

*SEC. 2013. Community water system risk and resilience.*

*(a) In general.—Section 1433 of the Safe Drinking Water Act ([42 U.S.C. 300i-2](#)) is amended to read as follows:*

*“SEC. 1433. Community water system risk and resilience.*

*“(a) Risk and resilience assessments.—*

*“(1) IN GENERAL.—Each community water system serving a population of greater than 3,300 persons shall conduct an assessment of the risks to, and resilience of, its system. Such an assessment—*

*“(A) shall include an assessment of—*

*“(i) the risk to the system from malevolent acts and natural hazards;*

*“(ii) the resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system;*

*“(iii) the monitoring practices of the system;*

*“(iv) the financial infrastructure of the system;*

*“(v) the use, storage, or handling of various chemicals by the system; and*

*“(vi) the operation and maintenance of the system; and*

*“(B) may include an evaluation of capital and operational needs for risk and resilience management for the system.*

*“(2) BASELINE INFORMATION.—The Administrator, not later than August 1, 2019, after consultation with appropriate departments and agencies of the Federal Government and with State and local governments, shall provide baseline information on malevolent acts of relevance to community water systems, which shall include consideration of acts that may—*

*“(A) substantially disrupt the ability of the system to provide a safe and reliable supply of drinking water; or*

*“(B) otherwise present significant public health or economic concerns to the community served by the system.*

*“(3) CERTIFICATION.—*

*“(A) CERTIFICATION.—Each community water system described in paragraph (1) shall submit to the Administrator a certification that the system has conducted an assessment complying with paragraph (1). Such certification shall be made prior to—*

*“(i) March 31, 2020, in the case of systems serving a population of 100,000 or more;*

*“(ii) December 31, 2020, in the case of systems serving a population of 50,000 or more but less than 100,000; and*

*“(iii) June 30, 2021, in the case of systems serving a population greater than 3,300 but less than 50,000.*

*“(B) REVIEW AND REVISION.—Each community water system described in paragraph (1) shall review the assessment of such system conducted under such paragraph at least once every 5 years after the applicable deadline for submission of its certification under subparagraph (A) to determine whether such assessment should be revised. Upon completion of such a review, the community water system shall submit to the Administrator a certification that the system has reviewed its assessment and, if applicable, revised such assessment.*

*“(4) CONTENTS OF CERTIFICATIONS.—A certification required under paragraph (3) shall contain only—*

*“(A) information that identifies the community water system submitting the certification;*

*“(B) the date of the certification; and*

*“(C) a statement that the community water system has conducted, reviewed, or revised the assessment, as applicable.*

*“(5) PROVISION TO OTHER ENTITIES.—No community water system shall be required under State or local law to provide an assessment described in this section (or revision thereof) to any State, regional, or local governmental entity solely by reason of the requirement set forth in paragraph (3) that the system submit a certification to the Administrator.*

*“(b) Emergency response plan.—Each community water system serving a population greater than 3,300 shall prepare or revise, where necessary, an emergency response plan that incorporates findings of the assessment conducted under subsection (a) for such system (and any revisions thereto). Each community water system shall certify to the Administrator, as soon as reasonably possible after the date of enactment of America’s Water Infrastructure Act of 2018, but not later than 6 months after completion of the assessment under subsection (a), that the system has completed such plan. The emergency response plan shall include—*

*“(1) strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;*

“(2) plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;

“(3) actions, procedures, and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes, and construction of flood protection barriers; and

“(4) strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

“(c) *Coordination.*—Community water systems shall, to the extent possible, coordinate with existing local emergency planning committees established pursuant to the Emergency Planning and Community Right-To-Know Act of 1986 ([42 U.S.C. 11001 et seq.](#)) when preparing or revising an assessment or emergency response plan under this section.

“(d) *Record maintenance.*—Each community water system shall maintain a copy of the assessment conducted under subsection (a) and the emergency response plan prepared under subsection (b) (including any revised assessment or plan) for 5 years after the date on which a certification of such assessment or plan is submitted to the Administrator under this section.

