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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Federal Water Pollution Control Act with respect to the scope of national pollutant discharge elimination system permit discharge authorizations and the expression of effluent limitations, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. DUARTE (for himself and Mr. ROUZER) introduced the following bill;  
which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Federal Water Pollution Control Act with respect to the scope of national pollutant discharge elimination system permit discharge authorizations and the expression of effluent limitations, 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 “Confidence in Clean  
5 Water Permits Act”.

1 **SEC. 2. COMPLIANCE WITH PERMITS.**

2 Section 402(k) of the Federal Water Pollution Con-  
3 trol Act (33 U.S.C. 1342(k)) is amended—

4 (1) by striking “(k) Compliance with” and in-  
5 serting the following:

6 “(k) COMPLIANCE WITH PERMITS.—

7 “(1) IN GENERAL.—Subject to paragraph (2),  
8 compliance with”; and

9 (2) by adding at the end the following:

10 “(2) SCOPE.—For purposes of paragraph (1),  
11 compliance with the conditions of a permit shall be  
12 considered compliance with respect to a discharge  
13 of—

14 “(A) any pollutant for which an effluent  
15 limitation is included in the permit; and

16 “(B) any pollutant for which an effluent  
17 limitation is not included in the permit that  
18 is—

19 “(i) specifically identified as controlled  
20 or monitored through indicator parameters  
21 in the permit, the fact sheet for the per-  
22 mit, or the administrative record relating  
23 to the permit;

24 “(ii) specifically identified during the  
25 permit application process as present in

1 discharges to which the permit will apply;

2 or

3 “(iii) whether or not specifically iden-  
4 tified in the permit or during the permit  
5 application process—

6 “(I) present in any waste  
7 streams or processes of the point  
8 source to which the permit applies,  
9 which waste streams or processes are  
10 specifically identified during the per-  
11 mit application process; or

12 “(II) otherwise within the scope  
13 of any operations of the point source  
14 to which the permit applies, which  
15 scope of operations is specifically iden-  
16 tified during the permit application  
17 process.”.

18 **SEC. 3. EXPRESSION OF WATER QUALITY-BASED EFFLUENT**

19 **LIMITATIONS.**

20 Section 402 of the Federal Water Pollution Control  
21 Act (33 U.S.C. 1342) is amended by adding at the end  
22 the following:

23 “(t) **EXPRESSION OF WATER QUALITY-BASED EF-**  
24 **FLUENT LIMITATIONS.**—The Administrator (or a State,  
25 in the case of a permit program approved by the Adminis-

1 trator) may not include any water quality-based limitation  
2 on a discharge of a pollutant in a permit under this section  
3 except in the form of an effluent limitation that speci-  
4 fies—

5           “(1) the pollutant to which it applies; and

6           “(2) the numerical limit on the discharge of  
7 such pollutant, or the precise waterbody conditions  
8 to be attained with respect to such pollutant, re-  
9 quired to comply with the permit.”.