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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Water Pollution Control Act with respect to general permits under the national pollutant discharge elimination system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. COLLINS introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Federal Water Pollution Control Act with respect to general permits under the national pollutant discharge elimination system, and for other purposes.

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 “Clarifying Federal
5 General Permits Act”.

1 **SEC. 2. FEDERAL GENERAL PERMITS.**

2 Section 402(a) of the Federal Water Pollution Con-
3 trol Act (33 U.S.C. 1342(a)) is amended by adding at the
4 end the following:

5 “(6)(A) The Administrator may issue general permits
6 under this section on a State, regional, or nationwide
7 basis, or for a delineated area, for discharges associated
8 with any category of activities, which discharges are of
9 similar types and from similar sources.

10 “(B) If a general permit issued under this section will
11 expire and the Administrator decides not to issue a new
12 general permit for discharges similar to those covered by
13 the expiring general permit, the Administrator shall pub-
14 lish in the Federal Register a notice of such decision at
15 least two years prior to the expiration of the general per-
16 mit.

17 “(C)(i) If a general permit issued under this section
18 expires and the Administrator has not published a notice
19 in accordance with subparagraph (B), the Administrator
20 shall, until the date described in clause (ii)—

21 “(I) continue to apply the terms, conditions,
22 and requirements of the expired general permit to
23 any discharge that was covered by the expired gen-
24 eral permit; and

25 “(II) apply such terms, conditions, and require-
26 ments to any discharge that would have been cov-

1 ered by the expired general permit (in accordance
2 with any relevant requirements for such coverage) if
3 the discharge had occurred before such expiration.

4 “(ii) The date described in this clause is the earlier
5 of—

6 “(I) the date on which the Administrator issues
7 a new general permit for discharges similar to those
8 covered by the expired general permit; or

9 “(II) the date that is 2 years after the date on
10 which the Administrator publishes in the Federal
11 Register a notice of a decision not to issue a new
12 general permit for discharges similar to those cov-
13 ered by the expired general permit.”.