Clean Water and Drinking Water State Revolving Funds

AND THE BIPARTISAN INFRASTRUCTURE LAW

PRESENTATIONS BY:
State Revolving Funds Overview

What are the SRFs?

The Clean Water State Revolving Fund (CWSRF) is a federal-state program that provides funding and financing to wastewater and storm water systems for a wide range of infrastructure projects.

The Drinking Water State Revolving Fund (DWSRF) is a federal-state program that provides funding and financing to public water systems for a wide range of drinking water infrastructure projects and activities.

What is their purpose?

To provide government assistance that is intended to reduce the cost of critical public health and environmental infrastructure.
How do the SRFs work?

- Congress appropriates funding to EPA for the SRF programs. EPA then awards capitalization grants (i.e., seed money) to each state.

- For most appropriations, states provides a 20 percent match to those capitalization grants.

- States then provide below-market rate loans and other authorized assistance to eligible recipients (e.g., water and wastewater systems) for water infrastructure projects. Loan terms are typically 20-30 years.
State Revolving Funds Overview

How do the SRFs work?

• States **disburse SRF funds** to those eligible recipients on construction costs that are incurred.

• Recipients **repay their loans** back into the state’s SRF.

• The state SRFs use these “**recycled” funds** to make additional loans, and the “revolving” cycle continues.
State Revolving Funds Overview
### State Revolving Fund Roles

#### EPA’S ROLE

EPA sends the money appropriated annually by Congress to each state’s CWSRF and DWSRF. This is called a **capitalization grant**.

EPA provides grant terms and conditions, guidance, and program oversight to the states.

EPA provides support to the states and performs an annual SRF review to ensure federal funds are utilized as intended by Congress.

#### STATE’S ROLE

States design SRF programs to **reflect the needs of their states** and authorizations given to them by Congress.

They accept applications, score and **rank projects**, and select projects for **funding**.

Usually, States must match 20% of EPA’s annual contribution.

The BIL reduced or removed this requirement to make it easier for the state to access the federal funds.

#### COMMUNITIES’ ROLE

Become involved in states’ SRF public review process, understand program eligibilities, and apply for funding from the state SRF.
Eligibility

Who is eligible to use the CWSRF?

• Municipalities, intermunicipal, interstate, or state agencies.
• Nonprofit entities*
• Private, for-profit entities*
• Watershed groups*
• Community groups*
• Homeowner's associations*
• Individuals*

Who is eligible to use the DWSRF?

• Public or private* community water systems
  • A system serving at least 15 service connections used by year-round residents, or regularly serves at least 25 year-round residents
• Nonprofit non-community water systems
  • Including schools, publicly-owned campgrounds, parks, churches

*Some states do not fund private systems/private entities and private entities are only eligible for specific project financing under the CWSRF.
What types of projects can be funded by the CWSRF?

- **Construction of publicly owned treatment works**: Projects include, primary and secondary treatment, advanced treatment, sewer system repair and replacement, CSO correction, resiliency, and security.

- **Nonpoint source projects**: Projects that implement a state’s nonpoint source management plan, such as agricultural best management practices, streambank restoration, etc.

- **National estuary program projects**: Projects that implement a National Estuary Program Comprehensive Conservation and Management Plan, such as wetlands restoration and living shorelines.

- **Decentralized wastewater treatment systems**: Repair, replacement, or upgrade of decentralized wastewater treatment systems (i.e., septic tanks).

- **Stormwater**: Gray and green infrastructure to address water quality impacts of stormwater runoff.

- **Water conservation and efficiency**: Projects that reduce the demand for publicly owned treatment works’ (POTW) capacity through reduced water consumption.

What types of projects can be funded by the DWSRF?

