

# Calendar No. 715

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3481

To amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

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## IN THE SENATE OF THE UNITED STATES

JUNE 10, 2010

Mr. CARDIN (for himself, Ms. CANTWELL, Mr. VOINOVICH, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

DECEMBER 17, 2010

Reported by Mrs. BOXER, without amendment

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## A BILL

To amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

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. FEDERAL RESPONSIBILITY FOR STORMWATER**  
4 **POLLUTION.**

5 Section 313 of the Federal Water Pollution Control  
6 Act (33 U.S.C. 1323) is amended by adding at the end  
7 the following:

1       “(c) FEDERAL RESPONSIBILITY FOR STORMWATER  
2 POLLUTION.—Reasonable service charges described in  
3 subsection (a) include reasonable fees or assessments  
4 made for the purpose of stormwater management in the  
5 same manner and to the same extent as any nongovern-  
6 mental entity.

7       “(d) NO TREATMENT AS TAX OR LEVY.—A fee or  
8 assessment described in this section—

9               “(1) shall not be considered to be a tax or other  
10       levy subject to an assertion of sovereign immunity;  
11       and

12               “(2) may be paid using appropriated funds.”.



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