



**A Summary of EPN's All-Hands Call:  
What the Bipartisan Infrastructure Bill  
Means for EPA  
Friday, November 19, 2021**

**David Coursen** gave an overview of the three pieces of EPA's budget, which include:

1. the agency's annual appropriation,
2. the Bipartisan Infrastructure Bill (BIB) which passed with 18 GOP votes in the Senate & 13 in the House, and
3. the Build Back Better (BBB) act (which passed the House, but not yet the Senate)

EPA's annual appropriation of \$11.2 B as outlined in the proposed congressional FY2022 budget, has not been enacted yet because the government is still running on a continuing resolution. The BIB, signed by President Biden, will provide \$550B of new infrastructure investment over five years. \$61B of that money will go to EPA, presenting some opportunities and challenges for the agency. If passed, the current version of BBB would provide roughly \$70 billion in EPA funding over a 10 year span, with a lot of it directed towards environmental justice (EJ) programs and another \$10 billion to federal agencies other than EPA to clean up Superfund sites.

Many elements of the BIB will help EJ communities, particularly language specifying that 49% of the new funding be used for grants and/or loans with 100% forgiveness. Often EJ communities do not have sufficient income to participate in programs that provide loans that must be repaid.. This helps. The BIB adds \$23B to existing state revolving funds (SRFs) for wastewater and drinking water; \$15B to replace lead drinking water service lines; and \$10B for emerging contaminants (PFAS). There is also \$5B for zero-emission school buses. Some of these will require EPA to create new programs from scratch. The BIB also boosts EPA's Superfund & Brownfields program by \$5B. This will likely have positive impacts in low-income communities saddled with contaminated/abandoned hazardous waste sites.

**Carl Reeverts** focused on the \$15 billion lead pipe replacement program in the Bipartisan Infrastructure Bill and how it supports EPA's [Lead and Copper Rule \(LCR\) review](#). The agency's decision on the LCR is to be made by December 16, 2021. EPA's role in lead pipe replacement began with the first LCR in 1991. Much has been done and much has been learned. EPA requires water systems to test household drinking water for both lead and copper contaminants. They must notify users if 10% of samples exceed the 15 parts per billion EPA "trigger." The first line of defense is corrosion control (altering water system chemistry /pH to prevent lead/copper leaching out of pipes). The "permanent" (but expensive) fix is replacing lead piping. The estimated cost for 10 million US homes to replace lead pipes is \$45 billion. The BIB provides \$15B, a first step. The BBB package will add \$30 billion more if it passes.

The new BIB provision is providing unprecedented support. However, lead line replacement is a monstrous challenge--finding the lines, especially in small systems, and working with multiple levels of government on replacements.

**Jeremy Symons** provided a larger context for the BIB. EPA's piece of the infrastructure bill is part of the much larger bill, with many pieces for other agencies related to the work that EPA does. There's money for states on electric vehicles and batteries, public transit, abandoned mine and oil well reclamation, nuclear and hydrogen energy, and carbon capture and storage.

These three spending bills present a significant additional amount of money for EPA to disperse. The BIB, as passed, provides \$60 billion over five years. Although the BBB Act and EPA annual appropriations are still being negotiated, the House-passed version of BBB would provide EPA with roughly \$70 billion over ten years and the Senate and House annual EPA appropriations bills would increase EPA's annual funding by more than \$1.5 billion.

The Senate still needs 60 votes for the budget to pass *[note added on December 3rd: a continuing resolution has now passed]*, and if Republicans force another continuing resolution, it may lock EPA funding at Trump-levels for the foreseeable future. Even with additional money coming in from infrastructure and perhaps BBB legislation, EPA may need additional core capacity.

If you would like a recording of the meeting, please email [Michelle Montoya](#).

#### **\*Bios**

**Dave Coursen** is an expert in the Clean Air Act, Environmental Justice, and Constitutional and Administrative Law. He formerly served in the EPA Office of General Counsel. David serves as the lead of EPN's budget and appropriations team.

**Carl Reeverts** was former Project Manager of the Infrastructure Branch in the EPA Office of Ground Water and Drinking Water, as well as the Deputy Director of the Drinking Water Protection Division. He also leads EPN's Drinking Water Team.

**Jeremy Symons** is an environmental consultant and policy advisor. Recently, he was the Project Manager for Resetting the Course of EPA and the Climate 21 project. He was Senior Advisor to EDF Action and Vice President for Climate Political Affairs at Environmental Defense Fund. Previously, he served as Deputy Staff Director for the U.S. Senate Committee on Environment and Public Works and as Senior Vice President at the National Wildlife Federation. He worked as a Climate Policy Advisor at EPA Office of Air and Radiation.