• **Treatment:** Projects to install or upgrade facilities to improve drinking water quality to comply with drinking water regulations

• **Transmission and distribution:** Rehabilitation, replacement, or installation of pipes to improve water pressure to safe levels or to prevent contamination caused by leaky or broken pipes, including lead service line replacement

• **Source:** Rehabilitation of wells or development of eligible sources to replace contaminated sources

• **Storage:** Installation or upgrade of finished water storage tanks to prevent microbiological contamination from entering the distribution system

• **Consolidation:** Interconnecting two or more water systems

• **Creation of new systems:** Construct a new system to serve homes with contaminated individual wells or consolidate existing systems into a new regional water system

• **Planning and design:** For all project types listed above.

MA CWSRF: By the numbers (CWNIMS)

- Years Active: **34**
- Total Capitalization Grants Awarded: **$1.727B**
- Loan Agreement Signed to Date: **1,732**
- Address Nonpoint Sources of Pollutions: **$228.5M**
- Total Additional Subsidy Provided: **$190.2M**
- Billions in Projects Funded: **$6.9B**
- Billions in Project Disbursements: **$6.3B**
MA DWSRF: By the numbers (DWNIMS)

Years Active: 25
Total Capitalization Grants Awarded: $628.2M
Loan Agreements Signed To Date: 529
Total Additional Subsidy Provided: $105M
Billions in Projects Funded: $2.3B
Billions in Project Disbursements: $2B
What size loan can be issued under the SRF?

Nationally in 2021, loan sizes ranged from:

$8,400 (DW) or $2,400 (CW)

to

$183,000,000 (DW) and $285,000,000 (CW)
What are the benefits of using the SRFs?

• **Very low-cost financing**
  - Interest is typically charged at half the market rate, saving communities hundreds of thousands of dollars
  - Potential availability of “additional subsidy,” which is grant-like funds

• **Extended loan terms**
  - Can go up to 30 years
  - Repayments begin up to 12 months (or 18 months for DWSRF) after construction completion

• **Serves diversity of communities** of all sizes and socioeconomic status

• **Wide range** of project dollar sizes

• **Funding** can be **paired with other sources**, including WIFIA, USDA-Rural Development, and FEMA
Bipartisan Infrastructure Law (BIL)
Bipartisan Infrastructure Law (BIL)

- Signed by President Biden on **November 15, 2021**.
- **Historic investment** in key programs and initiatives implemented by the U.S. Environmental Protection Agency to build safer, healthier, cleaner communities.
- Includes **$50 billion to the EPA** to strengthen the nation’s drinking water and wastewater systems – the single largest investment in water that the federal government has ever made.
- Approximately **$43.4B** of this funding through the existing CWSRFs and DWSRFs.
BIL Implementation Key Priorities

- **Increased investment** in disadvantaged communities
- Make **rapid progress** on lead service line replacement
- Address **PFAS and emerging contaminants**
- Support projects addressing **climate resilience**
- Support **American workers** through prevailing wage laws
- Cultivate **domestic manufacturing**
Increased Investment in Disadvantaged/Affordability Communities

49% of the DWSRF General Supplemental and DWSRF Lead Service Line Replacement funds are to be provided as grants/forgivable loans to disadvantaged communities

25% of the DWSRF Emerging Contaminant funds are to be provided as grants/forgivable loans to disadvantaged communities or PWS serving fewer than 25,000 persons

49% of the CWSRF General Supplemental funds are to be provided as grants/forgivable loans to communities meeting the state’s affordability criteria
## Available SRF Funding in the BIL

