

# DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

## Chapter 1 : Environmental Justice > Legislation

*Clean Water Act Research Amendments of - Amends the Federal Water Pollution Control Act to revise the authorized activities of the Administrator of the Environmental Protection Agency with respect to water pollution control and investigations.*

The House acted quickly, passing a major overhaul on May 16, Since that time, controversy over the wetlands provisions in both bills have paralyzed efforts to move legislation forward in the Senate. This issue is highly contentious because many wetlands are located on private property, and the concerns of those property owners have found a sympathetic ear in the Republican majority. Since the introduction of S. The issue was last debated during a hearing of the full committee on March 14, Although Chafee made Clean Water Act reauthorization a priority for his committee, he was unable to develop a workable compromise on a comprehensive reform bill that included the wetlands provisions. Army Corps of Engineers, Faircloth indicated that he will not seek wetlands legislation for the remainder of the legislative session, expressing disappointment over the unlikely reauthorization of the Act. Its purpose was to regulate the discharge of pollutants into the surface waters of the nation. The Act incorporates two major strategies to accomplish its objectives. The Clean Water Act has been amended several times since , most profoundly in , and The bill became law on February 4, PL Since then, authorization for many of its programs have expired, particularly the capacity for states and localities to receive federal funding for clean water projects which lapsed in Drawing on a proposal by Rep. Jimmy Hayes R-LA , the bill was intended to completely revamp the federal wetlands protection program, establishing a classification system under which wetlands are categorized into three types. The least valuable wetlands would no longer be federally protected, the next type would receive limited protection, and "Type A" wetlands would be strictly regulated. In addition, the bill would utilize an inundation test which defines wetlands by requiring land to be underwater for 21 consecutive days. The Senate bill champions a concept known as wetlands mitigation banking, which has been defined as the capacity for developmental interests to purchase, restore, or create wetlands to compensate for permitted wetlands losses. Several days before the House passed H. Characteristics and Boundaries, which had been commissioned by Congress in The purpose of the report was to provide guidance on the scientific and technical basis for characterization of wetlands. Last updated August 7,

# DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

## Chapter 2 : AGI GAP Clean Water Act Update

*Get this from a library! Clean water legislation in the rd Congress: a legislative rollercoaster. [Claudia Copeland; Library of Congress. Congressional Research Service.].*

Cryptosporidium was identified as the cause, and more than , residents were infected with the parasite. Cryptosporidium was first identified in humans in , and for most of the following decade it was seen almost exclusively among AIDS patients. The species responsible for most infections in both domestic and wild animals and humans is Cryptosporidium parvum. Isolates from animals are able to cause illness in humans and vice versa. Like many other waterborne pathogens, Cryptosporidium completes its life cycle in the gastrointestinal GI tract. The cycle begins with ingestion of the oocyst, which breaks open and releases sporozoites. The sporozoites invade and feed off the epithelial cells of the GI tract. The most common clinical characteristic of the resulting infection in both healthy and immunocompromised individuals is watery diarrhea. In immunocompetent persons, the illness is self-limited. In immunocompromised persons, however, infection can be unrelenting and fatal. Over persons in the Milwaukee area with compromised immune systems are believed to have died prematurely after being infected with Cryptosporidium. Milwaukee has always prided itself in the quality of its water. But on the morning of Monday, April 5, , the Milwaukee Health Department became aware of widespread gastrointestinal illness in the community through phone calls from citizens and the media. There was increased absenteeism from schools and businesses, and groceries and pharmacies reported depletion of anti-diarrheal medications. Water Due to the widespread distribution of illness, water became an early suspect. Milwaukee receives its water supply from Lake Michigan and is served by two water treatment plants, located in the north and south sides of the city. Telephone logs from the Water Department indicated widespread consumer complaints from the area served by the south treatment plant, and increased turbidity readings at the plant in recent weeks. Increases in plant effluent turbidity can indicate microbial contamination and have been associated with other documented waterborne disease outbreaks. By Wednesday, April 7, Cryptosporidium had been isolated in eight stool specimens, enough evidence for Mayor John O. Norquist to issue a boil-water advisory to all , customers served by the Milwaukee Water Works. The next day the south water treatment plant was shut down. The boil advisory was effective in stemming the outbreak. After a week the average incubation period for Cryptosporidium , the incidence of illness dropped precipitously as indicated by active disease surveillance among nursing home residents and the daily review of hospital emergency room logs and stool specimen data from clinical laboratories. Within two weeks, a team of water industry professionals had completed an engineering review of both water treatment plants, focusing on modifications to improve plant performance, and cleaning and disinfection procedures to safely bring the south treatment plant back into operation. Since chlorine in concentrations practical for drinking water treatment is ineffective in eradicating Cryptosporidium optimizing the filtration process becomes critical. Both treatment plants have installed continuous on-line turbidimeters and particle counters to monitor the effluent of each of the 40 filter beds. In addition, monitoring occurs on raw water and in the clearwell. The new equipment enables staff to receive significantly more information with which to rapidly respond to changing lake conditions and monitor finished water quality. Crypto Lab The Milwaukee Health Department has opened a new "Crypto Lab," and regular testing for Cryptosporidium and Giardia is done on raw, backwash and finished water. These tests will provide valuable information over the long term about the presence of this organism in our environment and are used in conjunction with particle and turbidity readings to monitor plant efficiency. Regular testing for Cryptosporidium will not prevent contaminated water from reaching the consumer. Even in the best of situations the sampled water has long been in the distribution system by the time testing is completed. Milwaukee has placed its emphasis on using particle and turbidity readings, thereby reducing the number of Cryptosporidium-sized particles that pass through the plant. These monitoring tools are a true reflection of current water quality and allow immediate plant operation decisions to be made before

## DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

water moves into the distribution system. Should turbidity or particle counts rise, there are written protocols for assembling a team of Water and Public Health officials at the plant to provide guidance and recommendations. Milwaukee discovered that passive, laboratory-based surveillance for *Cryptosporidium* was inadequate for detecting the outbreak. Few people sought medical care for their illness, and those who did were not tested for *Cryptosporidium*. Since the outbreak, the city has put in place alternative surveillance systems that are more sensitive in detecting diarrheal disease in the community. Pharmacies now report over-the-counter anti-diarrheal sales, and diarrheal disease among nursing home residents is routinely monitored. Many of the clinical laboratories in Milwaukee report weekly the number of stool specimens submitted for *Cryptosporidium* testing and report any positives. One hospital has tested every stool specimen received in the facility for *Cryptosporidium* as part of a yearlong surveillance project. Two studies are under way to elucidate the possible sources of *Cryptosporidium* in the Milwaukee watershed. In a coordinated effort between the City of Milwaukee and the Department of Natural Resources, multiple sites throughout the entire watershed are being tested for *Giardia* and *Cryptosporidium*. Testing sites include both urban and rural locations. Information obtained will help determine whether the presence of *Cryptosporidium* is related to land use, season, weather conditions or geographic locations. The University of Wisconsin recently completed an analysis of the southern plant intake, and has recommended relocation of the intake crib to reduce the effect of pollutants from the rivers and the sewage treatment plant that feed into the lake. At this point there is no single, clear source of contamination of the Milwaukee watershed, and we may never know exactly what happened in April. Possible sources include cattle along the two rivers that flow into the Milwaukee harbor above the southern treatment plant, local slaughterhouses and human sewage. Rivers swelled by significant rain and snow runoff may have transported oocysts great distances into the lake and from there to the intake of the southern plant. The price tag is high. Chlorine is still used in reduced amounts so that residual levels are maintained. It has prompted the formation of new partnerships between water utilities and public health agencies. Communities throughout the country have begun to question the safety of their water supplies and have put pressure on federal and state governments to develop more stringent water quality standards and to increase the resources currently allocated for water quality monitoring and plant modernization. The outbreak clearly points out the need for a strong and flexible public health infrastructure, and for testing for *Cryptosporidium* in patients with diarrhea so that the prevalence of this illness can be assessed. This can be accomplished in part by making it a reportable condition. Additionally, we must develop a national, enforceable and adequately funded watershed protection program so that the mw water is never again as contaminated as it was in Milwaukee in April when even one glass of water consumed at the airport while passing through the city was enough to cause illness. Given our experience, we urge other communities and the federal government to take the proactive steps necessary to prevent similar outbreaks of *Cryptosporidium* or other emerging pathogens. Other cities also have experienced problems with *Cryptosporidium* in their drinking water supplies. *Cryptosporidium* is a microscopic parasite contained in an oocyst that breaks open and releases sporozoites once it enters the gastrointestinal tract. These sporozoites invade the GI tract lining, causing a disease known as *Cryptosporidiosis*, the chief symptom of which is acute watery diarrhea. There is no known cure other than treatment of the symptoms. One of the primary sources of *Cryptosporidium* is drinking water or contact with recreational waters contaminated by domestic and wild animal feces or human wastewater. Contact with infected animals or individuals is another possible pathway. It can infiltrate drinking water systems from source water contaminated by sewer overflows, wastewater plants and agricultural operations, as well as treatment plant breakdowns. *Cryptosporidiosis* more severely affects those with depressed immune systems, such as AIDS and cancer patients, the very young or the elderly. However, in instances where drinking water supplies become contaminated, widespread effects may occur in the general population. Because of its ubiquity in animals, the presence of *Cryptosporidium* oocysts is widespread in surface water sources as well as in some groundwater sources. Unfortunately, this parasite is resistant to the traditional disinfection methods alone. Filtration in conjunction with ozonation and chlorine, plus chloramines,

## DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

is generally effective in removing or destroying it if such treatment occurs before the water is released for distribution. Testing in watershed areas can detect the presence of *Cryptosporidium* and alert water treatment authorities to take necessary preventive measures. Particle and turbidity readings can be used to evaluate filtration. If the water supply becomes contaminated, boil-water advisories are required to prevent or minimize infection among the population. Current approaches in monitoring do not guarantee protection from *Cryptosporidium* in drinking water. Health professionals, water treatment specialists, environmental experts and government regulators have been examining methods to improve the prevention, detection and treatment of *Cryptosporidium* in water sources. Cooperative efforts among these entities will enhance their ability to contain future outbreaks of *Cryptosporidium* related illness. Additional research is proceeding on the health effects of *Cryptosporidium*, which are still incompletely understood. The Environmental Protection Agency has proposed new regulations for water disinfectants and disinfectant by-products as well as for surface water treatment, in an attempt to improve monitoring, testing and treatment for both chemical and microbial contaminants. More research and regulatory flexibility is being sought to balance the relative risks between these two threats to drinking water supplies. Drinking water suppliers are attempting to develop and implement the most effective detection and treatment methods for dealing with *Cryptosporidium*. Multi-barrier techniques, including source water protection, followed by filtration and disinfection in the treatment plant, plus a distribution system disinfectant residual, are considered the best approach. It appears that combinations of disinfectants, including chlorine followed by chloramine, inactivate *Cryptosporidium* oocysts more effectively than demonstrated by past studies with single disinfectants. Assuming continuing studies confirm these results, then water utilities would be able to adopt this inexpensive method for both waterborne disease protection and reduction of disinfection byproducts. Finch has received additional funding to continue his work from the U. Drinking water issues will be at the top of the agenda to be addressed in four major legislative vehicles: Other topics for review include unfunded mandates and property takings. Reauthorization Clouded by Regulatory Reform Fever. While both Chairmen Bliley and Chafee sponsored compromise legislation reauthorizing the Safe Drinking Water Act in the last Congress and have promised to bring up similar bills this year, the current focus is on limiting further regulation. Efforts to incorporate risk assessment and cost-benefit analysis into environmental protection measures can be expected. Intense opposition from advocacy groups to any perceived weakening of air and water quality standards also can be anticipated. The Committee Picture Realignment of House committees presents the most changes: Henry Waxman D-CA , respectively. The Legislative Calendar Following is a rundown of the major bills affecting drinking water programs: Before a new rule could go into effect, agencies would have to go through a step process, including possible judicial review, to perform the required analyses. Frank Murkowski R-AK , is considering a number of risk reform bills at the subcommittee level. Senate floor action is anticipated in May. The Clinton Administration and environmental advocacy groups spent some time defining their positions, but now have joined the debate in an effort to maintain present environmental protections while still streamlining the regulatory process. Safe Drinking Water Act Reauthorization of the Act is expected to be a priority this spring, with Senate hearings to be held by the new Drinking Water, Fisheries and Wildlife subcommittee, chaired by Sen. On the House side, Rep. However, with Republicans in control of the Commerce Committee, this bill cannot be considered the main legislative vehicle in the House. Instead, the committee has indicated it will have a different perspective that reorders priorities on drinking water regulation.

## DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

### Chapter 3 : Clean Water Act - Wikipedia

*H.R. (rd) was a bill in the United States Congress. A bill must be passed by both the House and Senate in identical form and then be signed by the President to become law. This bill was introduced in the rd Congress, which met from Jan 5, to Dec 1,*

In recent years, CBC members have proposed specific legislation aimed at promoting and enhancing existing policy related to environmental concerns. John Lewis D-GA , proposed legislation to promote environmental justice, public health, and pollution reduction efforts. During the th Congress, Rep. They also worked to expand the definition of environmental justice and to direct each federal agency to establish an Environmental Justice Office. D-IL proposed an amendment to the Constitution of the United States respecting the right to a clean, safe, and sustainable environment. Long before the terms environmental justice and environmental racism appeared in the s, CBC members were actively engaged in the promotion of environmental safety in their communities. In the s, for example, CBC members fought hard to ensure that citizens were empowered to take action against entities involved in creating environmental hazards in their communities. They also supported the creation of environmental policy regulations and oversight agencies. That same year, Reps. Dellums D-CA and Del. This legislation sought to empower citizens to be able to take legal action against entities involved in creating environmental hazards. Dellums also proposed legislation to protect marine and wildlife ecology by providing for the orderly regulation of dumping in the ocean, coastal, and other waters. During the 94th Congress, Rep. D-MI proposed legislation to protect individuals against conduct which created potential health hazards. During the rd Congress, for example, Rep. Edolphus Towns D-NY sought to establish certain requirements with respect to solid waste and hazardous waste incinerators. Sheila Jackson Lee D-TX proposed amendments to the Safe Drinking Water Act to provide for research on methods to combat biological contamination of public drinking water supplies. In the th Congress, CBC members have continued to advance the cause of environmental justice. Hastings proposed legislation to direct each federal agency to establish an Environmental Justice Office. Davis D-IL and Barbara Lee D-CA co-sponsored legislation to ensure that federal agencies take actions to assess and improve the health impacts and environmental quality of communities they serve. Other members such as Rep. Butterfield D-NC have supported legislation to protect national waterways and their tributaries. Clarke D-NY sponsored legislation to enhance environmental justice education in middle and high schools that serve disadvantaged students. Hastings and Albert R. Barbara Lee also introduced legislation that called for the evaluation of federal rules and regulations which could have harmful effects on public health, air and water quality, global climate, plant and wildlife and the environment.

# DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

## Chapter 4 : Environment and Public Works | [www.nxgvision.com](http://www.nxgvision.com)

*Establishes a National Water Quality Research Committee to advise the Administrator on research activities. Requires the Committee to report annually to the Congress on: (1) research conducted in the preceding year; (2) highest priority research needs for the following five-year period; (3) planned research activities; and (4) opportunities to coordinate Federal and State research.*

From the rd to the th Congress Martin R. From the rd to the th Congress SUMMARY The rd Congress considered several major environmental bills, and enacted very few, but developed new legislative remedies and oversaw implementation of environmental programs. Early indications are that the th Congress will consider broad legislation on private property rights, risk analysis and unfunded mandates - a regulatory reform agenda meaningful to environmental protection and other Federal programs. At the same time, concern over particular environmental statutes and programs may lead to congressional efforts to reauthorize or modify those statutes, and perhaps consider regulatory items in the course of such deliberations. There will be continued concern over funding also. The rd Congress considered numerous bills concerning private property rights, passed one law and completed major actions on nine bills concerning risk analysis, and approved two bills at committee levels pertaining to unfunded mandates. The th Congress will accelerate the debate on these three priorities generally seeking to limit expanded environmental regulation; the House Republican Contract with America and early statements by congressional leaders point to serious consideration early in the First Session. This discussion will profoundly influence any upcoming consideration of environmental statutes and programs. In regard to cleaning up toxic waste sites, both houses reported bills to reauthorize the Comprehensive Environmental Response Compensation and Liability Act, or Superfund during the rd Congress. The th Congress may consider Superfund, whose taxing authority expires December 31, , with a special focus on the issues of retroactive liability and flexible cleanup standards. Drinking water was high on the agenda of the rd Congress: Continued concern over risk analysis and unfunded mandates put drinking water on the th Congress agenda. In the th Congress, narrower clean water bills may concentrate on funding and program flexibility. The rd Congress oversaw the implementation schedule of the Clean Air Act Amendments of and considered provisions on reformulated gasoline and Venezuelan gasoline. The th Congress will continue this and perhaps legislatively address issues of State flexibility especially in regard to provisions of the law affecting motor vehicles. The th Congress faces a large environmental agenda, some issues hinging on actions of the rd Congress, others unresolved and newly emerging, and expirations of authorization for several major environmental statutes. Clearly, the change in majority party in the House and Senate: This report analyzes environmental issues at a pivotal period, between the Democratic-controlled rd Congress and the Republican-led th Congresses. In each of the following issue areas, it highlights the actions of the rd Congress, offers a brief analysis of issues, and a projection of the kind of congressional action that might be anticipated in the th Congress. In most instances, however, it is premature and imprudent to forecast other than in the broadest terms the likely course of congressional actions. Congress acts on environmental matters a t many formal and informal levels, not only in environmental statutes but also in other broad legislation impacting environmental and other Federal programs. During the rd Congress: Congress also focused on developing and considering legislative ideas and proposals to address environmental problems, including major reauthorization proposals for the Clean Water Act, Safe Drinking Water Act, and Superfund. Major legislative actions that did not culminate in enactments occurred on all these environmental fronts, but they also incorporated provisions on private property rights, risk analysis and unfunded mandates. There was broad bipartisan support for these provisions. In the th Congress, there are indications from both House and Senate leaders that initial changes in environmental policy may evolve from broad legislation concerned with private property rights, risk assessment and analysis, and unfunded mandates. Such cross-cutting measures would have implications for many areas of national policy and special significance for environmental

## DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

protection. The House Republican Contract With America suggests that the House of Representatives will seriously consider these legislative proposals early in the Congress. The Senate majority leader has also designated these as legislative priorities. Though Congress may initially focus on such broad legislation, action on current environmental statutes will also be on the agenda. The authorizations of appropriations for most environmental programs have expired as Table 1 indicates. While floor procedures have allowed funding such programs, some propose limiting such procedures, a limitation having the potential to stop funding and curtail most environmental programs. Such a scenario could result in legislative efforts to reauthorize all, except the Clean Air Act which does not expire until , environmental programs in the th Congress. Some dissatisfaction with some current environmental provisions is evident and may manifest itself in reauthorization provisions repealing or modifying particular requirements, or appropriations measures prohibiting EPA from funding specified activities. While congressional leaders have announced a regulatory reform agenda, some argue that the appropriate legislative vehicles for environmental protection-related provisions on private property rights and unfunded environmental mandates is in environmental reauthorization legislation itself rather than in cross-cutting regulatory legislation. The potential forums where these issues may be addressed include both statutory approaches. Thus, while appropriation authorizations in environmental statutes have expired from time to time, programs have continued and have been funded. These dates do not indicate termination of program authority. For instance, in the rd Congress, dispute over greater EPA risk assessment responsibilities had the effect of blocking consideration of legislation elevating EPA to Cabinet status and amendments favoring regulatory relief were offered to other environmental reauthorization proposals? During the rd Congress the discussion involved broad regulatory reform legislation and environmental legislation; in the th, there may be a similar activity. Clearly, any changes in environmental statutes will be affected by the ongoing regulatory reform debate. Bills proposed requiring all Federal agencies, including EPA, to assess the effects of proposed actions on the rights of private property owners. Other bills sought to establish compensation provisions for private property owners affected by Federal actions: Early indications are that the th Congress will continue this debate and that the effect of environmental protection regulations on private property will be part of that debate. Private property considerations may also be part of deliberations to reauthorize environmental statutes. Environmental Protection and the Unfunded Mandates Debate The rd Congress was concerned over the impacts of Federal requirements, including environmental, on States and localities. Expectations are high that the th Congress will place the issue of "unfunded mandates" on the legislative agenda. A threshold issue for the th Congress will continue to be whether to consider unfunded environmental requirements in general mandate relief legislation, in specific environmental statutes, or, perhaps, both. Environmental Reauthorizations and Regulatory Reform: The bills also would have required the Congressional Budget Office CBO to estimate the costs of Federal mandates to State, local, and tribal governments, and compel agencies to analyze the costs and benefits to those same governments of major regulations that include new Federal mandates. Other rd Congress proposals ranged from those that would permit only funded Federal mandates S. Senate bill would have required Congress and Federal agencies to state if legislation and regulations would preempt State and local laws and require an annual report on Federal preemption of such laws. Senate bill proposed creating a Small Governments Advisory Council that would make proposals for eliminating excessive regulatory burdens. Senate bill would have provided for a Federal Mandate Assistance Fund supported by appropriations. The "no money, no mandates" approach supported by some State and local officials may be unworkable, some maintained. Opponents of such measures include a politically active coalition composed of approximately 80 organizations, ranging from labor unions to environmental groups, that view such proposals as an attempt to roll back environmental and civil rights protections that they value, including requirements imposed under the Americans with Disabilities Act. Some were also disconcerted by measures calling for cost estimation or economic analyses of mandates by the Congressional Budget Office CBO S. The Senate passed S. All contained provisions seeking to address problems of flexibility and costs identified by State and localities in

## DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

current legislation. The impact of meeting requirements arising from the Safe Drinking Water Amendments was alluded to repeatedly in the debate over revised legislation in the rd Congress. The clean water legislation, S. The Superfund proposals approved in the House and Senate, H. Unfunded Environmental Mandates, and the th Congress Early statements by congressional leaders indicate that unfunded mandates will be a major legislative priority early in the th Congress. The House Republican Contract With America includes it while initial versions of early draft bills -- to be introduced early in the Congress -- have incorporated unfunded provisions. Assessing Risk in Environmental Regulations Environmental risk was a major congressional issue during the rd Congress, and there is every indication it will be high on the agenda for the th Congress. More than a dozen bills and amendments on environmental risk analysis were introduced in the rd Congress. Nine other bills were passed by one chamber or reported by the committees of jurisdiction. The risk assessment requirement proposals generally proceed from a supposition that regulatory measures are being pressed forward to treat or control risks too small to justify their expense and interference in the lives of citizens. Risk Proposals i n the rd Congress Arguably, the most influential risk proposals in the rd Congress were offered by Senator Johnston. The two "Johnston amendments" would have required EPA to analyze risks, costs, and benefits for proposed and final regulations. The original "Johnston amendment" was the first risk legislation debated on the Senate floor, and it was adopted on April 29., by a vote of 95 t o 3. The amendment was incorporated as section in S. The rule for consideration of the reported bill was defeated on the House floor, reportedly in part because the rule would have prevented introduction of non-germane amendments, such as that on risk and cost-benefit analysis. During the second session of the rd Congress, Senator Johnston addressed some of the key concerns of House Members when he introduced a revised version of his amendment. It was adopted by the Senate during the May 18, floor debate on Senate-passed S. The Senate also adopted House-passed H. The House passed H. It would have established a program in EPA to develop risk assessment guidelines, oversee their implementation. A pilot program on comparative risk analysis and an interagency coordinating process in OSTP also would have been established by H. Risk i n the th Congress The House Republican Contract with America promises that within the first days of the th Congress risk legislation will be introduced, debated, and voted upon in the House. For example, the JCWEA title contains a slightly modified version of the original Johnston amendment, with coverage expanded beyond EPA to include all Federal agencies that promulgate regulations concerning human health and safety or the environment. Some proposals that did not advance in the rd Congress may have more vigor in the th; for example, almost all the provisions of H. It would require Federal agencies to distinguish explicitly between scientific findings and other considerations in risk assessments, to consider negative as well as positive experimental data, and to explain underlying assumptions and models. It also specifies the contents of all public risk characterizations and requires each agency to establish guidance for risk assessment and risk characterization. A modified version of H. Authority for Superfund taxation expires December 31, It also set strict cleanup standards: The IOlst Congress extended the program authorization for 3 years through FY , and the taxes for 4 years through December 31, The program continues in effect, but the taxing sunset provision requires the th Congress to take some kind of action to keep the program running without interruption. Superfund Actions in the rd Congress In the rd Congress, Superfund reauthorization bills were reported in both houses, but neither got to the floor. Based on the revised Administration proposal of May 2, , H. The result has been a large amount of litigation. To help avoid that, the reported bills would have had an independent outside party allocate cost shares among the responsible parties, with incentives and disincentives employed t o discourage law suits. De minimis parties, municipalities, and small businesses were eligible for early settlements that considered their ability to pay, and lenders were exempt from liability unless they caused or contributed to the contamination. This new fund was intended to eliminate litigation between polluters and their insurance companies over who should pay cleanup costs. However, there were sharp divisions within the insurance industry over which companies should pay the new taxes. Another controversial area the bills addressed related to the cleanup process and remedy selection. The bills attempted to provide

## **DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS**

consistent and equivalent protection of health and the environment to all communities by establishing a single national goal for chemical contaminants not a range as under current regulations , although site-specific factors including future land use could be considered when selecting the remedy. Also under the proposal, States could take over many new activities on a site-by-site basis. To select remedial actions or to use the new allocation procedures, the State must have a demonstrated record of performing similar actions.

# DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

## Chapter 5 : History of the Clean Water Act | Laws & Regulations | US EPA

*H.R. (rd) was a bill in the United States Congress. A bill must be passed by both the House and Senate in identical form and then be signed by the President to become law.*

Background[ edit ] Health implications of water pollution[ edit ] Contamination of drinking water supplies can not only occur in the source water but also in the distribution system. Sources of water contamination include naturally occurring chemicals and minerals arsenic, radon, uranium , local land use practices fertilizers, pesticides, concentrated feeding operations , manufacturing processes, and sewer overflows or wastewater releases. Some examples of health implications of water contamination are gastrointestinal illness, reproductive problems, and neurological disorders. Infants, young children, pregnant women, the elderly, and people whose immune systems are compromised because of AIDS, chemotherapy, or transplant medications, may be especially susceptible to illness from some contaminants. The association was stronger in those over 75 than in the population aged 65â€” This example is a small reflection of residents of the United States remain at risk of waterborne gastrointestinal illness under current water treatment practices. New research by Brunel University and the University of Exeter strengthens the relationship between water pollution and rising male fertility problems. Study identified a group of chemicals that act as anti-androgens in polluted water, which inhibits the function of the male hormone, testosterone, reducing male fertility. The risk was 90 percent higher for those who had private wells near fields sprayed with widely used insecticides. Unlike water supplies in large cities, private wells are mostly unregulated and are not monitored for contaminants. Many of them exist at shallow depths of less than 20 yards, and some of the crop chemicals used to kill pests and weeds can flow into ground water. Therefore, private wells are likely to contain pesticides, which can attack developing brains womb or infancy , leading to neurological diseases later in life. The statute frequently uses the term "navigable waters" but also defines the term as "waters of the United States, including the territorial seas. EPA has authorized 47 states to issue permits directly to the discharging facilities. In the remaining states and territories , the permits are issued by an EPA regional office. In previous legislation, Congress had authorized states to develop water quality standards, which would limit discharges from facilities based on the characteristics of individual water bodies. However, those standards were to be developed only for interstate waters, and the science to support that process i. That system was not effective, and there was no permit system in place to enforce the requirements. In the CWA, Congress added the permit system and a requirement for technology-based effluent limitations. The EPA develops those standards for categories of dischargers, based on the performance of pollution control technologies without regard to the conditions of a particular receiving water body. The intent of Congress was to create a "level playing field" by establishing a basic national discharge standard for all facilities within a category, using a " Best Available Technology. If the national standard is not sufficiently protective at a particular location, then water quality standards may be employed. After application of technology-based standards to a permit, if water quality is still impaired for the particular water body, then the permit agency state or EPA may add water quality-based limitations to that permit. The additional limitations are to be more stringent than the technology-based limitations and would require the permittee to install additional controls. Water quality standards consist of four basic elements: Identification of appropriate water uses takes into consideration the usage and value of public water supply, protection of fish, wildlife, recreational waters, agricultural, industrial and navigational water ways. If those standards indicate designated uses to be less than those currently attained, states or tribes are required to revise standards to reflect the uses that are actually being attained. Every three years, such bodies of water must be re-examined to verify if new information is available that demand a revision of the standard. Water quality criteria can be numeric criteria that toxicity causes are known for protection against pollutants. A narrative criterion is water quality criteria which serves as a basis for limiting the toxicity of waste discharges to aquatic species. A biological criterion is based on the aquatic community which describes the number and types of

## DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

species in a water body. A nutrient criterion solely protects against nutrient over enrichment, and a sediment criterion describes conditions of contaminated and uncontaminated sediments in order to avoid undesirable effects. Anti-degradation procedures identify steps and questions that need to be addressed when specific activities affect water quality. Tier 1 is applicable to all surface waters. It maintains and protects current uses and water quality conditions to support existing uses. Current uses are identified by showing that fishing, swimming, and other water uses have occurred and are suitable since November 28, 1972. Tier 3 maintains and protects water quality in outstanding national resource waters ONRWs, which are the highest quality waters in the US with ecological significance. Those provisions on water quality standards include mixing zones, variance, and low flow policies. Mixing zone policy is defined area surrounding a point source discharge where sewage is diluted by water. Methodology of mixing zone procedure determines the location, size, shape and quality of mixing zones. Variance policy temporarily relax water quality standard and are alternatives to removing a designated use. States and tribes may include variance as part of their water quality standard. Variance is subject to public review every three years and warrant development towards improvement of water quality. Low Flow policy pertains to states and tribes water quality standards that identify procedures applied to determining critical low flow conditions. Such sources were therefore considered to be nonpoint sources that were not subject to the permit program. Agricultural stormwater discharges and irrigation return flows were specifically exempted from permit requirements. Department of Agriculture to improve runoff management practices on farms. See Natural Resources Conservation Service. Map of municipal separate storm sewer systems Stormwater runoff from industrial sources, municipal storm drains, and other sources were not specifically addressed in the law. In 1990, the D. Circuit Court of Appeals ruled that stormwater discharges must be covered by the permit program. The agency began to develop regulations for stormwater permit coverage but encountered resistance from industry and municipalities, and there were additional rounds of litigation. The litigation was pending when Congress considered further amendments to the CWA in 1991. In the Water Quality Act of 1991, Congress responded to the stormwater problem by defining industrial stormwater dischargers and municipal separate storm sewer systems often called "MS4" as point sources, and requiring them to obtain NPDES permits, by specific deadlines. The permit exemption for agricultural discharges continued, but Congress created several programs and grants, including a demonstration grant program at the EPA to expand the research and development of non point controls and management practices. A system of grants for construction of municipal sewage treatment plants was authorized and funded in Title II. In subsequent amendments Congress reduced the federal proportion of the grants and in the WQA transitioned to a revolving loan program in Title VI. Industrial and other private facilities are required to finance their own treatment improvements on the "polluter pays" principle. Title I - Research and Related Programs[ edit ] Title I includes a Declaration of Goals and Policy [25] and various grant authorizations for research programs and pollution control programs. Some of the programs authorized by the law are ongoing e. Recreational vessels are exempt from the permit requirements, but vessel operators must implement Best Management Practices to control their discharges. Technology-Based Standards Program[ edit ] Under the act EPA began to issue technology-based standards for municipal and industrial sources. Municipal sewage treatment plants POTW are required to meet secondary treatment standards. There are 28 categories with pretreatment standards as of 1991. These regulations are responsible for preventing the discharge of almost billion pounds of pollutants each year. The categorical pretreatment standards are typically implemented by POTWs through permits that they issue to their industrial users. States set WQS by designating uses for the water body e. An antidegradation policy is also issued by each state to maintain and protect existing uses and high quality waters. The TMDL is determined after study of the specific properties of the water body and the pollutant sources that contribute to the non-compliant status. As of 1991, approximately half of the rivers, lakes, and bays under EPA oversight were not safe enough for fishing and swimming. National Water Quality Inventory[ edit ] The primary mode of informing the quality of water of rivers, lakes, streams, ponds, estuaries, coastal waters and wetlands of the U. Water quality assessments are conducted pursuant to water quality standards adopted by states and other

## DOWNLOAD PDF CLEAN WATER LEGISLATION IN THE 103RD CONGRESS

jurisdictions territories, interstate commissions and tribes. The report is conveyed to Congress as a means to inform Congress and the public of compliance with quality standards established by states, territories and tribes. Every two years states must submit reports that describe water quality conditions to EPA with a complete inquiry of social and economic costs and benefits of achieving goals of the Act. The report is organized into two major sections; Section 1 shows national assessment of each type of water body, with causes and sources identified. Section 2 summarizes recommendations on improvement of water resource management. A violator may also receive up to a year in jail. For a knowing endangerment violation, i. States that are authorized by EPA to administer the NPDES program must have authority to enforce permit requirements under their respective state laws.

### Chapter 6 : Regulatory Information by Topic: Water | Regulatory Information By Topic | US EPA

*Much of the proposed legislation in the rd Congress focused on the Endangered Species Act and section of the Clean Water Act. Bills proposed requiring all Federal agencies, including EPA, to assess the effects of proposed actions on the rights of private property owners.*

### Chapter 7 : Environmental Protection: From the rd to the th Congress - [www.nxgvision.com](http://www.nxgvision.com)

*Act of (Clean Water Act). Certain inly much has been accomplished in cleaning the nation's waterways, yet weaknesses have been identified (Smith et al, ; Adler et al, ). Efforts of the rd Congress to amend the Clean Water Act were discussed in detail at the annual meeting of the Universities Council on Water Resources ().*

### Chapter 8 : James Jeffords | [www.nxgvision.com](http://www.nxgvision.com)

*Water Quality: Implementing the Clean Water Act Summary Congress enacted the last major amendments to the Clean Water Act in (P.L. ). Since then, the Environmental Protection Agency (EPA), states, and others have been working to implement the many program changes and additions mandated in the law.*

### Chapter 9 : Safe Drinking Water

*May 24, H.R. (rd). To amend the Federal Water Pollution Control Act (Clean Water Act) to authorize appropriations in each of fiscal years for the construction of wastewater treatment works to provide water pollution control in or near the United States-Mexico border area.*