



May 1, 2020

Honorable John Barrasso
Chairman
Senate Committee on Environment and
Public Works
307 Dirksen Senate Office Building
Washington, DC 20510

Honorable Tom Carper
Ranking Member
Senate Committee on Environment and
Public Works
513 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Barrasso and Ranking Member Carper:

Thank you for the opportunity to provide comments on the *America's Water Infrastructure Act of 2020*. As a trade association in the water and sanitation sector, we have experience working with communities, manufacturers and the workforce to address a continually evolving list of water quality and infrastructure issues.

The International Association of Plumbing and Mechanical Officials (IAPMO) is a nearly 100-year-old trade association that focuses its comprehensive services on the technical aspects of the plumbing and mechanical industries. We focus where people come in contact with water and sanitation. The IAPMO Group is comprised of 13 different business units with offices and staff in 11 countries. Our membership includes trained labor and contractors, engineers, product manufacturers, suppliers, plumbing and mechanical inspectors, and building officials. As a global leader, IAPMO has assisted with the development of standards, skills training, and conformity assessment services in regions around the world. IAPMO also works closely with international aid organizations to create enabling environments for water and sanitation services to spread and local industries to grow in developing nations.

We applaud the committee for putting forward bipartisan solutions to the challenges posed by our water infrastructure. We also applaud the committee's efforts to ensure that communities who are most vulnerable have access to clean drinking water. In particular, we support Section 2010 (Grants for construction, refurbishing, and servicing of individual household decentralized wastewater systems for individuals with low or moderate income). This legislation is desperately needed to help bring sanitation to the more than 2.2 million Americans that do not have access to clean water and effective sanitation. In these comments, IAPMO is proud to support and reiterate comments made to the committee by DigDeep.

Our preliminary suggestions on how this language could be amended are aimed to allow greater flexibility, to prioritize households without access to utility lines, to increase the amount of funding available, and to expand the grant program apply to decentralized drinking water systems. IAPMO feels that the provision is too narrow, as drafted, to benefit the communities and households facing the greatest need around the country. Furthermore, this section should

be expanded to allow funding for individual or small-scale drinking water systems or similar language should be added to the draft DWIA legislation. To ensure that these communities receive the life-changing services they need, we would propose that the following language be added to Section 2010 of draft AWIA:

SEC. 225. GRANTS FOR CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.

(a) DEFINITION OF ELIGIBLE INDIVIDUAL.—In this section, the term ‘eligible individual’ means a member of a household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median nonmetropolitan household income for the State or territory in which the household is located, according to the most recent decennial census.

(b) GRANT PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of providing subgrants to eligible individuals in accordance with subsection (c) *or for development of community wastewater or drinking water systems, in accordance with subsection (d)*.

(2) APPLICATION.—To be eligible to receive a grant under this subsection, a private nonprofit organization shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator determines to be appropriate.

(3) PRIORITY.—In awarding grants under this subsection, the Administrator shall give priority to applicants that have substantial expertise and experience in promoting the safe and effective use of decentralized wastewater *or drinking water* systems.

(4) ADMINISTRATIVE EXPENSES.—A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of subgrants under subsection (c), as the Administrator determines to be appropriate.

(c) SUBGRANTS.—

(1) IN GENERAL.—Subject to paragraph (2), a private nonprofit organization *may* use a grant provided under subsection (b) to provide subgrants to eligible individuals for the construction, refurbishing, and servicing of individual household decentralized wastewater systems.

(2) PUBLIC UTILITY CONNECTION AVAILABLE.—

(A) IN GENERAL.—In any case in which an eligible individual who submits to a private nonprofit organization an application for a subgrant under this subsection resides in a household that could be connected to an available public wastewater utility, the private non profit organization *may either reject the application or* conduct a cost analysis to determine whether establishing such a connection would be a more cost-effective use of subgrant funds, as compared to the eligible uses described in paragraph (1).

(B) USE OF FUNDS.—If a cost analysis under subparagraph (A) demonstrates that the connection of the applicable household to a public wastewater utility is more cost-effective than the eligible uses described in paragraph (1) with respect to the household, the eligible individual may use a subgrant provided under this subsection to establish the connection.

(3) APPLICATION.—To be eligible to receive a subgrant under this subsection, an eligible individual shall submit to the private nonprofit organization serving the area in which the individual household decentralized wastewater system of the eligible individuals is, or is proposed to be, located an application at such time, in such manner, and containing

such information as the private nonprofit organization determines to be appropriate.

(4) PRIORITY.—In awarding subgrants under this subsection, a private nonprofit organization shall give priority to any eligible individual who does not have access to a sanitary sewage disposal system.

(5) MAXIMUM AMOUNT.—The amount of a subgrant to an individual provided under this subsection shall not exceed \$20,000.

(d) COMMUNITY WASTEWATER OR DRINKING WATER SYSTEMS.—

(1) IN GENERAL.—Subject to paragraph (2), a private nonprofit organization may use a grant provided under subsection (b) to construct, refurbish, or service decentralized drinking water or decentralized wastewater systems to serve individuals or small communities of 100 individuals or fewer.

(2) OPERATION, MAINTENANCE, AND REPLACEMENT.—One of the criteria considered in awarding a grant to a nonprofit organization for purposes of carrying out this subsection is the extent to which the nonprofit organization can demonstrate that water infrastructure to be constructed or rehabilitated with the grant will be operated, maintained, and replaced by the individuals or communities who will use the infrastructure, which can be shown through both studies showing ability to pay or through the creation of on-site maintenance entities or user associations with the ability to collect fees for providing ongoing operation, maintenance, and replacement.

(3) PRIORITY.—In awarding grants under this subsection, the Administrator shall give priority to proposals for individuals or communities lacking to a sanitary sewage disposal system or safe drinking water system.

(e) REPORT.—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the program under this section with respect to the prevalence throughout the United States of low- and moderate-income households without access to a sanitary sewage disposal system.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$50,000,000 for each of fiscal years 2021 and 2022.'

Ensuring access to effective sanitation and safe drinking water poses a challenge for water systems in the United States and across the globe, especially during disruptive emergencies and

disaster recoveries. A lack of flexible, targeted federal funding is one of the key barriers to solving these problems once and for all. For poorer communities that are facing the most acute lack of access to safe running water and sanitation, federal funding that could support the work of nonprofits would make an enormous difference. New technology (and the creative application of legacy technologies) is making it possible to build decentralized systems that, once installed, are affordable to operate and maintain. Thanks to these innovative approaches, decentralized systems have the potential to provide WASH access in thousands of communities.

The Federal Government desperately needs to expand options for service delivery and management beyond municipal utilities. Small-scale wastewater systems that serve a cluster of homes are a promising option for areas where individual septic systems are not viable. Communities can create an on-site management entity to maintain household septic systems or test private wells. We are currently partnered on such a project in Lowndes County, Alabama. In other places, community-run collectives might deliver treated water from central wells to household cisterns, similar to our work with DigDeep's Navajo Water Project. Strategies like rainwater harvesting, water reuse, greywater systems, community water kiosks, fecal sludge management, biodigesters, microgrids, or remote monitoring can be effective in extreme environments and are easier to adapt to population or climatic shifts. These approaches often have reasonable maintenance fees after an up-front investment.

IAPMO is prepared to provide your committee with any additional information, including draft bill language, regarding the clarifying language proposed above. If you have questions regarding this request, please contact Dain Hansen, executive vice president for government relations for IAPMO, at dain.hansen@iapmo.org or 202-445-7514.

Thank you for your consideration,

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