

112TH CONGRESS
2D SESSION

H. R. 6405

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide grants for the revitalization of waterfront brownfields, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2012

Ms. SLAUGHTER introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide grants for the revitalization of waterfront brownfields, 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 as the “Waterfront Brown-
5 fields Revitalization Act”.

1 **SEC. 2. WATERFRONT BROWNFIELDS GRANT.**

2 Section 104(k) of the Comprehensive Environmental
3 Response, Compensation, and Liability Act of 1980 (42
4 U.S.C. 9604(k)) is amended—

5 (1) by redesignating paragraphs (4) through
6 (12) as paragraphs (5) through (13), respectively;

7 (2) in paragraph (3)(A) by striking “para-
8 graphs (4) and (5)” and inserting “paragraphs (5)
9 and (6)”;

10 (3) by inserting after paragraph (3) the fol-
11 lowing:

12 “(4) GRANTS FOR WATERFRONT BROWNFIELDS
13 REVITALIZATION.—

14 “(A) IN GENERAL.—Subject to paragraphs
15 (5) and (6), the President shall establish a pro-
16 gram to provide grants to eligible entities or
17 nonprofit organizations to be used at one or
18 more waterfront brownfields sites.

19 “(B) USE OF FUNDS.—Such grants may
20 be used for reuse planning, site characterization
21 and assessment, or remediation at waterfront
22 brownfields sites, including the integration of
23 activities related to the design and implementa-
24 tion of water quality improvements, low impact
25 development approaches, green infrastructure,
26 remediation and management of sediments, or

1 flood damage prevention associated with
2 brownfields remediation and reuse.

3 “(C) WATERFRONT BROWNFIELDS SITE
4 DEFINED.—In this section, the term ‘waterfront
5 brownfields site’ means a brownfields site any
6 part of which is adjacent to a body of water.”;

7 (4) in paragraph (5)(A) (as redesignated by
8 paragraph (1) of this section) by inserting after
9 clause (ii) the following:

10 “(iii) WATERFRONT BROWNFIELDS
11 REVITALIZATION.—A grant made to an eli-
12 gible entity or nonprofit organization
13 under paragraph (4) may not exceed
14 \$500,000.”;

15 (5) in paragraph (7)(A) (as redesignated by
16 paragraph (1) of this section) by inserting “water-
17 front brownfields revitalization,” after “community
18 involvement,”; and

19 (6) by striking paragraph (13) (as redesignated
20 by paragraph (1) of this section) and inserting the
21 following:

22 “(13) FUNDING.—

23 “(A) AUTHORIZATION OF APPROPRIA-
24 TIONS.—There is authorized to be appropriated

1 to carry out this subsection \$220,000,000 for
2 each of fiscal years 2013 through 2017.

3 “(B) USE OF CERTAIN FUNDS.—Of the
4 amounts made available under subparagraph
5 (A) for a fiscal year \$55,000,000, or, if the
6 amount made available is less than
7 \$220,000,000, 25 percent of the amount made
8 available, shall be used for site characterization,
9 assessment, and remediation of facilities de-
10 scribed in section 101(39)(D)(ii)(II).

11 “(C) WATERFRONT BROWNFIELDS REVI-
12 TALIZATION.—There are authorized to be ap-
13 propriated such sums as may be necessary for
14 waterfront brownfields revitalization grants
15 under paragraph (4).”.

16 **SEC. 3. TASK FORCE.**

17 (a) ESTABLISHMENT.—The Administrator of the En-
18 vironmental Protection Agency shall establish and serve
19 as chairperson of a task force on waterfront brownfields
20 revitalization.

21 (b) MEMBERSHIP.—Members of the task force shall
22 include representatives who have expertise in waterfronts
23 or brownfields revitalization, including representatives
24 from the following:

25 (1) The Environmental Protection Agency.

1 (2) The National Oceanographic and Atmos-
2 pheric Administration.

3 (3) The Army Corps of Engineers.

4 (4) The Department of Transportation.

5 (5) The Department of Housing and Urban De-
6 velopment.

7 (6) The Economic Development Administration.

8 (7) The United States Fish and Wildlife Serv-
9 ice.

10 (8) State and local governments.

11 (9) Community-based organizations and other
12 interested parties.

13 (10) Any additional entities the Administrator
14 chooses to include.

15 (c) DUTIES.—The task force shall identify—

16 (1) current and potential funding and technical
17 assistance resources for waterfront brownfields revi-
18 talization;

19 (2) barriers to and solutions for waterfront
20 brownfields revitalization; and

21 (3) methods to coordinate interagency efforts
22 for waterfront brownfields revitalization.

23 (d) REPORT.—Not later than 3 years after the date
24 of enactment of this Act, the Administrator shall submit
25 to the appropriate committees of Congress a report detail-

1 ing the findings of the task force on improving waterfront
2 brownfields revitalization.

3 **SEC. 4. ANNUAL REPORT.**

4 (a) IN GENERAL.—The Administrator of the Envi-
5 ronmental Protection Agency shall submit to the Com-
6 mittee on Energy and Commerce and the Committee on
7 Transportation and Infrastructure of the House of Rep-
8 resentatives an annual report on the implementation of the
9 brownfield site characterization and assessment grant pro-
10 gram authorized by section 104(k) of the Comprehensive
11 Environmental Response, Compensation, and Liability Act
12 of 1980 (42 U.S.C. 9604(k)).

13 (b) COMMITTEE HEARINGS ON ANNUAL REPORT.—

14 (1) IN GENERAL.—During each year, the Com-
15 mittee on Energy and Commerce and the Committee
16 on Transportation and Infrastructure of the House
17 of Representatives shall each hold a hearing on the
18 annual report submitted by the Administrator under
19 subsection (a).

20 (2) EXERCISE OF RULEMAKING AUTHORITY.—

21 The provisions of paragraph (1) are enacted—

22 (A) as an exercise of the rulemaking power
23 of the House of Representatives, and, as such,
24 they shall be considered as part of the rules of
25 the House, and such rules shall supersede any

1 other rule of the House only to the extent that
2 rule is inconsistent therewith; and

3 (B) with full recognition of the constitu-
4 tional right of the House to change such rules
5 (so far as relating to the procedure in the
6 House) at any time, in the same manner, and
7 to the same extent as in the case of any other
8 rule of the House.

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