<table>
<thead>
<tr>
<th>Appropriation</th>
<th>FY 2022 ($)</th>
<th>FY 2023 ($)</th>
<th>FY 2024 ($)</th>
<th>FY 2025 ($)</th>
<th>FY 2026 ($)</th>
<th>Five Year Total ($)</th>
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<tr>
<td>CWSRF General Supplemental</td>
<td>1,902,000,000</td>
<td>2,202,000,000</td>
<td>2,403,000,000</td>
<td>2,603,000,000</td>
<td>2,603,000,000</td>
<td><strong>11,713,000,000</strong></td>
</tr>
<tr>
<td>CWSRF Emerging Contaminants</td>
<td>100,000,000</td>
<td>225,000,000</td>
<td>225,000,000</td>
<td>225,000,000</td>
<td>225,000,000</td>
<td><strong>1,000,000,000</strong></td>
</tr>
<tr>
<td>DWSRF General Supplemental</td>
<td>1,902,000,000</td>
<td>2,202,000,000</td>
<td>2,403,000,000</td>
<td>2,603,000,000</td>
<td>2,603,000,000</td>
<td><strong>11,713,000,000</strong></td>
</tr>
<tr>
<td>DWSRF Emerging Contaminants</td>
<td>800,000,000</td>
<td>800,000,000</td>
<td>800,000,000</td>
<td>800,000,000</td>
<td>800,000,000</td>
<td><strong>4,000,000,000</strong></td>
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<tr>
<td>DWSRF Lead Service Line Replacement</td>
<td>3,000,000,000</td>
<td>3,000,000,000</td>
<td>3,000,000,000</td>
<td>3,000,000,000</td>
<td>3,000,000,000</td>
<td><strong>15,000,000,000</strong></td>
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</table>
CWSRF Funding in the BIL: Overview

$12,713,000,000

The amount the EPA is making in additional capitalization grants available nationally to the state CWSRFs over the next five years.

- Most of this money may fund any project eligible under the CWSRF; some funding is targeted towards projects focused on “emerging contaminants.”
- States have the authority to waive repayment on some of this new funding (e.g., forgive some or all the loan’s principal or provide grants).
DWSRF Funding in the BIL: Overview

$30,713,000,000

The amount the EPA is making in additional capitalization grants (i.e., seed funding) available to the state DWSRFs over the next five years.

- Some of this money may fund any project eligible under the DWSRF; some funding is targeted towards projects focused on PFAS and “emerging contaminants;” some funding is targeted towards the identification and replacement of lead service lines.

- States have the authority to waive repayment on some of this new funding (e.g., forgive some or all the loan’s principal or provide grants).
## FY22 BIL Funding for MA

<table>
<thead>
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<th>Appropriation</th>
<th>FY 2022 ($)</th>
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</thead>
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<tr>
<td>CWSRF General Supplemental</td>
<td>60,428,000</td>
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<tr>
<td>CWSRF Emerging Contaminants</td>
<td>3,175,000</td>
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<tr>
<td>DWSRF General Supplemental</td>
<td>41,750,000</td>
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<tr>
<td>DWSRF Emerging Contaminants</td>
<td>17,531,000</td>
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<tr>
<td>DWSRF Lead Service Line Replacement</td>
<td>65,783,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td><strong>188,667,000</strong></td>
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</tbody>
</table>
How can communities help implement the BIL?

• **Share ideas** for getting SRF funding to communities with environmental justice concerns and to achieve goals such as reducing lead and building climate resiliency.

• **Provide recommendations** for what type of technical assistance would be most productive to help communities prepare and apply for SRF assistance.

• **Develop capital development plans** to address critical infrastructure needs.

• **Work early** with your state to get projects on the **Intended Use Plan**.

• **Participate in state public participation process** for developing SRF Intended Use Plans.

• **Identify avenues and forums** to educate, engage, and receive feedback from local officials on implementation of BIL drinking water, wastewater and stormwater funding.
How do I apply for SRF funding?

Develop your plans and identify needs.

• Develop a capital improvement plan.
• State SRFs may provide planning and development assistance.

Engage with your state SRF program.

• Each state has a process and timeline for applications.
• Discuss funding options (SRF base, SRF BIL, state funding, etc.) to build a plan for your community.

Build an ongoing relationship with the state SRF.

• BIL funds are over FY 2022-2026.
• Base SRF programs are ongoing.
State Revolving Fund Federal Infrastructure Funding Virtual Briefing

MARIA PINAUD
Director, Division of Municipal Services
Massachusetts Department of Environmental Protection
MassDEP’s Role in SRFs

- Project Selection
- Project Oversight
- SRF Program Compliance
- Project Closeout

MassDEP Role in SRF
**Project Selection Criteria**

**PROBLEM DEFINITION IS PARAMOUNT**

Does this project mitigate...

