

105TH CONGRESS  
1ST SESSION

# H. R. 2415

To amend the Federal Water Pollution Control Act concerning the effect of administrative orders on civil penalty actions.

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 1997

Mr. CONDIT 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 concerning the effect of administrative orders on civil penalty actions.

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. EFFECT OF ADMINISTRATIVE ORDERS ON**  
4 **CIVIL PENALTY ACTIONS.**

5 Section 309(g)(6)(A) of the Federal Water Pollution  
6 Control Act (33 U.S.C. 1319(g)(6)(A)) is amended—

7 (1) in clause (ii) by striking “or” at the end;

8 (2) by redesignating clause (iii) as clause (iv);

9 and

10 (3) by inserting after clause (ii) the following:

1           “(iii) that occurs at any publicly  
2           owned treatment works utilizing innovative  
3           or alternative technology funded by a con-  
4           struction grant made by the Administrator  
5           under this Act which, despite due diligence,  
6           failed to meet design performance speci-  
7           fications during a period in which addi-  
8           tional funding authorization is being  
9           sought, or design and construction are oc-  
10          curring pursuant to the Administrator’s  
11          authorization of additional funding, for  
12          modification or replacement facilities under  
13          section 202(a)(3) of this Act; or”.

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