

116TH CONGRESS  
2D SESSION

# S. 4681

To require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2020

Mr. UDALL introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

---

## A BILL

To require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, 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 the “Plastic Pellet Free  
5 Waters Act”.

1 **SEC. 2. EFFLUENT LIMITATIONS FOR WASTEWATER,**  
2 **SPILLS, AND RUNOFF FROM PLASTIC POLY-**  
3 **MER PRODUCTION FACILITIES, PLASTIC**  
4 **MOLDING AND FORMING FACILITIES, AND**  
5 **OTHER POINT SOURCES ASSOCIATED WITH**  
6 **THE TRANSPORT AND PACKAGING OF PLAS-**  
7 **TIC PELLETS OR OTHER PRE-PRODUCTION**  
8 **PLASTIC MATERIALS.**

9 Not later than 60 days after the date of enactment  
10 of this Act, the Administrator of the Environmental Pro-  
11 tection Agency (referred to in this section as the “Admin-  
12 istrator”) shall promulgate a final rule to ensure that—

13 (1) the discharge of plastic pellets or other pre-  
14 production plastic materials (including discharge  
15 into wastewater and other runoff) from facilities reg-  
16 ulated under part 414 or 463 of title 40, Code of  
17 Federal Regulations (as in effect on the date of en-  
18 actment of this Act), is prohibited;

19 (2) the discharge of plastic pellets or other pre-  
20 production plastic materials (including discharge  
21 into wastewater and other runoff) from a point  
22 source (as defined in section 502 of the Federal  
23 Water Pollution Control Act (33 U.S.C. 1362)) that  
24 makes, uses, packages, or transports those plastic  
25 pellets and other pre-production plastic materials is  
26 prohibited; and

1           (3) the requirements under paragraphs (1) and  
2           (2) are reflected in—

3           (A) all wastewater, stormwater, and other  
4           permits issued by the Administrator and State-  
5           delegated programs under section 402 of the  
6           Federal Water Pollution Control Act (33 U.S.C.  
7           1342) to facilities and other point sources (as  
8           defined in section 502 of that Act (33 U.S.C.  
9           1362)) that make, use, package, or transport  
10          plastic pellets or other pre-production plastic  
11          materials, as determined by the Administrator,  
12          in addition to other applicable limits and stand-  
13          ards; and

14          (B) all standards of performance promul-  
15          gated under section 312(p) of the Federal  
16          Water Pollution Control Act (33 U.S.C.  
17          1322(p)) that are applicable to point sources  
18          (as defined in section 502 of that Act (33  
19          U.S.C. 1362)) that make, use, package, or  
20          transport plastic pellets or other pre-production  
21          plastic materials, as determined by the Admin-  
22          istrator.

○