to lease and operate the Old Post Office building. The building was renovated as a multifunctional building that included office space, retail, and a food court. Unfortunately, this redevelopment effort was not successful because of high turnover among the retail businesses and low satisfaction among tenants. The original developer went into bankruptcy and the lender foreclosed on the leasehold.

Today, the Old Post Office building is an aging historical building that is inefficient, underutilized, and a financial drain on the Federal Building Fund. The building's large atrium and other factors contribute to the high costs of operating and maintaining the building.

The Committee on Transportation and Infrastructure has provided oversight and direction to GSA previously in attempts to foster the development of the Old Post Office, including requiring that GSA submit a viable development plan for the Old Post Office before any Federal funds be used to convert the space. Notwithstanding these efforts, the desired development has not occurred.

H.R. 5001, the ''Old Post Office Building Redevelopment Act of 2008'', authorizes the Administrator of General Services to enter into an agreement to redevelop the Old Post Office Building in a manner that is beneficial to the Federal Government. This bill will not only help spur the redevelopment of this building but also help ensure that the taxpayers get the fullest return from this historic and treasured structure.

I urge my colleagues to join me in support of H.R. 5001, the ''Old Post Office Building Redevelopment Act of 2008.''

Mrs. DRAKE. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Ms. NORTON. Madam Speaker, I have no further requests for time, so I too am prepared to yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 5001, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1630

RAW SEWAGE OVERFLOW COMMUNITY RIGHT-TO-KNOW ACT

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2452) to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sewage Overflow Community Right-to-Know Act''.

SEC. 2. DEFINITIONS.

Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by adding at the end the following:

''(25) SANITARY SEWER OVERFLOW.—The term 'sanitary sewer overflow' means an overflow, spill, release, or diversion of wastewater from a sanitary sewer system. Such term does not include municipal combined sewer overflows or other discharges from a municipal combined storm and sanitary sewer system and does not include wastewater backups into buildings caused by a blockage or other malfunction of a building lateral that is privately owned. Such term includes overflows or releases of wastewater that reach waters of the United States, overflows or releases of wastewater in the United States that do not reach waters of the United States, and wastewater backups into buildings that are caused by blockages or flow conditions in a sanitary sewer other than a building lateral.

''(26) TREATMENT WORKS.—The term 'treatment works' has the meaning given that term in section 212.''.

SEC. 3. MONITORING, REPORTING, AND PUBLIC NOTIFICATION OF SEWER OVERFLOWS.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(r) SEWER OVERFLOW MONITORING, REPORTING, AND NOTIFICATIONS.—

''(1) GENERAL REQUIREMENTS.—After the last day of the 180-day period beginning on the date on which regulations are issued under paragraph (4), a permit issued, renewed, or modified under this section by the Administrator or the State, as the case may be, for a publicly owned treatment works shall require, at a minimum, beginning on the date of the issuance, modification, or renewal, that the owner or operator of the treatment works—

''(A) institute and utilize a feasible methodology, technology, or management program for monitoring sewer overflows to alert the owner or operator to the occurrence of a sewer overflow in a timely manner;

''(B) in the case of a sewer overflow that has the potential to affect human health, notify the public of the overflow as soon as practicable but not later than 24 hours after the time the owner or operator knows of the overflow;

''(C) in the case of a sewer overflow that may imminently and substantially endanger human health, notify public health authorities and other affected entities, such as public water systems, of the overflow immediately after the owner or operator knows of the overflow;

''(D) report each sewer overflow on its discharge monitoring report to the Administrator or the State, as the case may be, by describing—

''(i) the magnitude, duration, and suspected cause of the overflow;

''(ii) the steps taken or planned to reduce, eliminate, or prevent recurrence of the overflow; and

''(iii) the steps taken or planned to mitigate the impact of the overflow; and

''(E) annually report to the Administrator or the State, as the case may be, the total number of sewer overflows in a calendar year, including—

''(i) the details of how much wastewater was released per incident;

''(ii) the duration of each sewer overflow;

''(iii) the location of the overflow and any potentially affected receiving waters;

''(iv) the responses taken to clean up the overflow; and

''(v) the actions taken to mitigate impacts and avoid further sewer overflows at the site.

''(2) EXCEPTIONS.—

''(A) NOTIFICATION REQUIREMENTS.—The notification requirements of paragraphs (1)(B) and (1)(C) shall not apply a sewer overflow that is a wastewater backup into a single-family residence.

''(B) REPORTING REQUIREMENTS.—The reporting requirements of paragraphs (1)(D) and (1)(E) shall not apply to a sewer overflow that is a release of wastewater that occurs in the course of maintenance of the treatment works, is managed consistently with the treatment works' best management practices, and is intended to prevent sewer overflows.

''(3) REPORT TO EPA.—Each State shall provide to the Administrator annually a summary of sewer overflows that occurred in the State.

''(4) RULEMAKING BY EPA.—Not later than one year after the date of enactment of this subsection, the Administrator, after providing notice and an opportunity for public comment, shall issue regulations to implement this subsection, including regulations to—

''(A) establish a set of criteria to guide the owner or operator of a publicly owned treatment works in—

''(i) assessing whether a sewer overflow has the potential to affect human health or may imminently and substantially endanger human health; and

''(ii) developing communication measures that are sufficient to give notice under paragraphs (1)(B) and (1)(C); and

''(B) define the terms 'feasible' and 'timely' as such terms apply to paragraph (1)(A), including site specific conditions.

''(5) APPROVAL OF STATE NOTIFICATION PROGRAMS.—

''(A) REQUESTS FOR APPROVAL.—

''(i) IN GENERAL.—After the date of issuance of regulations under paragraph (4), a State may submit to the Administrator evidence that the State has in place a legally enforceable notification program that is substantially equivalent to the requirements of paragraphs (1)(B) and (1)(C).

''(ii) PROGRAM REVIEW AND AUTHORIZATION.—If the evidence submitted by a State under clause (i) shows the notification program of the State to be substantially equivalent to the requirements of paragraphs (1)(B) and (1)(C), the Administrator shall authorize the State to carry out such program instead of the requirements of paragraphs (1)(B) and (1)(C).

''(iii) FACTORS FOR DETERMINING SUBSTANTIAL EQUIVALENCY.—In carrying out a review of a State notification program under clause (ii), the Administrator shall take into account the scope of sewer overflows for which notification is required, the length of time during which notification must be made, the scope of persons who must be notified of sewer overflows, the scope of enforcement activities ensuring that notifications of sewer overflows are made, and such other factors as the Administrator considers appropriate.

''(B) REVIEW PERIOD.—If a State submits evidence with respect to a notification program under subparagraph (A)(i) on or before the last day of the 30-day period beginning on the date of issuance of regulations under paragraph (4), the requirements of paragraphs (1)(B) and (1)(C) shall not begin to apply to a publicly owned treatment works located in the State until the date on which the Administrator completes a review of the notification program under subparagraph (A)(ii).

''(C) WITHDRAWAL OF AUTHORIZATION.—If the Administrator, after conducting a public hearing, determines that a State is not administering and enforcing a State notification program authorized under subparagraph (A)(ii) in accordance with the requirements

of this paragraph, the Administrator shall so notify the State and, if appropriate corrective action is not taken within a reasonable time, not to exceed 90 days, the Administrator shall withdraw authorization of such program and enforce the requirements of paragraphs (1)(B) and (1)(C) with respect to the State.

''(6) SPECIAL RULES CONCERNING APPLICATION OF NOTIFICATION REQUIREMENTS.—After the last day of the 30-day period beginning on the date of issuance of regulations under paragraph (4), the requirements of paragraphs (1)(B) and (1)(C) shall—

''(A) apply to the owner or operator of a publicly owned treatment works and be subject to enforcement under section 309, and

''(B) supersede any notification requirements contained in a permit issued under this section for the treatment works to the extent that the notification requirements are less stringent than the notification requirements of paragraphs (1)(B) and (1)(C),

until such date as a permit is issued, renewed, or modified under this section for the treatment works in accordance with paragraph (1).

''(7) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) SEWER OVERFLOW.—The term 'sewer overflow' means a sanitary sewer overflow or a municipal combined sewer overflow.

''(B) SINGLE-FAMILY RESIDENCE.—The term 'single-family residence' means an individual dwelling unit, including an apartment, condominium, house, or dormitory. Such term does not include the common areas of a multi-dwelling structure.''.

SEC. 4. ELIGIBILITY FOR ASSISTANCE.

(a) PURPOSE OF STATE REVOLVING FUND.—Section 601(a) of the Federal Water Pollution Control Act (33 U.S.C. 1381(a)) is amended—

(1) by striking ''and'' the first place it appears; and

(2) by inserting after ''section 320'' the following: '', and (4) for the implementation of requirements to monitor for sewer overflows under section 402''.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—Section 603(c) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)) is amended—

(1) by striking ''and'' the first place it appears; and

(2) by inserting after ''section 320 of this Act'' the following: '', and (4) for the implementation of requirements to monitor for sewer overflows under section 402''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentlewoman from Virginia (Mrs. DRAKE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2452.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2452, the Sewage Overflow Community Right-To-Know Act, offered by my colleague on the Committee on Transportation and Infrastructure, Mr. BISHOP, is an important commonsense proposal to enhance the monitoring and public notification of sewage spills.

