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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Water Pollution Control Act with respect to the
scope of permits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. TAYLOR introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Federal Water Pollution Control Act with
respect to the scope of permits, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Confidence in Clean
5 Water Permits Act”.

6 **SEC. 2. CONFIDENCE IN CLEAN WATER PERMITS.**

7 (a) COMPLIANCE WITH PERMITS.—Section 402(k) of
8 the Federal Water Pollution Control Act (33 U.S.C.
9 1342(k)) is amended—

1 (1) by striking “(k) Compliance with” and in-
2 serting the following:

3 “(k) COMPLIANCE WITH PERMITS.—

4 “(1) IN GENERAL.—Subject to paragraph (2),
5 compliance with”; and

6 (2) by adding at the end the following:

7 “(2) SCOPE.—For purposes of paragraph (1),
8 compliance with the conditions of a permit issued
9 under this section shall be considered compliance
10 with respect to a discharge of—

11 “(A) any pollutant for which an effluent
12 limitation is included in the permit; and

13 “(B) any pollutant for which an effluent
14 limitation is not included in the permit that
15 is—

16 “(i) specifically identified as controlled
17 or monitored through indicator parameters
18 in the permit, the fact sheet for the per-
19 mit, or the administrative record relating
20 to the permit;

21 “(ii) specifically identified during the
22 permit application process as present in
23 discharges to which the permit will apply;
24 or

1 “(iii) whether or not specifically iden-
2 tified in the permit or during the permit
3 application process—

4 “(I) present in any waste
5 streams or processes of the point
6 source to which the permit applies,
7 which waste streams or processes are
8 specifically identified during the per-
9 mit application process; or

10 “(II) otherwise within the scope
11 of any operations of the point source
12 to which the permit applies, which
13 scope of operations is specifically iden-
14 tified during the permit application
15 process.”.

16 (b) TECHNICAL CORRECTIONS.—Section 402(l)(3) of
17 the Federal Water Pollution Control Act (33 U.S.C.
18 1342(l)(3)) is amended—

19 (1) in subparagraph (B)—

20 (A) by striking “section 402” and insert-
21 ing “this section”; and

22 (B) by striking “federal” and inserting
23 “Federal”; and

24 (2) in subparagraph (C)—

1 (A) by striking “Section” and inserting
2 “section”;

3 (B) by striking “402(p)(6)” and inserting
4 “subsection (p)(6)”;

5 (C) by striking “402(l)(3)(A),” and insert-
6 ing “subparagraph (A),”; and

7 (D) by striking “402(l)(3)(A).” and insert-
8 ing “such subparagraph.”.

9 (c) EXPRESSION OF WATER QUALITY-BASED EFFLU-
10 ENT LIMITATIONS.—Section 402 of the Federal Water
11 Pollution Control Act (33 U.S.C. 1342) is amended by
12 adding at the end the following:

13 “(t) EXPRESSION OF WATER QUALITY-BASED EF-
14 FLUENT LIMITATIONS.—If the Administrator (or a State,
15 in the case of a permit program approved by the Adminis-
16 trator) determines that a water quality-based limitation
17 on a discharge of a pollutant is necessary to include in
18 a permit under this section in addition to any appropriate
19 technology-based effluent limitations included in such per-
20 mit, the Administrator (or the State) may include such
21 water quality-based limitation in such permit only in the
22 form of a limitation that—

23 “(1) specifies the pollutant to which it applies;
24 and

1 “(2) clearly describes the manner in which com-
2 pliance with the limitation may be achieved, which
3 shall include—

4 “(A) a numerical limit on the discharge of
5 such pollutant; or

6 “(B) a narrative description of required ac-
7 tions (including any measures or practices re-
8 quired to be applied).”.