**Public Health Impacts**
- Exposures
- Frequency
- Seriousness

**Environmental Impacts**
- Resource(s) Affected
- Frequency
- Seriousness

**Priority Project Categories**
- Lead Service Line Replacement
- PFAS Remediation
- Combined Sewer Overflow Control
Project Selection Criteria

Planning for the Project
• Needs analyzed
• Options evaluated
• Recommended option selected

Project Effectiveness
• Protects public health
• Achieves compliance or reduction in violations
• Restoration of designated use
• Protects resources/prevents resource impacts
• Cost effective

DEP Considerations
• Enforcement orders
• Regional solutions
• Energy efficiency/renewables/BMPs
• Innovative approaches
• Program priorities
• EJ Communities

Principal Forgiveness
• Affordability criteria & 3-tier system
• Renewable energy
SRF is a marathon – not a sprint!

**APPLYING FOR SRF FINANCING**

Proposal Submissions → Project Ranking → Draft IUP Published → Public Comment Period & Public Hearing → Final IUP Published

**READINESS TO PROCEED**

Secure Funding at Town Meeting → Submit Loan Application & Plans/Specs

**BIDDING & CONSTRUCTION**

Bid Solicitation → Begin Construction

**SRF ADMINISTRATION**

MassDEP oversees project implementation & MCWT manages funds/loans

**REPAYMENT**

MCWT sends debt service schedules (Two payments per year for term length of loan)
MassDEP Division of Municipal Services reviews applications for:

- Local Borrowing Authorization
- Project Plans & Specifications
- Required Permits (as necessary)
- Federal Cross-Cutter Requirements
- Compliance with Public Bidding Laws
Project Oversight - Construction

- Assess progress
- Provide compliance assistance
- Authorize payment appropriate to work completed
- Address change orders as necessary
- Inspect for compliance with American Iron and Steel Requirement/BABAA
- Ascertain posted wage rates as per Prevailing Wage Law
- At 90% completion initiate process project closeout, conduct final inspection, authorize final payment

MassDEP Division of Municipal Services visit project sites during construction to...
State Revolving Fund Loan Process

The SRF financing process can take up to two years, depending on the community and project, from the initial project proposal to funding being disbursed. MassDEP staff will provide assistance to the community from application submission to project completion.

1. Project Proposals Accepted Between July - August 2022
2. Final Intended Use Plan Publication January 2023
3. Town Meeting/City Council Vote June 30, 2023
4. Loan Application Deadline October 13, 2023
5. Loan Commitment Deadline December 31, 2023
6. Project Bidding Timeframe between January 1 - June 30, 2024
7. Contract Award Deadline for Loan Forgiveness June 2024
8. Loan Agreements Approved and Executed
9. Project Funding Begins
10. Loan Repayment Could Begin Once 50% Project Funds Drawn
Accessing Supplemental Federal Funding

Application Submitted

July 2022

July 2023

July 2024

July 2025

IUP

2023

2024

2025

2026

Funding Begins

Spring 2024

Spring 2025

Spring 2026

Spring 2027
The Massachusetts Clean Water Trust

UPDATES ON FINANCING OPPORTUNITIES
Advantages of Borrowing through the Trust

Fixed Low-Interest Rates
- These rates are established by law and offer a stable planning tool for communities.
- Loans with a 20-year term will have an interest rate of 2%
- Loans with a term over 20 years will generally have an interest rate of 2.4%
- Certain projects qualify for reduced or 0% interest

Interim Loans (Construction Loans)
- The Trust offers interim loans with no fees or interest. These loans allow for one-stop financing through the Trust.

Flexible Repayment Terms
- Loans can be financed up to 30 years.

Disadvantaged Communities Additional Subsidy (Loan Forgiveness)
- The Trust uses a percentage of its annual grant and state funding as additional subsidy each year. This subsidy comes in the form of loan forgiveness to disadvantaged communities.
- Eligibility is determined by an annual affordability calculation – which ranks communities into affordability tiers. The amount of loan forgiveness is based on a community’s affordability tier.

