

103^D CONGRESS
1ST SESSION

H. R. 1581

To amend the Federal Water Pollution Control Act to provide for the modification of permitting requirements for discharges composed entirely of stormwater.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1993

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend the Federal Water Pollution Control Act to provide for the modification of permitting requirements for discharges composed entirely of stormwater.

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 “Stormwater Discharge
5 Improvement and Pollution Prevention Act of 1993”.

6 **SEC. 2. STORMWATER DISCHARGES.**

7 Section 402(p) of the Federal Water Pollution Con-
8 trol Act (33 U.S.C. 1342(p)) is amended by adding at the
9 end the following new paragraph:

1 “(7) MODIFICATION OF PERMITTING REQUIRE-
2 MENTS.—

3 “(A) IN GENERAL.—Not later than Octo-
4 ber 1, 1997, the Administrator shall issue regu-
5 lations modifying permit application require-
6 ments established under this subsection for the
7 following purposes:

8 “(i) COMPREHENSIVE POLLUTION
9 PREVENTION PLANS.—To provide that a
10 person who is issued a permit under this
11 section for discharges composed entirely of
12 stormwater will be considered to have sat-
13 isfied any requirement contained in such
14 permit (and any other requirement of this
15 Act) for treatment of such discharges if
16 such person implements institutional and
17 nonstructural source controls of pollutants
18 under a comprehensive pollution prevention
19 plan. Any such plan shall be approved by
20 the Administrator or the State (in the case
21 of a permit program approved under sec-
22 tion 402 of this Act) in accordance with
23 criteria and procedures established by the
24 Administrator.

1 “(ii) EXEMPTIONS.—To establish pro-
2 cedures under which a facility may be ex-
3 empt from all permitting requirements
4 under this section for discharges composed
5 entirely of stormwater if the person con-
6 trolling the facility can demonstrate any of
7 the following:

8 “(I) That the facility is relatively
9 insignificant in size.

10 “(II) That stormwater discharges
11 from the facility can be expected to
12 have a minimum environmental im-
13 pact.

14 “(III) That mitigation efforts are
15 being implemented to prevent pollut-
16 ants from entering stormwater dis-
17 charges from the facility.

18 “(iii) EXISTING PERMITS.—To provide
19 for the modification of existing permits
20 and permit applications under this section
21 for discharges composed entirely of
22 stormwater to conform with modifications
23 to permit application requirements under
24 this paragraph.

1 “(B) APPLICABILITY OF EXISTING RE-
2 QUIREMENTS.—Notwithstanding any other pro-
3 vision of this subsection, the Administrator or
4 the State (in the case of a permit program ap-
5 proved under section 402 of this Act)—

6 “(i) shall not require a permit under
7 this section, or enforce any provision of an
8 existing permit, for discharges composed
9 entirely of stormwater before the effective
10 date of regulations to be issued under sub-
11 paragraph (A); and

12 “(ii) shall not issue a permit under
13 this section, or enforce any provision of an
14 existing permit, which requires, before Oc-
15 tober 1, 2000, the treatment of discharges
16 composed entirely of stormwater.

17 “(C) ADVISORY GROUP.—The Adminis-
18 trator shall establish an advisory group to as-
19 sist the Administrator in developing regulations
20 under this paragraph and to ensure that such
21 regulations are simple, flexible, and cost-effec-
22 tive. Such advisory group shall include local
23 elected officials from municipalities representing
24 the size and geographic diversity of municipali-
25 ties which will be subject to such regulations.

1 “(D) EFFECTIVE DATE.—Regulations is-
2 sued pursuant to this paragraph shall not take
3 effect before October 1, 1997.”.

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