

AMENDMENT IN THE NATURE OF A SUBSTITUTE

TO H.R. 1720

OFFERED BY MRS. NAPOLITANO OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Ocean Pollution Re-
3 duction Act II”.

**4 SEC. 2. SAN DIEGO POINT LOMA PERMITTING REQUIRE-
5 MENTS.**

6 (a) IN GENERAL.—Notwithstanding any provision of
7 the Federal Water Pollution Control Act (33 U.S.C. 1251
8 et seq.), the Administrator may issue a permit under sec-
9 tion 402 of the Federal Water Pollution Control Act (33
10 U.S.C. 1342) for a discharge from the Point Loma Plant
11 into marine waters that requires compliance with the re-
12 quirements described in subsection (b).

13 (b) CONDITIONS.—A permit issued under this section
14 shall require—

15 (1) maintenance of the currently designed deep
16 ocean outfall from the Point Loma Plant with a dis-
17 charge depth of not less than 300 feet and distance
18 from the shore of not less than 4 miles;

1 program that meets or exceeds the requirements of
2 section 301(h)(3) of such Act (33 U.S.C.
3 1311(h)(3)); and

13 (c) MILESTONES.—The Administrator shall deter-
14 mine development milestones necessary to ensure compli-
15 ance with this section and include such milestones as con-
16 ditions in each permit issued under this section before De-
17 cember 31, 2038.

18 (d) SECONDARY TREATMENT.—Nothing in this sec-
19 tion prevents the applicant from alternatively submitting
20 an application for the Point Loma Plant that complies
21 with secondary treatment pursuant to section
22 301(b)(1)(B) and section 402 of the Federal Water Pollu-
23 tion Control Act (33 U.S.C. 1311(b)(1)(B); 33 U.S.C.
24 1342).

25 (e) DEFINITIONS.—In this section:

12 (4) STATE.—The term “State” means the State
13 of California.