<table>
<thead>
<tr>
<th>Disadvantaged Community Tiers</th>
<th>Tiers by Adjusted Per Capita Income (APCI) Range</th>
<th>CW Loan Forgiveness %</th>
<th>DW Loan Forgiveness %</th>
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</thead>
<tbody>
<tr>
<td>Tier 1</td>
<td>APCI more than 80% but less than 100% of the State APCI</td>
<td>3.3%</td>
<td>6.6%</td>
</tr>
<tr>
<td>Tier 2</td>
<td>APCI more than 60% but less than 80% of the State APCI</td>
<td>6.6%</td>
<td>13.2%</td>
</tr>
<tr>
<td>Tier 3</td>
<td>APCI less than 60% of the State APCI</td>
<td>9.9%</td>
<td>19.8%</td>
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</tbody>
</table>
2022 Disadvantaged Communities Map
Other Subsidy Programs Offered by the Trust

- **Asset Management Planning Grants**
  The grant program provides a 60% grant to assist communities with completing or updating asset management plans for wastewater, drinking water, stormwater utilities, or any combination of the three to ensure the operational integrity of the water utility.

- **Cape Cod & Islands Water Protection Trust Fund**
  The trust fund was created to help projects on Cape Cod utilize the tourist economy to raise revenue to pay for a portion of their wastewater loan from the Trust. Currently, the fund is providing 25% loan forgiveness for qualifying projects.

- **Housing Choice Loan Program**
  Communities that have achieved the “Housing Choice” designation under the Housing Choice Initiative will be eligible for an interest rate reduction up to .50% from the standard below market rate of 2% offered by the Trust.

- **0% Nutrient Enrichment Reduction Loans**
  This loan program is for CWSRF loans that are primarily intended to remediate or prevent nutrient enrichment of a surface water body or water supply which can cause environmental degradation of the surrounding water bodies.

- **0% Interest PFAS Mitigation Loans**
  Per- and polyfluoroalkyl substances (PFAS) are a family of chemicals that are classified as emerging contaminants and are known to cause health issues when found in drinking water. Projects that have the purpose of reducing PFAS in water below the established Maximum Contamination Level of 20 parts per trillion, are eligible for 0% interest loans.
Lead in Schools

**Sampling Program**


Contact Michael Celona

Michael Celona  
(617) 292-5674  
Michael.Celona@mass.gov

(2016-2018)

First in the nation school drinking water testing program utilizing **$2.75 million** from the Trust to sample public schools across the Commonwealth for lead and copper. Nearly **1,000** schools were sampled during this period.

(2019-Present)

Expanded funding from EPA allows MassDEP to expand sampling program to public and private childcare and early education facilities – limited to lead testing.

**School Water Improvement Grants (SWIG)**

[mass.gov/school-water-improvement-grants](http://mass.gov/school-water-improvement-grants)

Contact Jonathan Maple

Jonathan Maple  
(617) 367-9333 x 546  
SWIG@tre.state.ma.us

Pilot Round

Provided **$954,000** in grants to replace **318** water fountains in **128** schools in **37** school districts serving over **69,000** students.

Round 2

The Trust is offering up to **$2 million** in grants to public and private elementary schools, early education facilities and non-residential daycare facilities.

The Trust received nearly **$3 million** from EPA WIIN Grant to expand SWIG eligibility.
ARPA Funding and the Infrastructure Investment and Jobs Act
# Projects Receiving ARPA Grant Funds

## American Rescue Plan Act (ARPA) Funding

- Chapter 102 of the Acts of 2021 appropriated $100 million in ARPA funding to the Trust.
- $12.88 million is earmarked to specific projects, leaving $87.12 million to be distributed by the Trust.

