 trate or arsenic reduction project would mean-
6 ingfully reduce the concentration of nitrate or
7 arsenic in water provided for human consump-
8 tion by the applicable public water system.

9 “(3) PRIORITY APPLICATION.—In providing
10 grants under this subsection, the Administrator shall
11 give priority to an eligible entity that the Adminis-
12 trator determines, based on affordability criteria es-
13 tablished by the State under section 1452(d)(3), to
14 be a disadvantaged community and—

15 “(A) has not been in compliance with the
16 maximum contaminant level of nitrate or ar-
17 senic, as applicable, at any time during the 3-
18 year period preceding the date of submission of
19 the application of such eligible entity; or

20 “(B) proposes to address nitrate or arsenic
21 levels, as applicable, in water for human con-
22 sumption at a school, daycare, or other facility
23 that primarily serves children or other vulner-
24 able human subpopulation described in section
25 1458(a)(1).

1 “(4) LOW-INCOME ASSISTANCE.—An eligible en-
2 tity may use a grant provided under this subsection
3 to purchase and install treatment technology that re-
4 duces the amount of nitrate or arsenic, as applica-
5 ble, in drinking water, with first priority given to as-
6 sisting disadvantaged communities based on the af-
7 fordability criteria established by the applicable
8 State under section 1452(d)(3), low-income home-
9 owners, and landlords or property owners providing
10 housing to low-income renters.

11 “(c) LIMITATION ON USE OF FUNDS.—Not more
12 than 4 percent of funds made available for grants under
13 this section may be used to pay the administrative costs
14 of the Administrator.

15 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
16 is authorized to be appropriated to carry out this section—

17 “(1) \$15,000,000 for fiscal year 2025; and

18 “(2) \$15,000,000 for each fiscal year there-
19 after.”.

20 (b) REVIEW.—The Administrator of the Environ-
21 mental Protection Agency shall conduct a review on the
22 extent the nitrate and arsenic reduction grant program
23 under the Safe Drinking Water Act (42 U.S.C. 300j et
24 seq.), as added by subsection (a), takes into consideration
25 equity to improve equity outcomes, including taking into

- 1 consideration the diverse needs of economically disadvan-
- 2 taged and underserved populations.