

105TH CONGRESS
1ST SESSION

H. R. 2415

To amend the Federal Water Pollution Control Act concerning the effect
of administrative orders on civil penalty actions.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 1997

Mr. CONDIT introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act concern-
ing the effect of administrative orders on civil penalty
actions.

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. EFFECT OF ADMINISTRATIVE ORDERS ON**
4 **CIVIL PENALTY ACTIONS.**

5 Section 309(g)(6)(A) of the Federal Water Pollution
6 Control Act (33 U.S.C. 1319(g)(6)(A)) is amended—

7 (1) in clause (ii) by striking “or” at the end;

8 (2) by redesignating clause (iii) as clause (iv);

9 and

10 (3) by inserting after clause (ii) the following:

1 “(iii) that occurs at any publicly
2 owned treatment works utilizing innovative
3 or alternative technology funded by a con-
4 struction grant made by the Administrator
5 under this Act which, despite due diligence,
6 failed to meet design performance speci-
7 fications during a period in which addi-
8 tional funding authorization is being
9 sought, or design and construction are oc-
10 curring pursuant to the Administrator’s
11 authorization of additional funding, for
12 modification or replacement facilities under
13 section 202(a)(3) of this Act; or”.

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