<table>
<thead>
<tr>
<th>Project Type</th>
<th># of Projects</th>
<th>Project Costs</th>
<th>Eligible Subsidy</th>
<th>ARPA Funds Committed</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Disadvantaged Communities</td>
<td>All Other Communities</td>
<td>Total</td>
</tr>
<tr>
<td>Drinking Water SRF Projects</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PFAS Projects (1)</td>
<td>10</td>
<td>$46.9</td>
<td>$59.4</td>
<td>$106.3</td>
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<tr>
<td>Small Systems</td>
<td>2</td>
<td>16.8</td>
<td>---</td>
<td>16.8</td>
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<tr>
<td>All Other DW Projects</td>
<td>8</td>
<td>25.5</td>
<td>9.5</td>
<td>35.0</td>
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<tr>
<td>Total DWSRF Projects</td>
<td>20</td>
<td>89.2</td>
<td>---</td>
<td>158.1</td>
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<tr>
<td>Clean Water SRF Projects</td>
<td></td>
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<tr>
<td>CSO Projects</td>
<td>1</td>
<td>--</td>
<td>23.0</td>
<td>23.0</td>
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<tr>
<td>All Other CW Projects</td>
<td>31</td>
<td>446.2</td>
<td>34.4</td>
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<td>Total CWSRF Projects</td>
<td>32</td>
<td>446.2</td>
<td>57.4</td>
<td>503.6</td>
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<td>Combined Totals</td>
<td>52</td>
<td>$535.4</td>
<td>$126.3</td>
<td>$661.7</td>
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(1) Projects to remediate Per- and polyfluoroalkyl substances (PFAS). This ARPA subsidy will be paired with the Trust’s 0% interest rate PFAS program.
## 2021 Intended Use Plan Construction Projects

### MassDEP Region

<table>
<thead>
<tr>
<th>Region</th>
<th>2021 CWSRF</th>
<th>2021 DWSRF</th>
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</thead>
<tbody>
<tr>
<td></td>
<td># of Projects</td>
<td>Project Costs</td>
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<tr>
<td>Southeast Region</td>
<td>13</td>
<td>$252.1</td>
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<tr>
<td>Northeast Region</td>
<td>10</td>
<td>$120.0</td>
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<tr>
<td>Central Region</td>
<td>4</td>
<td>$62.4</td>
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<tr>
<td>Western Region</td>
<td>5</td>
<td>$69.1</td>
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### BIL Investment in Massachusetts*

<table>
<thead>
<tr>
<th>Year</th>
<th>CW Supplemental</th>
<th>CW PFAS</th>
<th>DW Supplemental</th>
<th>DW PFAS</th>
<th>DW Lead</th>
<th>Federal Grant Total</th>
<th>State Match Total</th>
<th>Total</th>
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<tr>
<td>2022</td>
<td>$60,428,000</td>
<td>$3,175,000</td>
<td>$41,750,000</td>
<td>$17,531,000</td>
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<td>2025</td>
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<td>$17,495,733</td>
<td>$65,610,000</td>
<td>$230,697,637</td>
<td>$28,079,280</td>
<td>$258,776,917</td>
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<td>2026</td>
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<td>$57,016,922</td>
<td>$17,495,733</td>
<td>$65,610,000</td>
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<td>$328,050,000</td>
<td>$1,079,265,519</td>
<td>$104,215,879</td>
<td>$1,183,481,398</td>
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*Numbers based on preliminary figures from EPA.*
Get in Touch

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Website
https://www.mass.gov/orgs/massachusetts-department-of-environmental-protection

Instagram
https://www.instagram.com/mass_dep/

Twitter
https://twitter.com/MassDEP
Resources

CWSRF Program
https://www.epa.gov/cwsrf

State CWSRF Contacts
https://www.epa.gov/cwsrf/state-cwsrf-program-contacts

DWSRF Program
https://www.epa.gov/dwsrf

State DWSRF Contacts
https://www.epa.gov/dwsrf/state-dwsrf-website-and-contacts

BIL
https://www.epa.gov/infrastructure
MassDEP Resources

- State Revolving Fund Program
- SRF Clean Water Program
- SRF Drinking Water Program
- Getting an SRF Loan
- MassDEP Water Grants & Loans
- Executive Office of Energy & Environmental Affairs Grants