

1 . AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Oberstar, James OF Minnesota
OR H is DESIGNEE, DEBATABLE FOR 10 MINUTES.

Rev

21

**AMENDMENT TO H.R. 1262, AS REPORTED
OFFERED BY MR. OBERSTAR OF MINNESOTA**

In section 1101(a)(3) of the bill, in the matter proposed to be inserted as section 104(b)(8) of the Federal Water Pollution Control Act—

(1) in subparagraph (A)—

(A) insert “and tribal governments” after “small municipalities”; and

(B) insert “and tribal governments” after “such municipalities”; and

(2) in subparagraphs (B) and (C) strike “rural and small” and insert “rural, small, and tribal”.

In section 1103(a)(2) of the bill, amend subparagraph (A) to read as follows:

- 1 (A) in the matter preceding paragraph
2 (1)—
3 (i) by striking “for treatment works”
4 and inserting “to a municipality or munic-
5 ipal entity”; and
6 (ii) by striking “wet weather dis-
7 charge”;

In section 1103(a)(2)(B) of the bill, in the matter proposed to be inserted in section 122(a)(2) of the Federal Water Pollution Control Act, strike “technologies” and insert “technologies and other techniques that utilize infiltration, evapotranspiration, and reuse of storm water on site”.

In section 1103 of the bill, amend subsection (b) to read as follows:

1 (b) AUTHORIZATION OF APPROPRIATIONS.—The first
2 sentence of section 122(c)(1) is amended—

3 (1) by striking “and”; and

4 (2) by striking the period and inserting “, such
5 sums as may be necessary for each of fiscal years
6 2005 through 2009, and \$100,000,000 for each of
7 fiscal years 2010 through 2014.”.

In section 1303(a) of the bill, in the matter proposed to be inserted in section 603(c) of the Federal Water Pollution Control Act—

(1) in paragraph (7) strike “and” after the semicolon;

(2) in paragraph (8) strike “section 122.”, the closing quotation marks, and the final period and insert “section 122; and”; and

(3) add after paragraph (8) the following:

1 “(9) to any municipality or intermunicipal,
2 interstate, or State agency for measures to reduce
3 the energy consumption needs for publicly owned
4 treatment works, including the implementation of
5 energy-efficient or renewable-energy generation tech-
6 nologies.”.

In section 1303(f) of the bill, in the matter proposed to be inserted as section 603(i)(2)(A) of the Federal Water Pollution Control Act, strike the last sentence and insert the following: “Such criteria shall be based on income data, population trends, and other data determined relevant by the State, including whether the project or activity is to be carried out in an economically distressed area, as described in section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161).”.

Amend section 1306 of the bill to read as follows:

7 **SEC. 1306. ANNUAL REPORTS.**

8 Section 606(d) (33 U.S.C. 1386(d)) is amended—

9 (1) by striking “(d) ANNUAL REPORT.—Begin-
10 ning” and inserting the following:

11 “(d) ANNUAL REPORTS.—

12 “(1) STATE REPORT.—Beginning”;

13 (2) in paragraph (1) (as so designated) by
14 striking “loan amounts,” and inserting “loan

1 amounts, the eligible purposes under section 603(c)
2 for which the assistance has been provided,”; and

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

4 “(2) FEDERAL REPORT.—The Administrator
5 shall annually prepare, and make publicly available,
6 a report on the performance of the projects and ac-
7 tivities carried out in whole or in part with assist-
8 ance made available by a State water pollution con-
9 trol revolving fund as authorized under this title
10 during the previous fiscal year, including—

11 “(A) the annual and cumulative financial
12 assistance provided to States under this title;

13 “(B) the categories and types of such
14 projects and activities;

15 “(C) an estimate of the number of jobs
16 created through carrying out such projects and
17 activities;

18 “(D) an assessment of the progress made
19 toward meeting the goals and purposes of this
20 Act through such projects and activities; and

21 “(E) any additional information that the
22 Administrator considers appropriate.”.

At the end of title I of the bill, add the following
(with the correct sequential provision designations [re-

placing the numbers currently shown for such designations]) and conform the table of contents accordingly:

1 **SEC. 1309. UNITED STATES-MEXICAN BORDER WATER IN-**
2 **FRAStructure STUDIES.**

3 (a) **STUDY OF INFRASTRUCTURE ALONG THE RIO**
4 **GRANDE RIVER.—**

5 (1) **IN GENERAL.—**The Administrator of the
6 Environmental Protection Agency shall conduct a
7 study of wastewater treatment facilities that dis-
8 charge into the Rio Grande River and develop rec-
9 ommendations for improving monitoring, informa-
10 tion sharing, and cooperation between the United
11 States and Mexico.

12 (2) **CONSULTATION.—**The Administrator shall
13 conduct the study in consultation with the Secretary
14 of State, appropriate representatives of the Mexican
15 government, and the International Boundary Waters
16 Commission.

17 (3) **REPORT.—**Not later than 12 months after
18 the date of enactment of this Act, the Administrator
19 shall submit to Congress a report on the results of
20 the study, together with the recommendations devel-
21 oped under paragraph (1).

22 (b) **STUDY OF WATER INFRASTRUCTURE ALONG THE**
23 **UNITED STATES-MEXICO BORDER.—**

1 (1) STUDY.—The Comptroller General shall
2 conduct a study on water infrastructure along the
3 border between the United States and Mexico to
4 augment current studies relating to colonias develop-
5 ment.

