

ronmental finance centers for activities that provide technical assistance to State and local officials in developing the capacity of public water systems. Any such funds shall be used only for activities that are directly related to this subchapter.

**(2) National capacity development clearinghouse**

The Administrator shall establish a national public water system capacity development clearinghouse to receive and disseminate information with respect to developing, improving, and maintaining financial and managerial capacity at public water systems. The Administrator shall ensure that the clearinghouse does not duplicate other federally supported clearinghouse activities.

**(3) Capacity development techniques**

The Administrator may request an environmental finance center funded under paragraph (1) to develop and test managerial, financial, and institutional techniques for capacity development. The techniques may include capacity assessment methodologies, manual and computer based public water system rate models and capital planning models, public water system consolidation procedures, and regionalization models.

**(4) Authorization of appropriations**

There are authorized to be appropriated to carry out this subsection \$1,500,000 for each of the fiscal years 1997 through 2003.

**(5) Limitation**

No portion of any funds made available under this subsection may be used for lobbying expenses.

(July 1, 1944, ch. 373, title XIV, §1420, as added Pub. L. 104-182, title I, §119, Aug. 6, 1996, 110 Stat. 1647; amended Pub. L. 115-270, title II, §2012, Oct. 23, 2018, 132 Stat. 3849.)

**Editorial Notes**

**AMENDMENTS**

2018—Subsec. (c)(2)(F). Pub. L. 115-270, §2012(1), added subpar. (F).

Subsec. (c)(3). Pub. L. 115-270, §2012(2), inserted “, including efforts of the State to encourage development by public water systems of asset management plans and to assist public water systems in training relevant and appropriate persons in implementing such asset management plans” before period at end.

Subsec. (d)(5). Pub. L. 115-270, §2012(3), added par. (5).

**§ 300g-10. Cybersecurity support for public water systems**

**(a) Definitions**

In this section:

**(1) Appropriate Congressional committees**

The term “appropriate Congressional committees” means—

- (A) the Committee on Environment and Public Works of the Senate;
- (B) the Committee on Homeland Security and Governmental Affairs of the Senate;
- (C) the Committee on Energy and Commerce of the House of Representatives; and
- (D) the Committee on Homeland Security of the House of Representatives.

**(2) Director**

The term “Director” means the Director of the Cybersecurity and Infrastructure Security Agency.

**(3) Incident**

The term “incident” has the meaning given the term in section 3552 of title 44.

**(4) Prioritization Framework**

The term “Prioritization Framework” means the prioritization framework developed by the Administrator under subsection (b)(1)(A).

**(5) Support Plan**

The term “Support Plan” means the Technical Cybersecurity Support Plan developed by the Administrator under subsection (b)(2)(A).

**(b) Identification of and support for public water systems**

**(1) Prioritization Framework**

**(A) In general**

Not later than 180 days after November 15, 2021, the Administrator, in coordination with the Director, shall develop a prioritization framework to identify public water systems (including sources of water for those public water systems) that, if degraded or rendered inoperable due to an incident, would lead to significant impacts on the health and safety of the public.

**(B) Considerations**

In developing the Prioritization Framework, to the extent practicable, the Administrator shall incorporate consideration of—

- (i) whether cybersecurity vulnerabilities for a public water system have been identified under section 300i-2 of this title;
- (ii) the capacity of a public water system to remediate a cybersecurity vulnerability without additional Federal support;
- (iii) whether a public water system serves a defense installation or critical national security asset; and
- (iv) whether a public water system, if degraded or rendered inoperable due to an incident, would cause a cascading failure of other critical infrastructure.

**(2) Technical Cybersecurity Support Plan**

**(A) In general**

Not later than 270 days after November 15, 2021, the Administrator, in coordination with the Director and using existing authorities of the Administrator and the Director for providing voluntary support to public water systems and the Prioritization Framework, shall develop a Technical Cybersecurity Support Plan for public water systems.

