

(1) an owner or operator of a small publicly owned treatment works that serves—

- (A) a population of not more than 10,000 people; or
- (B) a disadvantaged community; or

(2) a nonprofit organization that seeks to assist a small publicly owned treatment works described in paragraph (1) to carry out the activities described in subsection (a).

(c) Report

Not later than 2 years after the date on which the Administrator establishes the efficiency grant program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

- (1) each recipient of a grant under the efficiency grant program; and
- (2) a summary of the activities carried out under the efficiency grant program.

(d) Use of funds

(1) Small systems

Of the amounts made available for grants under this section, to the extent that there are sufficient applications, not less than 15 percent shall be used for grants to publicly owned treatment works that serve fewer than 3,300 people.

(2) Limitation on use of funds

Of the amounts made available for grants under this section, not more than 2 percent may be used to pay the administrative costs of the Administrator.

(June 30, 1948, ch. 758, title II, §225, as added Pub. L. 117-58, div. E, title II, §50207, Nov. 15, 2021, 135 Stat. 1165.)

§ 1302d. Grants for construction and refurbishing 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 low-income or moderate-income 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 non-metropolitan 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

Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of improving general welfare by providing assistance to eligible individuals—

- (A) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or
- (B) for the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside, if—

- (i) site conditions at the households are unsuitable for the installation of an indi-

vidually owned decentralized wastewater system;

(ii) multiple examples of unsuitable site conditions exist in close geographic proximity to each other; and

(iii) a larger decentralized wastewater system could be cost-effectively installed.

(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 individual household decentralized wastewater 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 the services described in paragraph (1), as the Administrator determines to be appropriate.

(c) Grants

(1) In general

Subject to paragraph (2), a private nonprofit organization shall use a grant provided under subsection (b) for the services described in paragraph (1) of that subsection.

(2) Application

To be eligible to receive the services described in subsection (b)(1), 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.

(3) Priority

In awarding grants 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.

(d) Report

Not later than 2 years after November 15, 2021, 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 recipients of grants under the program under this section and the results of the program under this section.

(e) Authorization of appropriations

(1) In general

There is authorized to be appropriated to the Administrator to carry out this section \$50,000,000 for each of fiscal years 2022 through 2026.

(2) Limitation on use of funds

Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.

(June 30, 1948, ch. 758, title II, §226, as added Pub. L. 117-58, div. E, title II, §50208, Nov. 15, 2021, 135 Stat. 1166.)

§ 1302e. Connection to publicly owned treatment works**(a) Definitions**

In this section:

(1) Eligible entity

The term “eligible entity” means—

(A) an owner or operator of a publicly owned treatment works that assists or is seeking to assist low-income or moderate-income individuals with connecting the household of the individual to the publicly owned treatment works; or

(B) a nonprofit entity that assists low-income or moderate-income individuals with the costs associated with connecting the household of the individual to a publicly owned treatment works.

(2) Program

The term “program” means the competitive grant program established under subsection (b).

(3) Qualified individual

The term “qualified individual” has the meaning given the term “eligible individual” in section 1383(j) of this title.

(b) Establishment

Subject to the availability of appropriations, the Administrator shall establish a competitive grant program with the purpose of improving general welfare, under which the Administrator awards grants to eligible entities to provide funds to assist qualified individuals in covering the costs incurred by the qualified individual in connecting the household of the qualified individual to a publicly owned treatment works.

(c) Application**(1) In general**

An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may by regulation require.

(2) Requirement

Not later than 90 days after the date on which the Administrator receives an application from an eligible entity under paragraph (1), the Administrator shall notify the eligible entity of whether the Administrator will award a grant to the eligible entity under the program.

(d) Selection criteria

In selecting recipients of grants under the program, the Administrator shall use the following criteria:

(1) Whether the eligible entity seeking a grant provides services to, or works directly with, qualified individuals.

(2) Whether the eligible entity seeking a grant—

(A) has an existing program to assist in covering the costs incurred in connecting a household to a publicly owned treatment works; or

(B) seeks to create a program described in subparagraph (A).

(e) Requirements**(1) Voluntary connection**

Before providing funds to a qualified individual for the costs described in subsection (b), an eligible entity shall ensure that—

(A) the qualified individual has connected to the publicly owned treatment works voluntarily; and

(B) if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has connected, the publicly owned treatment works to which the qualified individual has connected has agreed to the connection.

(2) Reimbursements from publicly owned treatment works

An eligible entity that is an owner or operator of a publicly owned treatment works may reimburse a qualified individual that has already incurred the costs described in subsection (b) by—

(A) reducing the amount otherwise owed by the qualified individual to the owner or operator for wastewater or other services provided by the owner or operator; or

(B) providing a direct payment to the qualified individual.

(f) Authorization of appropriations**(1) In general**

There is authorized to be appropriated to carry out the program \$40,000,000 for each of fiscal years 2022 through 2026.

(2) Limitations on use of funds**(A) Small systems**

Of the amounts made available for grants under paragraph (1), to the extent that there are sufficient applications, not less than 15 percent shall be used to make grants to—

(i) eligible entities described in subsection (a)(1)(A) that are owners and operators of publicly owned treatment works that serve fewer than 3,300 people; and

(ii) eligible entities described in subsection (a)(1)(B) that provide the assistance described in that subsection in areas that are served by publicly owned treatment works that serve fewer than 3,300 people.

(B) Administrative costs

Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.

(June 30, 1948, ch. 758, title II, §227, as added Pub. L. 117-58, div. E, title II, §50209, Nov. 15, 2021, 135 Stat. 1167.)

§ 1302f. Stormwater infrastructure technology**(a) Definitions**

In this section: