

105TH CONGRESS  
2D SESSION

# H. R. 3238

To amend the Federal Water Pollution Control Act to prevent lapses in National Pollutant Discharge Elimination System permits.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 1998

Mr. SESSIONS (for himself, Mr. ARCHER, Mr. BARTON of Texas, Mr. BRADY, Mr. BONILLA, Mrs. CHENOWETH, Mr. COMBEST, Mr. CRAPO, Mr. DELAY, Mr. EDWARDS, Ms. GRANGER, Mr. HALL of Texas, Mr. SAM JOHNSON of Texas, Mr. REDMOND, Mr. SANDLIN, Mr. SHADEGG, Mr. SMITH of Texas, Mr. THORNBERRY, Mr. TURNER, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Federal Water Pollution Control Act to prevent lapses in National Pollutant Discharge Elimination System permits.

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 “NPDES Permit Gap  
5       Prevention Act of 1998”.

1 **SEC. 2. NPDES PERMITS.**

2 (a) STATE PROGRAM REQUIREMENTS.—Section  
3 402(b)(1)(B) of the Federal Water Pollution Control Act  
4 (33 U.S.C. 1342(b)(1)(B)) is amended by inserting after  
5 “(B)” the following: “except as provided in subsection  
6 (q),”.

7 (b) CONTINUED EFFECTIVENESS OF EXPIRED PER-  
8 MITS.—Section 402 of the Federal Water Pollution Con-  
9 trol Act (33 U.S.C. 1342) is amended by adding at the  
10 end the following:

11 “(q) CONTINUED EFFECTIVENESS OF EXPIRED PER-  
12 MITS.—If the Administrator or a State (in the case of a  
13 program approved under subsection (b)) does not reissue  
14 or withdraw a permit issued by the Administrator or the  
15 State under this section on or before the expiration date  
16 of the permit, the permit shall remain in full force and  
17 effect and new discharges may be authorized under the  
18 permit until such date as the Administrator or the State  
19 reissues or withdraws the permit.”.

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