

**(d) Loan guarantees to public water systems; conditions; indebtedness limitation; regulations**

The Administrator during the fiscal years ending June 30, 1975, and June 30, 1976, shall carry out a program of guaranteeing loans made by private lenders to small public water systems for the purpose of enabling such systems to meet national primary drinking water regulations prescribed under section 300g-1 of this title. No such guarantee may be made with respect to a system unless (1) such system cannot reasonably obtain financial assistance necessary to comply with such regulations from any other source, and (2) the Administrator determines that any facilities constructed with a loan guaranteed under this subsection is not likely to be made obsolete by subsequent changes in primary regulations. The aggregate amount of indebtedness guaranteed with respect to any system may not exceed \$50,000. The aggregate amount of indebtedness guaranteed under this subsection may not exceed \$50,000,000. The Administrator shall prescribe regulations to carry out this subsection.

(July 1, 1944, ch. 373, title XIV, §1444, as added Pub. L. 93-523, §2(a), Dec. 16, 1974, 88 Stat. 1685; amended Pub. L. 99-339, title I, §101(c)(3), June 19, 1986, 100 Stat. 646.)

**Editorial Notes**

AMENDMENTS

1986—Subsec. (d). Pub. L. 99-339 struck out “(including interim regulations)” before “prescribed” in first sentence.

**§ 300j-3a. Grants to public sector agencies**

**(a) Assistance for development and demonstration projects**

The Administrator of the Environmental Protection Agency shall offer grants to public sector agencies for the purposes of—

(1) assisting in the development and demonstration (including construction) of any project which will demonstrate a new or improved method, approach, or technology for providing a dependably safe supply of drinking water to the public; and

(2) assisting in the development and demonstration (including construction) of any project which will investigate and demonstrate health and conservation implications involved in the reclamation, recycling, and reuse of wastewaters for drinking and agricultural use or the processes and methods for the preparation of safe and acceptable drinking water.

**(b) Limitations**

Grants made by the Administrator under this section shall be subject to the following limitations:

(1) Grants under this section shall not exceed 66⅔ per centum of the total cost of construction of any facility and 75 per centum of any other costs, as determined by the Administrator.

(2) Grants under this section shall not be made for any project involving the construc-

tion or modification of any facilities for any public water system in a State unless such project has been approved by the State agency charged with the responsibility for safety of drinking water (or if there is no such agency in a State, by the State health authority).

(3) Grants under this section shall not be made for any project unless the Administrator determines, after consultation, that such project will serve a useful purpose relating to the development and demonstration of new or improved techniques, methods, or technologies for the provision of safe water to the public for drinking.

**(c) Authorization of appropriations**

There are authorized to be appropriated for the purposes of this section \$25,000,000 for fiscal year 1978.

(Pub. L. 95-155, §5, Nov. 8, 1977, 91 Stat. 1258; Pub. L. 95-477, §7(a)(1), Oct. 18, 1978, 92 Stat. 1511.)

**Editorial Notes**

CODIFICATION

Section was enacted as part of the Environmental Research, Development, and Demonstration Authorization Act of 1978, and not as part of the Public Health Service Act which comprises this chapter.

AMENDMENTS

1978—Subsec. (a)(2). Pub. L. 95-477 inserted “agricultural use or” after “drinking and”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-477, §7(a)(2), Oct. 18, 1978, 92 Stat. 1511, provided that: “This subsection [amending this section] shall become effective October 1, 1978.”

**§ 300j-3b. Contaminant standards or treatment technique guidelines**

(1) Not later than nine months after October 18, 1978, the Administrator shall promulgate guidelines establishing supplemental standards or treatment technique requirements for microbiological, viral, radiological, organic, and inorganic contaminants, which guidelines shall be conditions, as provided in paragraph (2), of any grant for a demonstration project for water reclamation, recycling, and reuse funded under section 300j-3a of this title or under section 300j-3(a)(2) of this title, where such project involves direct human consumption of treated wastewater. Such guidelines shall provide for sufficient control of each such contaminant, such that in the Administrator's judgement, no adverse effects on the health of persons may reasonably be anticipated to occur, allowing an adequate margin of safety.

