

113TH CONGRESS
1ST SESSION

H. R. 600

To amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Great Lakes System.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2013

Mr. HIGGINS (for himself, Mr. LEVIN, Mr. CONYERS, Ms. SLAUGHTER, Mr. DINGELL, Ms. MOORE, and Mr. RYAN of Ohio) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Great Lakes System.

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 “Great Lakes Nutrient
5 Removal Assistance Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) ineffective wastewater treatment is one of
9 the most common sources of water pollution;

1 (2) nutrient pollution, particularly phosphorus
2 loading, continues to be one of the most significant
3 water quality issues facing the Great Lakes System;

4 (3) limiting phosphorus loads is key to control-
5 ling excessive algal growth, and a coordinated Great
6 Lakes System-wide strategy to change how nutrients
7 are discharged is urgent; and

8 (4) nutrient removal technology is one of the
9 most reliable, cost effective, and direct methods for
10 reducing the flow of phosphorus and other harmful
11 nutrients from point sources in the Great Lakes
12 System.

13 (b) PURPOSES.—The purposes of this Act are—

14 (1) to authorize the Administrator of the Envi-
15 ronmental Protection Agency to provide financial as-
16 sistance to Great Lakes States and municipalities
17 for use in upgrading publically owned wastewater
18 treatment plants in the Great Lakes System with
19 nutrient removal technologies; and

20 (2) to further the goal of restoring the water of
21 the Great Lakes System to conditions that are pro-
22 tective of human health and aquatic life.

1 **SEC. 3. SEWAGE CONTROL TECHNOLOGY GRANT PROGRAM.**

2 The Federal Water Pollution Control Act (33 U.S.C.
3 1251 et seq.) is amended by adding at the end the fol-
4 lowing:

5 **“TITLE VII—MISCELLANEOUS**

6 **“SEC. 701. SEWAGE CONTROL TECHNOLOGY GRANT PRO-**
7 **GRAM.**

8 “(a) GRANT PROGRAM.—

9 “(1) ESTABLISHMENT.—Not later than 1 year
10 after the date of enactment of this section, the Ad-
11 ministrator shall establish a program within the En-
12 vironmental Protection Agency to provide grants to
13 Great Lakes States, and municipalities thereof, to
14 upgrade eligible facilities with nutrient removal tech-
15 nologies.

16 “(2) PRIORITY.—In providing a grant under
17 paragraph (1), the Administrator shall—

18 “(A) consult with the Program Office; and

19 “(B) give priority to eligible facilities at
20 which nutrient removal technology upgrades
21 would—

22 “(i) produce the greatest nutrient load
23 reductions at points of discharge;

24 “(ii) result in the greatest environ-
25 mental benefits to the Great Lakes Sys-
26 tem; and

1 “(iii) help meet the objectives related
2 to nutrients outlined in Annex 4 of the
3 2012 Great Lakes Water Quality Agree-
4 ment.

5 “(3) APPLICATION.—

6 “(A) IN GENERAL.—On receipt of an ap-
7 plication from a State or municipality for a
8 grant under this section, if the Administrator
9 approves the request, the Administrator shall
10 transfer to the State or municipality the
11 amount of assistance determined necessary by
12 the Administrator, in consultation with the Pro-
13 gram Office, to carry out the facility upgrades
14 that are the subject of the application.

15 “(B) FORM.—An application submitted by
16 a State or municipality under subparagraph (A)
17 shall be in such form and shall include such in-
18 formation as the Administrator may prescribe.

19 “(4) USE OF FUNDS.—A State or municipality
20 that receives a grant under this section shall use the
21 grant to upgrade eligible facilities with nutrient re-
22 moval technologies that are designed to reduce total
23 nutrients in discharged wastewater.

24 “(5) COST SHARING.—

1 “(A) FEDERAL SHARE.—The Federal
 2 share of the cost of upgrading any eligible facil-
 3 ity as described in paragraph (1) using funds
 4 provided under this section shall not exceed 55
 5 percent.

6 “(B) NON-FEDERAL SHARE.—The non-
 7 Federal share of the costs of upgrading any eli-
 8 gible facility as described in paragraph (1)
 9 using funds provided under this section may be
 10 provided in the form of funds made available to
 11 a State or municipality under—

12 “(i) any provision of this Act other
 13 than this section (including funds made
 14 available from a State water pollution con-
 15 trol revolving fund established under title
 16 VI); or

17 “(ii) any other Federal or State law.

18 “(b) DEFINITIONS.—In this section:

19 “(1) 2012 GREAT LAKES WATER QUALITY
 20 AGREEMENT.—The term ‘2012 Great Lakes Water
 21 Quality Agreement’ means the Great Lakes Water
 22 Quality Protocol of 2012, signed at Washington on
 23 September 7, 2012 (further amending the Agree-
 24 ment between the United States of America and

1 Canada on Great Lakes Water Quality, 1978, signed
2 at Ottawa on November 22, 1978).

3 “(2) ELIGIBLE FACILITY.—The term ‘eligible
4 facility’ means a municipal wastewater treatment
5 plant that—

6 “(A) as of the date of enactment of this
7 section, has a permitted design capacity to treat
8 an annual average of at least 500,000 gallons
9 of wastewater per day; and

10 “(B) is located within the Great Lakes
11 System in any of the Great Lakes States.

12 “(3) GREAT LAKES STATES; GREAT LAKES SYS-
13 TEM.—The terms ‘Great Lakes States’ and ‘Great
14 Lakes System’ have the meanings given those terms
15 in section 118.

16 “(4) PROGRAM OFFICE.—The term ‘Program
17 Office’ means the Great Lakes National Program
18 Office established by section 118(b).

19 “(c) AUTHORIZATION OF APPROPRIATIONS.—

20 “(1) IN GENERAL.—There is authorized to be
21 appropriated to carry out this section \$100,000,000
22 for each of fiscal years 2013 through 2017. Such
23 sums shall remain available until expended.

24 “(2) ADMINISTRATIVE COSTS.—The Adminis-
25 trator may use not to exceed 4 percent of any

1 amount made available under paragraph (1) to pay
2 administrative costs incurred in carrying out this
3 section.”.

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