“(e) *Guidance to small public water systems.*—The Administrator shall provide guidance and technical assistance to community water systems serving a population of less than 3,300 persons on how to conduct resilience assessments, prepare emergency response plans, and address threats from malevolent acts and natural hazards that threaten to disrupt the provision of safe drinking water or significantly affect the public health or significantly affect the safety or supply of drinking water provided to communities and individuals.

“(f) *Alternative preparedness and operational resilience programs.*—

“(1) **SATISFACTION OF REQUIREMENT.**—A community water system that is required to comply with the requirements of subsections (a) and (b) may satisfy such requirements by—

“(A) using and complying with technical standards that the Administrator has recognized under paragraph (2); and

“(B) submitting to the Administrator a certification that the community water system is complying with subparagraph (A).

“(2) **AUTHORITY TO RECOGNIZE.**—Consistent with section 12(d) of the National Technology Transfer and Advancement Act of 1995, the Administrator shall recognize technical standards that are developed or adopted by third-party organizations or voluntary consensus standards bodies that carry out the objectives or activities required by this section as a means of satisfying the requirements under subsection (a) or (b).



SEC. 2018. Source water.

(a) Addressing source water used for drinking water.—Section 304 of the Emergency Planning and Community Right-To-Know Act of 1986 ([42 U.S.C. 11004](#)) is amended—

(1) in subsection (b)(1), by striking “State emergency planning commission” and inserting “State emergency response commission”; and

(2) by adding at the end the following new subsection:

“(e) Addressing source water used for drinking water.—

“(1) APPLICABLE STATE AGENCY NOTIFICATION.—A State emergency response commission shall—

“(A) promptly notify the applicable State agency of any release that requires notice under subsection (a);

“(B) provide to the applicable State agency the information identified in subsection (b)(2); and

“(C) provide to the applicable State agency a written followup emergency notice in accordance with subsection (c).

“(2) COMMUNITY WATER SYSTEM NOTIFICATION.—

“(A) IN GENERAL.—An applicable State agency receiving notice of a release under paragraph (1) shall—

“(i) promptly forward such notice to any community water system the source waters of which are affected by the release;

“(ii) forward to the community water system the information provided under paragraph (1)(B); and

“(iii) forward to the community water system the written followup emergency notice provided under paragraph (1)(C).

“(B) DIRECT NOTIFICATION.—In the case of a State that does not have an applicable State agency, the State emergency response commission shall provide the notices and information described in paragraph (1) directly to any community water system the source waters of which are affected by a release that requires notice under subsection (a).

“(3) DEFINITIONS.—In this subsection:

“(A) COMMUNITY WATER SYSTEM.—The term ‘community water system’ has the meaning given such term in section 1401(15) of the Safe Drinking Water Act.

**“(B) APPLICABLE STATE AGENCY.**—*The term ‘applicable State agency’ means the State agency that has primary responsibility to enforce the requirements of the Safe Drinking Water Act in the State.*”.

(b) *Availability to community water systems.*—Section 312(e) of the Emergency Planning and Community Right-To-Know Act of 1986 ([42 U.S.C. 11022\(e\)](#)) is amended—

(1) in paragraph (1), by striking “State emergency planning commission” and inserting “State emergency response commission”; and

(2) by adding at the end the following new paragraph:

**“(4) AVAILABILITY TO COMMUNITY WATER SYSTEMS.**—

**“(A) IN GENERAL.**—*An affected community water system may have access to tier II information by submitting a request to the State emergency response commission or the local emergency planning committee. Upon receipt of a request for tier II information, the State commission or local committee shall, pursuant to paragraph (1), request the facility owner or operator for the tier II information and make available such information to the affected community water system.*

**“(B) DEFINITION.**—*In this paragraph, the term ‘affected community water system’ means a community water system (as defined in section 1401(15) of the Safe Drinking Water Act) that receives supplies of drinking water from a source water area, delineated under section 1453 of the Safe Drinking Water Act, in which a facility that is required to prepare and submit an inventory form under subsection (a)(1) is located.*”.