To amend the Federal Water Pollution Control Act and direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2019

Mr. CARTWRIGHT (for himself, Mr. AGUILAR, Ms. BARRAGÁN, Mr. Beyer, Ms. Bonamici, Ms. Clarke of New York, Mr. Cohen, Mr. Connolly, Ms. DeGette, Ms. DelBene, Ms. Eshoo, Mr. Grijalva, Mr. Hastings, Mr. Higgins of New York, Mr. Johnson of Georgia, Mr. Kennedy, Mr. Khanna, Ms. Kuster of New Hampshire, Mr. Langevin, Ms. Lee of California, Mr. Lowenthal, Mr. Lynch, Mrs. Carolyn B. Maloney of New York, Ms. McCollum, Mr. McGovern, Ms. Meng, Mrs. Napolitano, Mr. Neguse, Ms. Norton, Ms. Pingree, Mr. Raskin, Mr. Sarbanes, Ms. Schakowsky, Mr. Schiff, Mr. Serrano, Mr. Smith of Washington, Mr. Soto, Ms. Speier, Mr. Takano, Ms. Wasserman Schultz, Mr. Welch, Mr. Blumenauer, Mr. Quigley, Mr. Yarmuth, Ms. Omar, Mrs. Watson Coleman, Mr. DeSaulnier, Mr. Morelle, and Mr. Scott of Virginia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act and direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Focused Reduction of Effluence and Stormwater runoff through Hydrofracking Environmental Regulation Act of 2019” or the “FRESH-ER Act of 2019”.

SEC. 2. STORMWATER RUNOFF FROM OIL, GAS, AND MINING OPERATIONS.

(a) LIMITATION ON PERMIT REQUIREMENT.—Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(b) DEFINITIONS.—Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended—

(1) by striking paragraph (24); and

(2) by redesignating paragraphs (25) through (27) as paragraphs (24) through (26), respectively.

(e) STUDY.—

(1) IN GENERAL.—The Secretary of the Interior shall conduct a study of stormwater impacts with respect to any area that the Secretary determines may be contaminated by stormwater runoff associated with oil or gas operations, which shall include—

(A) an analysis of measurable contamination in such area;
(B) an analysis of ground water resources in such area; and

(C) an analysis of the susceptibility of aquifers in such area to contamination from stormwater runoff associated with such operations.

(2) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to Congress a report on the results of studies conducted under paragraph (1).