

111TH CONGRESS
1ST SESSION

H. R. 1262

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2009

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) IN GENERAL.—This Act may be cited as the
3 “Water Quality Investment Act of 2009”.

4 (b) TABLE OF CONTENTS.—

- Sec. 1. Short title; table of contents.
- Sec. 2. Amendment of Federal Water Pollution Control Act.

TITLE I—WATER QUALITY FINANCING

Subtitle A—Technical and Management Assistance

- Sec. 1101. Technical assistance.
- Sec. 1102. State management assistance.
- Sec. 1103. Watershed pilot projects.

Subtitle B—Construction of Treatment Works

- Sec. 1201. Sewage collection systems.
- Sec. 1202. Treatment works defined.

Subtitle C—State Water Pollution Control Revolving Funds

- Sec. 1301. General authority for capitalization grants.
- Sec. 1302. Capitalization grant agreements.
- Sec. 1303. Water pollution control revolving loan funds.
- Sec. 1304. Allotment of funds.
- Sec. 1305. Intended use plan.
- Sec. 1306. Annual Reports.
- Sec. 1307. Technical assistance; requirements for use of American materials.
- Sec. 1308. Authorization of appropriations.

Subtitle D—General Provisions

- Sec. 1401. Definition of treatment works.
- Sec. 1402. Funding for Indian programs.

Subtitle E—Tonnage Duties

- Sec. 1501. Tonnage duties.
- Sec. 1502. United States-Mexican border water infrastructure studies.

TITLE II—ALTERNATIVE WATER SOURCE PROJECTS

- Sec. 2001. Pilot program for alternative water source projects.

TITLE III—SEWER OVERFLOW CONTROL GRANTS

- Sec. 3001. Sewer overflow control grants.

TITLE IV—MONITORING, REPORTING, AND PUBLIC NOTIFICATION
OF SEWER OVERFLOWS

- Sec. 4001. Monitoring, reporting, and public notification of sewer overflows.

TITLE V—GREAT LAKES LEGACY REAUTHORIZATION

- Sec. 5001. Remediation of sediment contamination in areas of concern.
- Sec. 5002. Public information program.
- Sec. 5003. Contaminated sediment remediation approaches, technologies, and techniques.
- Sec. 5004. Great Lakes water quality.

TITLE VI—PHARMACEUTICALS AND PERSONAL CARE PRODUCTS

- Sec. 6001. Presence of pharmaceuticals and personal care products in waters of the United States.

TITLE VII—MISCELLANEOUS

- Sec. 7001. Task force on proper disposal of unused pharmaceuticals.

TITLE VIII—OMB STUDY

- Sec. 8001. Evaluation using program assessment rating tool.

TITLE IX—CHESAPEAKE BAY ACCOUNTABILITY AND RECOVERY

- Sec. 9001. Chesapeake Bay Crosscut Budget.
- Sec. 9002. Adaptive Management Plan.
- Sec. 9003. Definitions.

1 **SEC. 2. AMENDMENT OF FEDERAL WATER POLLUTION CON-**
2 **TROL ACT.**

3 Except as otherwise expressly provided, whenever in
4 this Act an amendment or repeal is expressed in terms
5 of an amendment to, or repeal of, a section or other provi-
6 sion, the reference shall be considered to be made to a
7 section or other provision of the Federal Water Pollution
8 Control Act (33 U.S.C. 1251 et seq.).

1 **TITLE I—WATER QUALITY**
2 **FINANCING**
3 **Subtitle A—Technical and**
4 **Management Assistance**

5 **SEC. 1101. TECHNICAL ASSISTANCE.**

6 (a) TECHNICAL ASSISTANCE FOR RURAL AND SMALL
7 TREATMENT WORKS.—Section 104(b) (33 U.S.C.
8 1254(b)) is amended—

9 (1) by striking “and” at the end of paragraph
10 (6);

11 (2) by striking the period at the end of para-
12 graph (7) and inserting “; and”; and

13 (3) by adding at the end the following:

14 “(8) make grants to nonprofit organizations—

15 “(A) to provide technical assistance to

16 rural and small municipalities and tribal gov-

17 ernments for the purpose of assisting, in con-

18 sultation with the State in which the assistance

19 is provided, such municipalities and tribal gov-

20 ernments in the planning, developing, and ac-

21 quisition of financing for eligible projects de-

22 scribed in section 603(c);

23 “(B) to provide technical assistance and

24 training for rural, small, and tribal publicly

25 owned treatment works and decentralized

1 wastewater treatment systems to enable such
2 treatment works and systems to protect water
3 quality and achieve and maintain compliance
4 with the requirements of this Act; and

5 “(C) to disseminate information to rural,
6 small, and tribal municipalities and municipali-
7 ties that meet the affordability criteria estab-
8 lished under section 603(i)(2) by the State in
9 which the municipality is located with respect to
10 planning, design, construction, and operation of
11 publicly owned treatment works and decentral-
12 ized wastewater treatment systems.”

13 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
14 104(u) (33 U.S.C. 1254(u)) is amended—

15 (1) by striking “and (6)” and inserting “(6)”;
16 and

17 (2) by inserting before the period at the end the
18 following: “; and (7) not to exceed \$100,000,000 for
19 each of fiscal years 2010 through 2014 for carrying
20 out subsections (b)(3), (b)(8), and (g), except that
21 not less than 20 percent of the amounts appro-
22 priated pursuant to this paragraph in a fiscal year
23 shall be used for carrying out subsection (b)(8)”.

24 (c) SMALL FLOWS CLEARINGHOUSE.—Section
25 104(q)(4) (33 U.S.C. 1254(q)(4)) is amended—