

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4226

To amend the Federal Water Pollution Control Act to provide for a national estuary pollution prevention demonstration program.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 1994

Mr. MACHTLEY introduced the following bill; which was referred jointly to the Committees on Public Works and Transportation and Merchant Marine and Fisheries

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## A BILL

To amend the Federal Water Pollution Control Act to provide for a national estuary pollution prevention demonstration program.

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. NATIONAL ESTUARY POLLUTION PREVENTION.**

4 Section 320 of the Federal Water Pollution Control  
5 Act (33 U.S.C. 1330) is amended—

6 (1) by redesignating subsection (k) as sub-  
7 section (l); and

8 (2) by inserting after subsection (j) the follow-  
9 ing:

1       “(k) POLLUTION PREVENTION DEMONSTRATION  
2 PROGRAM.—

3           “(1) ESTABLISHMENT.—The Administrator, in  
4 coordination with the Director of the National Insti-  
5 tute of Standards and Technology and appropriate  
6 officials of those States which have any portion of an  
7 estuary for which a conservation and management  
8 plan has been approved under this section located in  
9 their boundaries, shall establish a multimedia na-  
10 tional estuary pollution prevention demonstration  
11 program to increase the use of modernizing indus-  
12 trial source reduction practices (as defined in section  
13 6603(5) of the Pollution Prevention Act of 1990 (42  
14 U.S.C. 13102(5)) through demonstrations in such  
15 estuaries.

16           “(2) REGISTRY OF TECHNOLOGIES.—The Ad-  
17 ministrator, in consultation with the appropriate of-  
18 ficials of State technical assistance offices and the  
19 Director of the National Institute of Standards and  
20 Technology, shall maintain a registry of modernizing  
21 toxic use and waste reduction technologies requiring  
22 demonstration.

23           “(3) PARTICIPATION.—Any person with a per-  
24 mit issued under section 402 to discharge into an es-  
25 tuary for which a conservation and management

1 plan has been approved under this section may partici-  
2 cipate in the demonstration program through—

3 “(A) the institution of a source reduction  
4 practice from the registry developed under  
5 paragraph (2) if the conservation and manage-  
6 ment plan identified the source to be reduced as  
7 a problem; or

8 “(B) the institution of any other innovative  
9 source reduction practice that the Adminis-  
10 trator determines—

11 “(i) has the potential to significantly  
12 reduce pollutant discharges to water and  
13 other environmental media without signifi-  
14 cantly increasing pollutant discharges to  
15 any environmental medium; and

16 “(ii) should be demonstrated.

17 “(4) REQUIREMENTS.—Any participant in the  
18 demonstration program—

19 “(A) shall be exempt from the requirement  
20 under section 308 to pay a fee for the develop-  
21 ment of revised effluent guidelines; and

22 “(B) may be granted an additional year to  
23 comply with any new or revised effluent stand-  
24 ards issued under section 301(b) of this Act if,

1 in the judgment of the Administrator, the ex-  
2 tension is necessary and appropriate.

3 “(5) POLLUTION PREVENTION EXTENSION  
4 SERVICE.—The Administrator, in cooperation with  
5 the Director of the National Institute of Standards  
6 and Technology and appropriate officials of State  
7 technical assistance offices, shall establish a pollu-  
8 tion prevention extension service to provide an active  
9 outreach effort to advise, inform, and encourage pol-  
10 lution prevention by industrial discharges to estu-  
11 aries for which conservation and management plans  
12 have been approved under this section.

13 “(6) POLLUTION PREVENTION CLEARING-  
14 HOUSE.—

15 “(A) ESTABLISHMENT.—The Adminis-  
16 trator shall establish a national estuary pollu-  
17 tion prevention clearinghouse.

18 “(B) USE.—The clearinghouse shall utilize  
19 the results of—

20 “(i) research from the Environmental  
21 Protection Agency Risk Reduction Engi-  
22 neering Laboratory; and

23 “(ii) demonstrations conducted pursu-  
24 ant to this subsection;

1 to provide information to municipal and indus-  
2 trial dischargers and sources of nonpoint pollu-  
3 tion within the estuaries referred to in sub-  
4 section (a)(2)(B) on source reduction methods,  
5 measures, techniques, and technologies.

6 “(7) POLLUTION PREVENTION FOR CITIES PRO-  
7 GRAM.—

8 “(A) APPLICATION FOR TECHNICAL AS-  
9 SISTANCE.—A municipality located within the  
10 watershed of an estuary for which a conserva-  
11 tion and management plan has been approved  
12 under this section may apply for technical and  
13 financial assistance from the Administrator for  
14 the purposes of—

15 “(i) implementing source reduction of  
16 toxic pollutants in urban runoff,  
17 wastewater, and stormwater and to ad-  
18 dress any problem resulting from failure of  
19 an underground septic system; or

20 “(ii) studying the impacts of separat-  
21 ing combined sanitary/stormwater systems  
22 in municipalities which have combined sys-  
23 tems.

24 “(B) ELIGIBILITY.—To be eligible for as-  
25 sistance under this paragraph, a municipality

1 shall apply to the Administrator with a state-  
2 ment—

3 “(i) stating pollutant reduction goals;

4 and

5 “(ii) documenting stakeholder interest  
6 in implementing voluntary pollutant reduc-  
7 tion measures.

8 “(C) ASSISTANCE.—The Administrator  
9 shall, for each municipality with an approved  
10 application statement—

11 “(i) provide technical assistance in the  
12 development of a municipal source reduc-  
13 tion action plan; and

14 “(ii) authorize the expenditure of  
15 State revolving fund moneys pursuant to  
16 title VI for the implementation of an ap-  
17 proved source reduction plan.”.

18 **SEC. 2. FUNDING FROM STATE REVOLVING LOAN FUND**  
19 **PROGRAM.**

20 Sections 601(a) and 603(c) of the Federal Water Pol-  
21 lution Control Act (33 U.S.C. 1381(a) and 1383(c)) are  
22 each amended—

23 (1) by striking “and” at the end of clause (2);

24 and

1           (2) by inserting before the period at the end of  
2 the first sentence the following: “, and (4) notwith-  
3 standing section 602(b)(5) of this Act, for carrying  
4 out activities relating to estuaries under section  
5 320(k), including implementing a source reduction  
6 action plan that has been approved by the Adminis-  
7 trator pursuant to section 320(k)(7)”.

8 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

9           Section 607 of the Federal Water Pollution Control  
10 Act (33 U.S.C. 1387) is amended—

11           (1) by striking “sums”;

12           (2) by striking “and” at the end of paragraph  
13 (4);

14           (3) by striking the period at the end of para-  
15 graph (5) and inserting “; and”; and

16           (4) by adding at the end the following:

17           “(6) such sums as may be necessary for each  
18 fiscal year beginning after September 30, 1994.”.

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