

108TH CONGRESS
1ST SESSION

H. R. 738

To amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2003

Mr. PALLONE (for himself, Mr. SHAYS, Mr. BROWN of Ohio, Ms. BALDWIN, Mr. DEFAZIO, Mrs. DAVIS of California, Mr. ANDREWS, Mr. HOLT, Mr. HONDA, Mr. KILDEE, Mr. LEACH, Mr. HOEFFEL, Mr. GILCHREST, Mr. WEXLER, Ms. SCHAKOWSKY, Mrs. CAPPS, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste.

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 “Clean Water Protec-
5 tion Act”.

1 **SEC. 2. DEFINITION OF FILL MATERIAL.**

2 Section 502 of the Federal Water Pollution Control
3 Act (33 U.S.C. 1362) is amended by adding at the end
4 the following:

5 “(24) FILL MATERIAL.—The term ‘fill material’
6 means any pollutant which replaces portions of the
7 waters of the United States with dry land or which
8 changes the bottom elevation of a water body for
9 any purpose. The term does not include any pollut-
10 ant discharged into the water primarily to dispose of
11 waste.”.

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