

106TH CONGRESS  
2D SESSION

# H. R. 5638

To amend section 402 of the Federal Water Pollution Control Act to provide that States have the final authority to establish guidelines to determine which animal feeding operations are classified as concentrated animal feeding operations for purposes of the national pollutant discharge elimination system.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2000

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

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## A BILL

To amend section 402 of the Federal Water Pollution Control Act to provide that States have the final authority to establish guidelines to determine which animal feeding operations are classified as concentrated animal feeding operations for purposes of the national pollutant discharge elimination system.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 402 of the Federal Water Pollution Control  
4       Act (33 U.S.C. 1342) is amended by adding at the end  
5       the following:

1       “(q) CONCENTRATED ANIMAL FEEDING OPER-  
2 ATIONS.—A State has the final authority to establish  
3 guidelines for determining which animal feeding oper-  
4 ations in the State are classified as concentrated animal  
5 feeding operations for purposes of this section. The State’s  
6 guidelines shall provide the factors to be considered in  
7 making such a determination, including number and con-  
8 centration of animal units, the properties of the discharge  
9 (including the volume and frequency of the discharge and  
10 the type of pollutant), and other site-specific factors.”.

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