6 (2) CONTENTS.—In conducting the study, the
7 Comptroller General shall examine the comprehen-
8 sive planning needs relating to water and wastewater
9 infrastructure for colonias along the border between
10 the United States and Mexico.

11 (3) REPORT.—Not later than 12 months after
12 the date of enactment of this Act, the Comptroller
13 General shall submit to Congress a report on the re-
14 sults of the study.

In section 1501 of the bill, strike subsection (b) and
redesignate subsections (c) and (d) as subsections (b)
and (c), respectively.

In section 1501(e)(3) of the bill (as so redesign-
nated)—

(1) in subparagraph (A) insert “and” after the
semicolon;

(2) in subparagraph (B) strike “; and” and in-
sert a period; and

(3) strike subparagraph (C).

Strike section 3001(b) of the bill and insert the following:

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 221(f) (33 U.S.C. 1301(f)) is amended to read as follows:

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—

4 “(1) IN GENERAL.—There is authorized to be
5 appropriated to carry out this section \$250,000,000
6 for fiscal year 2010, \$300,000,000 for fiscal year
7 2011, \$350,000,000 for fiscal year 2012,
8 \$400,000,000 for fiscal year 2013, and
9 \$500,000,000 for fiscal year 2014. Such sums shall
10 remain available until expended.

11 “(2) MINIMUM ALLOCATIONS.—To the extent
12 there are sufficient eligible project applications, the
13 Administrator shall ensure that a State uses not less
14 than 20 percent of the amount of the grants made
15 to the State under subsection (a) in a fiscal year to
16 carry out projects to control municipal combined
17 sewer overflows and sanitary sewer overflows
18 through the use of green infrastructure, water and
19 energy efficiency improvements, and other environ-
20 mentally innovative activities.”.

At the end of title V of the bill, add the following
(with the correct sequential provision designations [re-

placing the numbers currently shown for such designations]) and conform the table of contents accordingly:

1 **SEC. 5004. GREAT LAKES WATER QUALITY.**

2 (a) **STUDY.**—The Administrator of the Environ-
3 mental Protection Agency, in consultation with the Sec-
4 retary of State and the Government of Canada, shall con-
5 duct a study of the condition of wastewater treatment fa-
6 cilities located in the United States and Canada that dis-
7 charge into the Great Lakes.

8 (b) **CONTENTS.**—In conducting the study, the Ad-
9 ministrator shall—

10 (1) determine the effect that such treatment fa-
11 cilities have on the water quality of the Great Lakes;
12 and

13 (2) develop recommendations—

14 (A) to improve water quality monitoring by
15 the operators of such treatment facilities;

16 (B) to establish a protocol for improved
17 notification and information sharing between
18 the United States and Canada; and

19 (C) to promote cooperation between the
20 United States and Canada to prevent the dis-
21 charge of untreated and undertreated waste-
22 water into the Great Lakes.

1 (c) CONSULTATION.—In conducting the study, the
2 Administrator shall consult with the International Joint
3 Commission.

4 (d) REPORT.—Not later than 12 months after the
5 date of enactment of this Act, the Administrator shall sub-
6 mit to Congress a report on the results of the study, to-
7 gether with the recommendations developed under sub-
8 section (b)(2).

At the end of the bill, add the following (with the
correct sequential provision designations [replacing the
numbers currently shown for such designations]) and
conform the table of contents accordingly:

9 **TITLE VI—PHARMACEUTICALS**
10 **AND PERSONAL CARE PROD-**
11 **UCTS**

12 **SEC. 6001. PRESENCE OF PHARMACEUTICALS AND PER-**
13 **SONAL CARE PRODUCTS IN WATERS OF THE**
14 **UNITED STATES.**

15 Section 104 (33 U.S.C. 1254) is amended by adding
16 at the end the following:

17 “(w) PRESENCE OF PHARMACEUTICALS AND PER-
18 SONAL CARE PRODUCTS IN WATERS OF THE UNITED
19 STATES.—

20 “(1) STUDY.—The Administrator, in consulta-
21 tion with appropriate Federal agencies (including

1 the National Institute of Environmental Health
2 Sciences), shall conduct a study on the presence of
3 pharmaceuticals and personal care products (in this
4 subsection referred to as 'PPCPs') in the waters of
5 the United States.

6 “(2) CONTENTS.—In conducting the study
7 under paragraph (1), the Administrator shall—

8 “(A) identify PPCPs that have been de-
9 tected in the waters of the United States and
10 the levels at which such PPCPs have been de-
11 tected;

12 “(B) identify the sources of PPCPs in the
13 waters of the United States, including point
14 sources and nonpoint sources of PPCP contami-
15 nation; and

16 “(C) identify methods to control, limit,
17 treat, or prevent PPCPs in the waters of the
18 United States.

19 “(3) REPORT.—Not later than 12 months after
20 the date of enactment of this subsection, the Admin-
21 istrator shall submit to Congress a report on the re-
22 sults of the study conducted under this subsection,
23 including the potential effects of PPCPs in the wa-
24 ters of the United States on human health and
25 aquatic wildlife.

1 “(4) PHARMACEUTICALS AND PERSONAL CARE
2 PRODUCTS DEFINED.—In this subsection, the terms
3 ‘pharmaceuticals and personal care products’ and
4 ‘PPCPs’ mean products used by individuals for per-
5 sonal health or cosmetic reasons or used to enhance
6 growth or health of livestock.”.

