

118TH CONGRESS
2D SESSION

H. R. 7916

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

APRIL 9, 2024

Mrs. TORRES of California (for herself and Mr. VALADAO) introduced the following bill; which was referred to the Committee on Energy and Commerce

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”.

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

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

1 **“SEC. 1459H. NITRATE AND ARSENIC REDUCTION GRANT**
2 **PROGRAM.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) ARSENIC REDUCTION PROJECT.—The term
5 ‘arsenic reduction project’ means a project or activ-
6 ity the primary purpose of which is to reduce the
7 concentration of arsenic in water for human con-
8 sumption.

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

11 “(A) a community water system;

12 “(B) a nontransient noncommunity water
13 system;

14 “(C) a qualified nonprofit organization
15 with experience in nitrate or arsenic reduction,
16 as determined by the Administrator; and

17 “(D) a municipality or State, interstate, or
18 intermunicipal agency, including a special-pur-
19 pose unit of local government.

20 “(3) NITRATE REDUCTION PROJECT.—The
21 term ‘nitrate reduction project’ means a project or
22 activity the primary purpose of which is to reduce
23 the concentration of nitrate in water for human con-
24 sumption.

25 “(4) LOW-INCOME.—The term ‘low-income’,
26 with respect to assistance under subsection (b)(4),

1 has such meaning as may be given the term by the
2 Governor of the State in which the eligible entity is
3 located, based upon the affordability criteria estab-
4 lished by the State under section 1452(d)(3).

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

10 “(b) GRANT PROGRAM.—

11 “(1) ESTABLISHMENT.—Subject to the avail-
12 ability of appropriations, the Administrator shall es-
13 tablish a grant program to provide assistance to eli-
14 gible entities for nitrate or arsenic reduction projects
15 in the United States.

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

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

22 “(B) the means by which the proposed ni-
23 trate or arsenic reduction project would mean-
24 ingfully reduce the concentration of nitrate or

1 arsenic in water provided for human consump-
2 tion by the applicable public water system.

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

9 “(A) has not been in compliance with the
10 maximum contaminant level of nitrate or ar-
11 senic, as applicable, at any time during the 3-
12 year period preceding the date of submission of
13 the application of such eligible entity; or

14 “(B) proposes to address nitrate or arsenic
15 levels, as applicable, in water for human con-
16 sumption at a school, daycare, or other facility
17 that primarily serves children or other vulner-
18 able human subpopulation described in section
19 1458(a)(1).

20 “(4) LOW-INCOME ASSISTANCE.—An eligible en-
21 tity may use a grant provided under this subsection
22 to purchase and install treatment technology that re-
23 duces the amount of nitrate or arsenic, as applica-
24 ble, in drinking water, with first priority given to as-
25 sisting disadvantaged communities based on the af-

1 fordability criteria established by the applicable
2 State under section 1452(d)(3), low-income home-
3 owners, and landlords or property owners providing
4 housing to low-income renters.

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

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

11 “(1) \$15,000,000 for fiscal year 2025; and

12 “(2) \$15,000,000 for each fiscal year there-
13 after.”.

14 (b) REVIEW.—The Administrator of the Environ-
15 mental Protection Agency shall conduct a review on the
16 extent the nitrate and arsenic reduction grant program
17 under the Safe Drinking Water Act (42 U.S.C. 300j et
18 seq.), as added by subsection (a), takes into consideration
19 equity to improve equity outcomes, including taking into
20 consideration the diverse needs of economically disadvan-
21 taged and underserved populations.

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