I applaud Mr. BISHOP's work to raise the public's awareness of sewage spills and for his tenacity in bringing together relevant stakeholders on this issue to work through potential differences and produce the fine product under consideration today. I also applaud the work of our colleague, Mr. LOBIONDO, for his efforts in supporting and advocating for H.R. 2452.

Public notification of sewage overflows is an important topic that has not received the attention it rightly deserves. During committee hearings on this legislation last summer, the Subcommittee on Water Resources and Environment received testimony on the overwhelming extent of the problem of sewage overflows. According to the Environmental Protection Agency's own numbers, the frequency and volume of annual sewage overflows is staggering.

For combined sewage systems, EPA estimates that 850 billion gallons of raw or partially treated sewage is discharged annually into local waters. For separate sanitary sewer systems, EPA estimates that 23- to 75,000 of these sanitary sewage system overflows occur each year in the United States, discharging a total volume of between 3 and 10 billion gallons annually.

Worse still is the fact that these sewage overflows can be laden with potentially harmful chemicals, pathogens, viruses, and bacteria and often wind up in local rivers and streams, city streets, parks, or, in unfortunate cases, directly into people's homes.

These statistics further emphasize the importance of investment in our Nation's water-related infrastructure. For too long our communities and citizens have been waiting for us to renew our commitment to meeting the water-related infrastructure needs of this country. While the House of Representatives strongly approved legislation to reinvest and rebuild and replace our failing and outdated waste-water treatment infrastructure and sewers, we have faced continued opposition from this administration investing in our Nation's infrastructure.

I remain hopeful that we will be able to send legislation to the President this year that will meet the water-related needs that we all know exist and are necessary to ensure the economic and environmental health of our Nation.

However, in the interim, we need to make sure that the public is aware of sewage levels to give the individuals the opportunity to stay out of harm's way. It makes no sense for sewage agencies to know where and when overflows are occurring but to avoid making this information readily available to the public. This type of practice defies common sense. Equally troublesome are agencies that lack sufficient monitoring technologies or programs to alert them to the presence of sewage overflows.

The legislation under consideration here today is an essential step in protecting the public's health and environment from the dangers of sewage overflows. H.R. 2452, the Sewage Community Right-to-Know Act, is a commonsense approach to enhance the monitoring and notification of sewage overflows to protect human health and the environment. It is also an approach that can be achieved without significant burden to States and local governments. Monitoring and providing public notification on sewage overflows provides the greatest opportunity to avoid direct contact and potentially harmful pollutants as well.

Facilities' rapid responses to overflows in order to minimize the potential harm to the environment, this legislation amends the Clean Water Act to ensure that all publicly owned treatment works incorporate enhanced monitoring notification and reporting requirements into the existing permits for those systems under their operational control.

Under this Act, the Administrator of the Environmental Protection Agency is given 1 year to issue regulations to define the parameters for monitoring and notification to be carried out by the publicly owned treatment works. Following completion of this rulemaking, all publicly owned treatment works are required within a defined time period to incorporate the monitoring and notification criteria from the rulemaking into the existing clean water permits.

However, to help minimize potential paperwork concerns, this legislation allows owners and operators to incorporate the enhanced monitoring provisions in their existing permits as such permits come up for periodic renewal modification.

To enhance the availability of public information on sewer overflows, H.R. 2452 requires the enhanced notification requirements to take effect 30 days after completion of the rulemaking. The legislation under consideration today is slightly modified from the version that was reported favorably from the Committee on Transportation and Infrastructure on May 15 to address a few technical and transitional concerns that were unresolved before the committee markup.

In addition, the bill under consideration today provides a mechanism for States with active notification programs to petition EPA for the ability to carry out the existing notification programs provided that these programs are determined to be functionally equivalent to the national standard for State notification programs called for in this legislation.

I commend the ranking member of the subcommittee, Mr. BOOZMAN, and the ranking member of the Committee on Transportation and Infrastructure, Mr. MICA, and my Chair, Mr. OBERSTAR,

for working in a bipartisan fashion to resolve all the outstanding issues related to this important legislation.

Let me conclude by thanking the following organizations for their efforts in reaching the compromised language that is under consideration today: The American Rivers, the National Association of Clean Water Agencies, the Water Environment Federation and the California Association of Sanitation Agencies. The hard work and willingness of each of these organizations made it possible to reach this agreement and to bring forward this important bipartisan legislation.

Madam Speaker, I submit the following for the RECORD.

