

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3898
OFFERED BY MS. POU OF NEW JERSEY**

Add at the end the following:

1 **SEC. ____.** **DETERMINATION ON INCREASE IN RISK OF**
2 **SEWER OVERFLOWS, STORMWATER, AND**
3 **FLOODING.**

4 This Act, including the amendments made by this
5 Act, shall not take effect until the date on which the Ad-
6 ministrator of the Environmental Protection Agency
7 issues a determination that the implementation of this
8 Act, including the amendments made by this Act, will
9 not—

10 (1) result in an increase in the discharge of pol-
11 lutants (within the meaning of the Federal Water
12 Pollution Control Act), including an increase in the
13 discharge of raw or partially treated sewage associ-
14 ated with combined sewer overflows or sanitary
15 sewer overflows;

16 (2) result in an increase in the discharge of mu-
17 nicipal or industrial stormwater; or

1 (3) exacerbate the risk or consequence of flood-
2 ing, including flooding associated with precipitation
3 events, to—

4 (A) public or private property;

5 (B) private businesses (including small
6 businesses);

7 (C) local, regional, or national economies;

8 (D) critical public infrastructure or essen-
9 tial public services; or

10 (E) human life or safety.