(2) A grant referred to in paragraph (1) for a project which involves direct human consumption of treated wastewater may be awarded on or after the date of promulgation of guidelines under this section only if the applicant demonstrates to the satisfaction of the Administrator that the project—

(A) will comply with all national primary drinking water regulations under section 300g-1 of this title;

(B) will comply with all guidelines under this section; and

(C) will in other respects provide safe drinking water.

Any such grant awarded before the date of promulgation of such guidelines shall be conditioned on the applicant's agreement to comply to the maximum feasible extent with such guidelines as expeditiously as practicable following the date of promulgation thereof.

(3) Guidelines under this section may, in the discretion of the Administrator—

(A) be nationally and uniformly applicable to all projects funded under section 300j-3a of this title or section 300j-1(a)(2)<sup>1</sup> of this title;

(B) vary for different classes or categories of such projects (as determined by the Administrator);

(C) be established and applicable on a project-by-project basis; or

(D) any combination of the above.

(4) Nothing in this section shall be construed to prohibit or delay the award of any grant referred to in paragraph (1) prior to the date of promulgation of such guidelines.

(Pub. L. 95-477, § 7(b), Oct. 18, 1978, 92 Stat. 1511.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 300j-1(a)(2) of this title, referred to in par. (3)(A), was amended by Pub. L. 104-182, title I, § 121(3), (4)(A), Aug. 6, 1996, 110 Stat. 1651, to redesignate par. (2)(B) as subsec. (b) of section 300j-1, strike par. (2)(A), and add a new par. (2) relating to information and research facilities.

##### CODIFICATION

Section was enacted as part of the Environmental Research, Development, and Demonstration Authorization Act of 1979, and not as part of the Public Health Service Act which comprises this chapter.

### § 300j-3c. National assistance program for water infrastructure and watersheds

#### (a) Technical and financial assistance

The Administrator of the Environmental Protection Agency may provide technical and financial assistance in the form of grants to States (1) for the construction, rehabilitation, and improvement of water supply systems, and (2) consistent with nonpoint source management programs established under section 1329 of title 33, for source water quality protection programs to address pollutants in navigable waters for the purpose of making such waters usable by water supply systems.

#### (b) Limitation

Not more than 30 percent of the amounts appropriated to carry out this section in a fiscal year may be used for source water quality protection programs described in subsection (a)(2).

#### (c) Condition

As a condition to receiving assistance under this section, a State shall ensure that such assistance is carried out in the most cost-effective manner, as determined by the State.

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

#### (d) Authorization of appropriations

##### (1) Unconditional authorization

There are authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 1997 through 2003. Such sums shall remain available until expended.

##### (2) Conditional authorization

In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 1997 through 2003, provided that such authorization shall be in effect for a fiscal year only if at least 75 percent of the total amount of funds authorized to be appropriated for such fiscal year by section 300j-12(m) of this title are appropriated.

#### (e) Acquisition of lands

Assistance provided with funds made available under this section may be used for the acquisition of lands and other interests in lands; however, nothing in this section authorizes the acquisition of lands or other interests in lands from other than willing sellers.

#### (f) Federal share

The Federal share of the cost of activities for which grants are made under this section shall be 50 percent.

#### (g) Definitions

In this section, the following definitions apply:

##### (1) State

The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

##### (2) Water supply system

The term "water supply system" means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves at least 25 individuals and a draw and fill system for the provision to the public of water for human consumption. Such term does not include a system owned by a Federal agency. Such term includes (A) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (B) any collection or pretreatment facilities not under such control that are used primarily in connection with such system.

(Pub. L. 104-182, title IV, § 401, Aug. 6, 1996, 110 Stat. 1690.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as part of the Safe Drinking Water Act Amendments of 1996, and not as part of the Public Health Service Act which comprises this chapter.

#### Statutory Notes and Related Subsidiaries

##### INDIAN RESERVATION DRINKING WATER PROGRAM

Pub. L. 115-270, title II, § 2001, Oct. 23, 2018, 132 Stat. 3840, as amended by Pub. L. 117-58, div. E, title I, § 50111, Nov. 15, 2021, 135 Stat. 1152, provided that: