

H.R. 1262, THE “WATER QUALITY INVESTMENT ACT OF 2009”

March 4, 2009

H.R. 1262, the “Water Quality Investment Act of 2009”, renews the Federal commitment to addressing our nation’s substantial needs for wastewater infrastructure by investing **\$18.7 billion** over five years in wastewater infrastructure and other efforts to improve water quality. H.R. 1262 increases investment in wastewater infrastructure, reduces the cost of constructing and maintaining that infrastructure, and promotes energy- and water-efficiency improvements to publicly owned treatment works to reduce the potential long-term operation and maintenance costs of the facility.

Specifically, H.R. 1262:

- Authorizes \$13.8 billion in Federal grants over five years to capitalize Clean Water State Revolving Funds (“Clean Water SRFs”). These funds provide low-interest loans and additional loan subsidizations (e.g., principal forgiveness and negative interest loans) to communities for wastewater infrastructure.
- Renews and enhances the requirement that contractors on treatment works projects constructed with any assistance from the Clean Water SRFs will be paid not less than prevailing wages, as determined under the Davis-Bacon Act.
- Re-establishes and enhances the applicability of the Buy America provisions for the construction of treatment works projects funded pursuant to the Clean Water Act.
- Provides additional subsidies, including principal forgiveness and negative interest loans, for communities that meet a state’s affordability criteria, for individual ratepayers that will experience significant hardship from potential rate increases, and for projects that will achieve water-efficiency goals, energy-efficiency goals, stormwater runoff mitigation, or environmentally sensitive project planning, design, and construction.
- Authorizes extended repayment periods (up to 30 years).
- Authorizes technical assistance to rural and small communities to assist them in gaining access to financing wastewater infrastructure.
- Authorizes grants to owners and operators of treatment works to conduct energy and water audits of local treatment operations, and to evaluate opportunities for energy and water conservation.
- Encourages communities to consider alternative and innovative processes, materials, and technologies (including “green infrastructure”) that maximize the potential for efficient water use, reuse, and conservation, and energy conservation.
- Encourages long-term asset management planning and financing that will ensure sustainable systems and the potential to reduce overall capital and operation and maintenance costs.

- Establishes water quality benefits as the primary criterion for determining which projects receive funding, and encourages watershed approaches to solving water quality problems, as well as traditional infrastructure improvements
- Authorizes \$250 million over five years for alternative water sources projects under section 220 of the Clean Water Act.
- Authorizes \$1.8 billion over five years for sewer overflow control grants under section 221 of the Clean Water Act.
- Requires owners and operators of publicly owned treatment works to monitor for, and provide timely notification of sewer overflows to Federal and state agencies, public health officials, and the public.
- Authorizes \$750 million over five years for projects to remediate contaminated sediment in the Great Lakes Areas of Concern.

The vast majority of the provisions contained in H.R. 1262, the “Water Quality Investment Act of 2009”, were passed by the House of Representatives in the 110th Congress by significant, bipartisan majorities:

- H.R. 720, the “Water Quality Financing Act of 2007” – passed by the House on March 9, 2007, by a vote of 303 to 109.
- H.R. 569, the “Water Quality Investment Act of 2007” – passed by the House on March 7, 2007, by a vote of 367 to 58.
- H.R. 700, the “Healthy Communities Water Supply Act of 2007” – passed by the House on March 8, 2007, by a vote of 368 to 59.
- H.R. 2452, the “Sewage Overflow Community Right-to-Know Act” – passed by the House on June 23, 2008, by voice vote.
- H.R. 6460, the “Great Lakes Legacy Reauthorization Act of 2008” – passed by the House on September 28, 2008, by a vote of 411 to 9.