

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1581

To amend the Federal Water Pollution Control Act to provide for the modification of permitting requirements for discharges composed entirely of stormwater.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1993

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on Public Works and Transportation

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## A BILL

To amend the Federal Water Pollution Control Act to provide for the modification of permitting requirements for discharges composed entirely of stormwater.

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 “Stormwater Discharge  
5 Improvement and Pollution Prevention Act of 1993”.

6 **SEC. 2. STORMWATER DISCHARGES.**

7 Section 402(p) of the Federal Water Pollution Con-  
8 trol Act (33 U.S.C. 1342(p)) is amended by adding at the  
9 end the following new paragraph:

1           “(7) MODIFICATION OF PERMITTING REQUIRE-  
2           MENTS.—

3           “(A) IN GENERAL.—Not later than Octo-  
4           ber 1, 1997, the Administrator shall issue regu-  
5           lations modifying permit application require-  
6           ments established under this subsection for the  
7           following purposes:

8                   “(i) COMPREHENSIVE POLLUTION  
9                   PREVENTION PLANS.—To provide that a  
10                  person who is issued a permit under this  
11                  section for discharges composed entirely of  
12                  stormwater will be considered to have sat-  
13                  isfied any requirement contained in such  
14                  permit (and any other requirement of this  
15                  Act) for treatment of such discharges if  
16                  such person implements institutional and  
17                  nonstructural source controls of pollutants  
18                  under a comprehensive pollution prevention  
19                  plan. Any such plan shall be approved by  
20                  the Administrator or the State (in the case  
21                  of a permit program approved under sec-  
22                  tion 402 of this Act) in accordance with  
23                  criteria and procedures established by the  
24                  Administrator.

1           “(ii) EXEMPTIONS.—To establish pro-  
2           cedures under which a facility may be ex-  
3           empt from all permitting requirements  
4           under this section for discharges composed  
5           entirely of stormwater if the person con-  
6           trolling the facility can demonstrate any of  
7           the following:

8                   “(I) That the facility is relatively  
9                   insignificant in size.

10                   “(II) That stormwater discharges  
11                   from the facility can be expected to  
12                   have a minimum environmental im-  
13                   pact.

14                   “(III) That mitigation efforts are  
15                   being implemented to prevent pollut-  
16                   ants from entering stormwater dis-  
17                   charges from the facility.

18           “(iii) EXISTING PERMITS.—To provide  
19           for the modification of existing permits  
20           and permit applications under this section  
21           for discharges composed entirely of  
22           stormwater to conform with modifications  
23           to permit application requirements under  
24           this paragraph.

1           “(B) APPLICABILITY OF EXISTING RE-  
2           QUIREMENTS.—Notwithstanding any other pro-  
3           vision of this subsection, the Administrator or  
4           the State (in the case of a permit program ap-  
5           proved under section 402 of this Act)—

6                   “(i) shall not require a permit under  
7                   this section, or enforce any provision of an  
8                   existing permit, for discharges composed  
9                   entirely of stormwater before the effective  
10                  date of regulations to be issued under sub-  
11                  paragraph (A); and

12                  “(ii) shall not issue a permit under  
13                  this section, or enforce any provision of an  
14                  existing permit, which requires, before Oc-  
15                  tober 1, 2000, the treatment of discharges  
16                  composed entirely of stormwater.

17           “(C) ADVISORY GROUP.—The Adminis-  
18           trator shall establish an advisory group to as-  
19           sist the Administrator in developing regulations  
20           under this paragraph and to ensure that such  
21           regulations are simple, flexible, and cost-effec-  
22           tive. Such advisory group shall include local  
23           elected officials from municipalities representing  
24           the size and geographic diversity of municipali-  
25           ties which will be subject to such regulations.

1           “(D) EFFECTIVE DATE.—Regulations is-  
2           sued pursuant to this paragraph shall not take  
3           effect before October 1, 1997.”.

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