



# National Solutions *for* Local Water Challenges

**As representatives of the nation's drinking water, wastewater, water reuse, and stormwater sectors, we appreciate the tremendous support Congress and the Administration have provided in recent years to assist communities across the U.S. striving to rehabilitate and upgrade their critical water infrastructure in an affordable manner.**

A strong, sustained commitment from the federal government is essential to building on this progress and to help communities both large and small, urban and rural meet increasingly complex water challenges related to:

- Managing aging infrastructure, as well as escalating operation and maintenance costs, supply chain disruptions, and workforce shortages;
- Addressing growing water quality impairments and regulations such as for per- and polyfluoroalkyl substances (PFAS), emerging contaminants, and nutrients; and
- Ensuring proper climate adaptation and system resiliency as well as security measures are in place.

Congress and the Administration can further assist communities by implementing the following tools, policies, and resources needed to ensure they can continue to fulfill their core mission of protecting public health and the environment while supporting local economic growth.

## Build Upon Critical Investments in Water Infrastructure

The Infrastructure Investment & Jobs Act (IIJA) provided the most substantial federal investment in water infrastructure in decades. Many of the investments for core federal water programs, however, were provided through authorizations and still require annual Congressional appropriations before dollars can be put to work in communities.

- It is vital that for Fiscal Year 2024 (FY24), Congress appropriates the full authorized funding levels for water, wastewater, stormwater, and water recycling programs so local utilities and their customers have the resources to affordably invest in water infrastructure and meet their federal regulatory obligations.

## Protect the Public from Per- and Polyfluoroalkyl Substances (PFAS)

The water sector strongly supports source control as a critical first step to reducing PFAS entering water systems and the environment, along with advancing the state of the science on PFAS risks – which is essential to developing proper regulatory standards to best protect public health. We also strongly support a true “polluter pays” model where those who produced and profited from PFAS pollution bear the necessary liability and costs of its remediation – not the public.

As such, the water sector has significant concerns about the unfair and significant costs and liabilities that EPA's proposed rule to designate two PFAS chemicals, PFOA and PFOS, as hazardous substances under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) will place onto local communities.

- It is imperative that Congress exempt drinking water, wastewater, water recycling, stormwater utilities, and their treatment technology providers from CERCLA liability relating to PFAS cleanups, and instead adopt measures to place those costs on the responsible polluters.
- Congress must also provide EPA and other federal agencies with adequate resources to conduct and advance PFAS research and risk assessments, as well as implement PFAS source-control measures and standards.

## Support Workable Build America, Buy America Requirements

Water infrastructure projects often rely on specific products and technologies to meet system requirements or regulatory compliance standards, and substitutions may not be readily available. When implementing the new domestic preference procurement requirements for construction materials and manufactured products, it is critical to consider these realities unique to the water sector, as well as near-term challenges that infrastructure projects currently face such as inflation, workforce shortages, and supply chain disruptions.

Protecting public health and the environment, while maintaining affordable user rates, requires the flexibility to source the most cost-effective materials and technologies through a waiver process that does not burden applicants nor create costly delays of critical projects.

## Invest in Water Affordability

Millions of American households in both urban and rural communities continue to struggle to pay their water and sewer bills. At the same time, countless disadvantaged communities struggle to make needed investments while keeping rates affordable.

- Congress must ensure long-term viability of a permanent low-income water customer assistance program; and
- Provide oversight of EPA's actions to address affordability concerns.

## Advance Regulatory Flexibility and Reform

Local communities are facing growing regulatory compliance costs and are dealing with increasingly complicated water quality issues.

- Advancing targeted regulatory reforms and policy flexibilities is essential to helping communities alleviate escalating costs and affordability challenges, while still leading to the same high levels of public health and environmental protection.

## Advance Water Research

Water research is helping solve some of the most pressing challenges for the water sector, such as aging infrastructure, emerging contaminants, extreme weather, water scarcity, and significant shifts in population. Research and development aimed at finding cost-effective solutions to these challenges not only creates more resilient and effective water systems, but also creates new jobs and supports thriving communities nationwide. These solutions also result in improved public health and safety and promote equitable solutions throughout the country. Continued federal support and funding for water research programs is vital to helping communities and utilities.

## Protect Pipes from Wipes

Improper flushing of wipes can cause sewer pipe blockages, damage to utility equipment, and create health and safety risks to water professionals who must remove them. Congress should require Do Not Flush labeling on non-flushable wipes packaging and give federal agencies the authority to require that wipes marketed as "flushable" adequately disintegrate like toilet paper when flushed.

## Provide Tax Credits to Encourage Sustainable Water Systems

Energy generation, agricultural production, and other industrial operations account for the vast majority of water consumed in the United States each year. Few incentives exist to support the sustainable management of water in the private sector.

- Congress should establish tax credits to help industry use water sustainably, including through the adoption of water recycling technologies and systems.

## 2023 Water Week Partners



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