

110TH CONGRESS
1ST SESSION

S. 836

To amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.

IN THE SENATE OF THE UNITED STATES

MARCH 9, 2007

Mr. LAUTENBERG (for himself, Ms. SNOWE, Mr. MENENDEZ, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.

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 “Water Quality Invest-
5 ment Act of 2007”.

6 **SEC. 2. SEWER OVERFLOW CONTROL GRANTS.**

7 (a) SEWER OVERFLOW CONTROL GRANTS.—Section
8 221 of the Federal Water Pollution Control Act (33
9 U.S.C. 1301) is amended by striking subsections (e)
10 through (g) and inserting the following:

1 “(e) ADMINISTRATIVE REQUIREMENTS.—

2 “(1) IN GENERAL.—Subject to paragraph (2), a
3 project that receives grant assistance under sub-
4 section (a) shall be carried out subject to the same
5 requirements as a project that receives assistance
6 from a State water pollution control revolving fund
7 established pursuant to title VI.

8 “(2) DETERMINATION OF GOVERNOR.—The re-
9 quirement described in paragraph (1) shall not apply
10 to a project that receives grant assistance under
11 subsection (a) to the extent that the Governor of the
12 State in which the project is located determines that
13 a requirement described in title VI is inconsistent
14 with the purposes of this section.

15 “(f) AUTHORIZATION OF APPROPRIATIONS.—

16 “(1) IN GENERAL.—There are authorized to be
17 appropriated to carry out this section—

18 “(A) \$250,000,000 for fiscal year 2008;

19 “(B) \$300,000,000 for fiscal year 2009;

20 “(C) \$350,000,000 for fiscal year 2010;

21 “(D) \$400,000,000 for fiscal year 2011;

22 and

23 “(E) \$500,000,000 for fiscal year 2012.

24 “(2) AVAILABILITY OF AMOUNTS.—Amounts
25 authorized to be appropriated to carry out this sec-

1 tion under paragraph (1) shall remain available until
2 expended.

3 “(g) ALLOCATION OF FUNDS.—

4 “(1) FISCAL YEAR 2008.—For fiscal year 2008,
5 subject to subsection (h), the Administrator shall
6 use the amounts appropriated to carry out this sec-
7 tion under subsection (f)(1) to provide grants to mu-
8 nicipalities and municipal entities under subsection
9 (a)(2) in accordance with the priority criteria de-
10 scribed in subsection (b).

11 “(2) FISCAL YEAR 2009 AND THEREAFTER.—
12 For fiscal year 2009 and each fiscal year thereafter,
13 subject to subsection (h), the Administrator shall
14 use the amounts appropriated to carry out this sec-
15 tion under subsection (f)(1) to provide grants to
16 States under subsection (a)(1) in accordance with a
17 formula that—

18 “(A) shall be established by the Adminis-
19 trator, after providing notice and an oppor-
20 tunity for public comment; and

21 “(B) allocates to each State a proportional
22 share of the amounts based on the total needs
23 of the State for municipal combined sewer over-
24 flow controls and sanitary sewer overflow con-
25 trols, as identified in the most recent survey—

1 “(i) conducted under section 210; and

2 “(ii) included in a report required

3 under section 516(a).”.

4 (b) REPORTS.—Section 221(i) of the Federal Water

5 Pollution Control Act (33 U.S.C. 1301(i)) is amended in

6 the first sentence by striking “2003” and inserting

7 “2010”.

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