**(B) Requirements**

The Support Plan—

- (i) shall establish a methodology for identifying specific public water systems for which cybersecurity support should be prioritized;
- (ii) shall establish timelines for making voluntary technical support for

cybersecurity available to specific public water systems;

(iii) may include public water systems identified by the Administrator, in coordination with the Director, as needing technical support for cybersecurity;

(iv) shall include specific capabilities of the Administrator and the Director that may be utilized to provide support to public water systems under the Support Plan, including—

(I) site vulnerability and risk assessments;

(II) penetration tests; and

(III) any additional support determined to be appropriate by the Administrator; and

(v) shall only include plans for providing voluntary support to public water systems.

### (3) Consultation required

In developing the Prioritization Framework pursuant to paragraph (1) and the Support Plan pursuant to paragraph (2), the Administrator shall consult with such Federal or non-Federal entities as determined to be appropriate by the Administrator.

### (4) Reports required

#### (A) Prioritization Framework

Not later than 190 days after November 15, 2021, the Administrator shall submit to the appropriate Congressional committees a report describing the Prioritization Framework.

#### (B) Technical Cybersecurity Support Plan

Not later than 280 days after November 15, 2021, the Administrator shall submit to the appropriate Congressional committees—

(i) the Support Plan; and

(ii) a list describing any public water systems identified by the Administrator, in coordination with the Director, as needing technical support for cybersecurity during the development of the Support Plan.

### (c) Rules of construction

Nothing in this section—

(1) alters the existing authorities of the Administrator; or

(2) compels a public water system to accept technical support offered by the Administrator.

(July 1, 1944, ch. 373, title XIV, §1420A, as added Pub. L. 117-58, div. E, title I, §50113, Nov. 15, 2021, 135 Stat. 1155.)

## PART C—PROTECTION OF UNDERGROUND SOURCES OF DRINKING WATER

### § 300h. Regulations for State programs

#### (a) Publication of proposed regulations; promulgation; amendments; public hearings; administrative consultations

(1) The Administrator shall publish proposed regulations for State underground injection control programs within 180 days after December 16, 1974. Within 180 days after publication of such proposed regulations, he shall promulgate such

regulations with such modifications as he deems appropriate. Any regulation under this subsection may be amended from time to time.

(2) Any regulation under this section shall be proposed and promulgated in accordance with section 553 of title 5 (relating to rulemaking), except that the Administrator shall provide opportunity for public hearing prior to promulgation of such regulations. In proposing and promulgating regulations under this section the Administrator shall consult with the Secretary, the National Drinking Water Advisory Council, and other appropriate Federal entities and with interested State entities.

#### (b) Minimum requirements; restrictions

(1) Regulations under subsection (a) for State underground injection programs shall contain minimum requirements for effective programs to prevent underground injection which endangers drinking water sources within the meaning of subsection (d)(2). Such regulations shall require that a State program, in order to be approved under section 300h-1 of this title—

(A) shall prohibit, effective on the date on which the applicable underground injection control program takes effect, any underground injection in such State which is not authorized by a permit issued by the State (except that the regulations may permit a State to authorize underground injection by rule);

(B) shall require (i) in the case of a program which provides for authorization of underground injection by permit, that the applicant for the permit to inject must satisfy the State that the underground injection will not endanger drinking water sources, and (ii) in the case of a program which provides for such an authorization by rule, that no rule may be promulgated which authorizes any underground injection which endangers drinking water sources;

(C) shall include inspection, monitoring, recordkeeping, and reporting requirements; and

(D) shall apply (i) as prescribed by section 300j-6(b)<sup>1</sup> of this title, to underground injections by Federal agencies, and (ii) to underground injections by any other person whether or not occurring on property owned or leased by the United States.

(2) Regulations of the Administrator under this section for State underground injection control programs may not prescribe requirements which interfere with or impede—

(A) the underground injection of brine or other fluids which are brought to the surface in connection with oil or natural gas production or natural gas storage operations, or

(B) any underground injection for the secondary or tertiary recovery of oil or natural gas,

unless such requirements are essential to assure that underground sources of drinking water will not be endangered by such injection.

(3)(A) The regulations of the Administrator under this section shall permit or provide for consideration of varying geologic, hydrological, or historical conditions in different States and in different areas within a State.

<sup>1</sup> See References in Text note below.