

The AQUA Act of 2024
Section-by-Section Summary
December 2024

Sec. 1. Short title; table of contents.

Establishes a short title and table of contents for this Act.

TITLE I—INFRASTRUCTURE

Sec. 101. Drinking water system resilience funding.

Reauthorizes the Drinking Water Infrastructure Risk and Resilience Program through FY2034 and increases funding from \$25 million to \$50 million per year. The program provides funding to help water systems increase resiliency against natural hazards and malevolent acts.

Sec. 102. Grants for State programs.

Reauthorizes the Public Water System Supervision Grant Program through FY2034 and increases funding from \$125 million to \$200 million per year. The grant program assists states with implementation and enforcement of National Primary Drinking Water Regulations.

Sec. 103. Assistance for disadvantaged communities.

Increases the percentage of funds that a state may provide from its annual Drinking Water State Revolving Fund (DWSRF) allocation as additional subsidy to disadvantaged communities from 35 percent to 40 percent.

Sec. 104. Allotments for territories.

Increases the allotment of DWSRF funding for territories from 0.33 percent to 1.5 percent.

Sec. 105. Drinking water SRF funding.

Reauthorizes the DWSRF through FY2034 at the following levels:

- \$3.25 billion for FY2025;
- \$3.75 billion for FY2026;
- \$4.14 billion for FY2027;
- \$4.8 billion for FY2028; and
- \$5.5 billion for each of FY2029 through FY2034.

Sec. 106. Lead service line replacement.

Authorizes \$3 billion per year for FY2027 through FY2036 to support the full replacement of lead service lines and prioritizes replacing lines in disadvantaged and environmental justice communities.

Sec. 107. Drinking water assistance to colonias.

Reauthorizes assistance to colonias through FY2034 and increases funding from \$25 million to \$100 million per year. This section also allows EPA to award grants directly to local governments with jurisdiction over an eligible community and increases the cost share of grants from up to 50 percent to up to 80 percent.

Sec. 108. PFAS treatment grants.

Authorizes a grant program for community water systems affected by per- and polyfluoroalkyl substances (PFAS) to support capital costs to install treatment technologies at \$500 million per year through FY2034.

Sec. 109. Grant program for installation of filtration stations at schools and child care programs.

Authorizes a grant program to install and maintain filtration stations in schools and child care facilities at \$100 million per year through FY2034.

Sec. 110. Indian reservation drinking water program.

Reauthorizes the Indian Reservation Drinking Water Program through FY2034 at \$50 million per year.

Sec. 111. Assistance for areas affected by natural disasters.

Amends Section 2020 of America's Water Infrastructure Act of 2018 to clarify that territories are eligible for assistance to restore or increase compliance with national primary drinking water regulations following a natural disaster.

TITLE II—SAFETY

Sec. 201. Enabling EPA to set standards for new drinking water contaminants.

Subsection (a) repeals Section 1412(b)(6) of the Safe Drinking Water Act, which requires consideration of costs in the setting of a maximum contaminant level, to ensure that new national primary drinking water regulations are set as close to maximum contaminant level goals as feasible.

Subsection (b) requires EPA to regulate a contaminant that is known to occur in public water systems located in at least 3 states and serving a total of 1 million or more people.

Subsection (c) requires maximum contaminant level goals and national primary drinking water regulations to be protective of the health of subpopulations at greater risk.

Sec. 202. Citizen petitions.

Allows a person to petition the Administrator to set a drinking water standard for an unregulated contaminant if the petitioner shows the contaminant meets the standard setting criteria in Section 1412. It also allows a person to petition the Administrator to update a drinking water regulation if the updated regulation will be more protective of public health.

Sec. 203. National primary drinking water regulations for PFAS.

Requires EPA to determine whether to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for a PFAS (or class of PFAS) within 18 months of the date that is the later of either the date that a PFAS is listed on the Contaminant Candidate List or the date of completion of the Unregulated Contaminant Monitoring Rule cycle that includes that PFAS.

Sec. 204. National primary drinking water regulations for microcystin toxin.

Requires EPA to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for microcystin toxin not later than 2 years after the enactment of this Act.

Sec. 205. National primary drinking water regulations for 1,4-dioxane.

Requires EPA to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for 1,4-dioxane not later than 2 years after the enactment of this Act.

Sec. 206. National primary drinking water regulations for chromium-6.

Requires EPA to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for chromium-6 not later than 2 years after the enactment of this Act.

Sec. 207. Elimination of small system variances.

Repeals Section 1415(e) of the Safe Drinking Water Act to prohibit the granting of variances to small public water systems for compliance with a requirement in a national primary drinking water regulation.

TITLE III—AFFORDABILITY

Sec. 301. Water affordability program.

Authorizes an EPA-administered low-income water assistance program at \$1.5 billion per year through FY2034.

Under this program, EPA must allocate funding to States, territories, and Indian tribes based on a formula that considers need. Indian tribes are required to receive not less than 3 percent of the funding made available each year.

States, territories, and Indian tribes that receive funding must carry out a program to assist low-income households in improving or maintaining access to affordable drinking water. Assistance may take several forms, including direct financial assistance, a lifeline rate, bill discounting, and efforts to improve water conservation and reduce water usage in residences occupied by eligible low-income households.

A State, territory, or Indian tribe may enter into contracts or other agreements with community water systems to deliver assistance to its customers. A community water system in such a contract or agreement must maintain a long-term financial plan, an asset management plan, a capital improvement plan, a fiscal management plan, robust community outreach efforts to inform eligible low-income households of the availability of assistance, and may not disconnect or interrupt the service of eligible low-income households as a result of nonpayment or arrearages for one year after the eligible low-income household receives assistance under the program.

EPA may withhold future funding to any State, territory, or Indian tribe that has failed to use previously awarded funding in accordance with the requirements of this section.

Up to 15 percent of funds may be used for administrative expenses, and up to 15 percent may be used to improve water conservation and reduce water usage. For States receiving funding, not less than 20 percent of such funding must be provided to eligible low-income households that are served by small water systems. EPA may use 1 percent of funding to provide technical assistance, or award grants to third parties to provide technical assistance, to support effective implementation of assistance programs.