

107TH CONGRESS  
2D SESSION

# H. CON. RES. 403

Expressing the sense of Congress regarding combined sewer overflow control programs.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2002

Mr. MEEHAN (for himself and Mr. QUINN) submitted the following concurrent resolution; which was referred to the Committee on Transportation and Infrastructure

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## CONCURRENT RESOLUTION

Expressing the sense of Congress regarding combined sewer overflow control programs.

Whereas approximately 900 communities, concentrated in the Northeast, Great Lakes region, and Pacific Northwest, have combined sewer systems;

Whereas combined sewer systems were among the earliest sewers built in the United States;

Whereas these sewer systems are known as “combined sewer systems” because they transport rainwater runoff, domestic sewage, and industrial waste through a single pipe to municipal treatment plants;

Whereas combined sewer overflow occurs when the capacity of the collection and treatment system is exceeded due to high volumes of rainwater or snowmelt;

Whereas in the event that the capacity of a combined sewer system is exceeded, untreated domestic sewage, industrial wastes, and rainwater are discharged into surface waters;

Whereas combined sewer overflow can create serious public health and water quality concerns;

Whereas the Environmental Protection Agency has required combined sewer overflow communities to develop long-term control plans for combined sewer overflow;

Whereas implementation of these long-term control plans can require extraordinarily large infrastructure investments that may be beyond the financial means of combined sewer overflow communities;

Whereas local government and utility ratepayers currently shoulder over 90 percent of all spending on drinking water and wastewater infrastructure;

Whereas the Environmental Protection Agency estimated in its 1996 Clean Water Needs Survey Report to Congress that it will cost \$44,700,000,000 to control combined sewer overflow nationwide;

Whereas many in the wastewater treatment sector consider that estimate to be a gross underestimate of required control costs;

Whereas the Federal Government has recognized that it has an obligation to assist communities in complying with water pollution control mandates of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

Whereas the construction grants program under such Act assisted States and communities in modernizing their water and sewer distribution programs;

Whereas the construction grants program under such Act has been replaced by annual Federal grants to capitalize State water pollution control revolving loan funds;

Whereas federally capitalized State water pollution control revolving loan funds have been increasingly used to provide below-market and zero-interest loans to communities for combined sewer overflow control projects;

Whereas although federally capitalized State water pollution control revolving loan funds have assisted combined sewer overflow control efforts, many communities cannot afford to repay loans for 100 percent of the cost of water infrastructure projects;

Whereas Congress has recognized that Federal grants are a necessary component of helping communities afford combined sewer overflow control;

Whereas Congress has provided earmarked combined sewer overflow control infrastructure funding for specific communities in annual appropriations Acts, accompanied by a 45 percent local cost-share requirement;

Whereas recognizing that earmarked combined sewer overflow infrastructure funding in annual appropriations Acts did not fully meet the enormous needs of combined sewer overflow communities, Congress enacted amendments to the Federal Water Pollution Control Act in 2000 authorizing the Environmental Protection Agency to provide \$750,000,000 in grants in each of fiscal years 2002 and 2003 to combined sewer overflow communities, either directly or through States, for planning, design, and construction of combined sewer overflow treatment;

Whereas the combined sewer overflow grant program authorized in 2000 assigns financially distressed communities priority for direct grants;

Whereas the new combined sewer overflow grant program was not funded in fiscal year 2002;

Whereas the President's budget for fiscal year 2003 does not request funding for the new combined sewer overflow grant program; and

Whereas the new combined sewer overflow grant program's authorization expires after fiscal year 2003: Now, therefore, be it

1       *Resolved by the House of Representatives (the Senate*  
2 *concurring)*, That Congress should—

3           (1) commit and provide substantially increased  
4       Federal funding and resources for combined sewer  
5       overflow control, which commitment must include a  
6       significant grant component;

7           (2) increase Federal funding for combined  
8       sewer overflow control to levels sufficient to cover at  
9       least 80 percent of the costs of such control incurred  
10      by economically disadvantaged communities, particu-  
11      larly those located in urban areas;

12          (3) provide the Environmental Protection Agen-  
13      cy with additional resources to improve nationwide  
14      tracking of progress in combined sewer overflow con-  
15      trol programs; and

1           (4) expressly authorize the Army Corps of En-  
2           gineers to assist municipalities with assessment and  
3           design work associated with combined sewer system  
4           upgrades.

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