

107TH CONGRESS  
1ST SESSION

# H. R. 1730

To amend the Federal Water Pollution Control Act relating to marine sanitation devices.

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IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2001

Mr. SAXTON introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Federal Water Pollution Control Act relating to marine sanitation devices.

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 “Recreational Waters  
5 Protection Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Performance standards for marine sanita-  
9 tion devices were first authorized by the Federal  
10 Water Pollution Control Act.

1           (2) Marine sanitation device standards have not  
2           been updated since regulations were first imple-  
3           mented pursuant to that Act.

4           (3) Advances in marine sanitation device tech-  
5           nology have now made it practical for wastes to be  
6           treated on board a vessel to the extent that coliform  
7           count can be reduced below that required for shell-  
8           fish harvest, and provide treatment that is superior  
9           to that required by shoreside treatment facilities.

10          (4) Setting new marine sanitation device per-  
11          formance standards will recognize existing techno-  
12          logical advances and spur further innovation to a  
13          level of on-board waste treatment far superior to  
14          that envisioned by the Federal Water Pollution Con-  
15          trol Act.

16          (b) PURPOSE.—The purpose of this Act is (1) to pro-  
17          mote the use of the best available technology in type I  
18          marine sanitation devices, and (2) to revise the minimum  
19          standards for marine sanitation devices so that such  
20          standards meet the fecal coliform standards of each of the  
21          50 States or the Federal fecal coliform standard for the  
22          harvesting of shellfish for human consumption.

1 **SEC. 3. REVISED STANDARDS FOR MARINE SANITATION DE-**  
2 **VICES.**

3 Not later than 1 year after the date of enactment  
4 of this Act, the Administrator of the Environmental Pro-  
5 tection Agency shall complete a review of the capabilities  
6 of existing marine sanitation technology and publish re-  
7 vised standards for new marine sanitation devices pursu-  
8 ant to section 312(c)(1)(A) of the Federal Water Pollution  
9 Control Act (33 U.S.C. 1322(c)(1)(A)). The revised stand-  
10 ards shall require a baseline effluent water quality for  
11 fecal coliform of not more than 10 fecal coliform per 100  
12 milliliters and shall require a reduction in biological oxy-  
13 gen demand of at least 35 percent.

14 **SEC. 4. STATE PROHIBITION.**

15 Section 312(f)(3) of the Federal Water Pollution  
16 Control Act (33 U.S.C. 1322(f)(3)) is amended—

17 (1) by inserting “(A)” before “After”; and

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

19 “(B) A prohibition under subparagraph (A) shall not  
20 apply to a vessel that operates a type I marine sanitation  
21 device that meets the standards for marine sanitation de-  
22 vices revised pursuant to section 2 of the Recreational Wa-  
23 ters Protection Act and published under subsection  
24 (c)(1)(A) after the date of enactment of this subpara-  
25 graph.”.