

108TH CONGRESS  
1ST SESSION

# H. CON. RES. 309

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

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2003

Mr. MEEHAN (for himself, Ms. DELAURO, Mr. CASTLE, Mr. LANGEVIN, Mr. BASS, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. EMANUEL, Mr. INSLEE, Ms. MCCARTHY of Missouri, Mr. MCGOVERN, Mr. DELAHUNT, Mr. QUINN, Mr. KIND, and Mr. PALLONE) 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 the improvement of combined sewer overflow control programs.

Whereas approximately 772 communities in the United States, concentrated in the Northeast, Great Lakes region, and Pacific Northwest, have combined sewer systems;

Whereas combined sewer systems are sewer systems that transport rainwater runoff, domestic sewage, and industrial waste through a single pipe to municipal treatment plants;

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

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 when the capacity of a combined sewer system is exceeded, untreated rainwater runoff, domestic sewage, and industrial waste is discharged into surface waters;

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

Whereas the Environmental Protection Agency has required communities in which combined sewer overflow is prevalent 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 communities in which combined sewer overflow is prevalent;

Whereas local government and utility ratepayers are currently burdened with paying more than 90 percent of all spending on drinking water and wastewater infrastructure;

Whereas the Environmental Protection Agency estimated in its 2000 Clean Water Needs Survey Report to Congress that it will cost \$50,600,000,000 to control combined sewer overflow nationwide;

Whereas experts in the wastewater treatment sector consider the Environmental Protection Agency's figure 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 that Act assisted States and communities in modernizing their water and sewer distribution programs;

Whereas the construction grants program under that 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 projects to control combined sewer overflow;

Whereas although federally capitalized State water pollution control revolving loan funds have assisted efforts to control combined sewer overflow, 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” funding for infrastructure to control combined sewer overflow for specific communities in annual appropriations Acts, accompanied by a 45 percent local cost-share requirement;

Whereas recognizing that “earmarked” funding for infrastructure to control combined sewer overflow in annual appropriations Acts did not fully meet the enormous needs of communities in which combined sewer overflow is prevalent, in 2000 Congress passed amendments to the Federal Water Pollution Control Act authorizing the Environmental Protection Agency to provide \$750,000,000 in grants in each of fiscal years 2002 and 2003 to these communities, either directly or through States, for plan-

ning, 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 either fiscal year 2002 or 2003; 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—

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

7           (2) should increase Federal funding for com-  
8       bined sewer overflow control to levels sufficient to  
9       cover at least 80 percent of the costs of such control  
10      incurred by financially distressed communities, par-  
11      ticularly those located in urban areas;

12          (3) should provide the Environmental Protec-  
13      tion Agency with additional resources to improve na-  
14      tionwide tracking of progress in combined sewer  
15      overflow control programs; and

16          (4) should expressly authorize the Army Corps  
17      of Engineers to assist communities with assessment

- 1 and design work associated with upgrades of com-
- 2 bined sewer systems.