JUNE 23, 2008.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.
Hon. JOHN MICA,
Ranking Member, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.
Hon. TIM BISHOP,
Cannon House Office Building, Washington, DC.
Hon. FRANK LOBIONDO,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN OBERSTAR, RANKING MEMBER MICA, AND REPRESENTATIVES BISHOP AND LOBIONDO: On behalf of our members and supporters across the nation, thank you for reporting H.R. 2452, the Sewage Overflow Community Right-to-Know Act. Our organizations strongly support this legislation and applaud your efforts to suspend the rules and pass the bill.

By requiring public notification, H.R. 2452 could protect millions of Americans from exposure to untreated sewage spills that could make them sick. This first line of defense is critical as hundreds of billions of gallons of raw and partially treated sewage are dumped into our streams, rivers and lakes every year. Many American are unaware when a sewage spill occurs in the local waterways where their families swim and play.

The bacteria, viruses and parasites found in untreated sewage can cause severe symptoms including gastrointestinal problems, infection and fever, as well as heart, liver or kidney failure, arthritis and even cancer. By requiring the public to be notified when sewage spills threaten their health, we can help Americans protect their families by avoiding contaminated areas until the threat has passed.

Thank you again for your hard work on this important legislation. We look forward to working with you to see this bill enacted into law this Congress.

Sincerely,

Eli Weissman, Director of Government Affairs, American Rivers; Christy Leavitt, Clean Water Advocate, Environment America; Tiernan Sittenfeld, Legislative Director, League of Conservation Voters; Nancy Stoner, Director, Clean Water Project, Natural Resources Defense Council; David Jenkins, Government Affairs Director, Republicans for Environmental Protection; Angela Howe, Legal Manager, Surfrider Foundation.

Paul Schwartz, National Policy Coordinator, Clean Water Action; Shawnee Hoover, Legislative Director, Friends of the Earth; Corry Westbrook, Legislative Director, National Wildlife Federation; Will Callaway, Legislative Director, Physicians for Social Responsibility; Debbie Sease, National Campaigns Director, Sierra Club.

CALIFORNIA ASSOCIATION OF SANITATION AGENCIES,
Sacramento, CA, June 23, 2008.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. JOHN MICA,
Ranking Republican, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMAN OBERSTAR AND RANKING MEMBER MICA: On behalf of the California Association of Sanitation Agencies (CASA), I write in support of H.R. 2452, which would address the important issue of reporting and notification for sewer overflows. This legislation represents the culmination of a collaborative approach involving wastewater treatment operators and the environmental community. We appreciate the committee's willingness to address CASA's concerns.

CASA understands that the legislation has been amended to address one of our major concerns, which relates to longstanding California requirements for notification of regulatory authorities and the public in the event of a sewer spill that threatens public health or the environment. Specifically, the amendment provides a delegation process so that existing state notification programs designed to inform the public of health threats emanating from sewer overflows will not be supplanted, provided EPA determines that the programs are substantially equivalent to the federal program. This is vital to avoid inefficient and potentially confusing duplication of effort. Further, this amendment will allow POTWs to target their limited resources to fulfilling their responsibilities as first responders when spills occur. Second, we understand that the committee report clarifies that satellite collection systems are not subject to the provisions of the bill. This is important because many regional POTWs do not manage these upstream systems, and have no authority for spills that occur from facilities outside their jurisdiction.

There is one provision in the amended bill that has given rise to a new concern. This new provision is designed to ensure that the notification provisions of the bill will be implemented in a timely matter. However, as written, there is no mechanism for informing permittees of their new, fully enforceable obligations, which appears to be at odds with basic due process rights. We hope that as Congress considers the bill that this matter can be further reviewed and addressed prior to final passage.

Again, we appreciate the opportunity to work with the committee on this important legislation.

Sincerely,

KAMIL AZOURY,
President.

NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES,
Washington, DC, June 23, 2008.

Hon. JAMES L. OBERSTAR,
House Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.
Hon. JOHN MICA,
House of Representatives, Rayburn House Office Building, Washington, DC.
Hon. TIM BISHOP,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CHAIRMAN OBERSTAR, RANKING MEMBER MICA AND REPRESENTATIVE BISHOP: The National Association of Clean Water Agencies (NACWA) appreciates your ongoing leadership on, and commitment to, clean and safe water in the United States. As the leading advocacy organization representing the nation's public wastewater treatment agencies, NACWA has been working diligently with your staff and with American Rivers to come up with a common-sense bill to establish a consistent, national framework for monitoring and reporting sewer overflows. The result of this effort is the Sewage Overflow Community Right-to-Know Act (H.R. 2452) being considered by the House today. The bill goes a long way to address the needs and concerns of NACWA's public agency members, and we appreciate the hard work and good faith you have shown in helping craft this language.

NACWA, however, must share the bill and accompanying report with its Board of Directors before indicating whether it can offer its support for the legislation. We expect to have a decision on that matter this week. Again, thank you for your leadership on this issue.

Sincerely,

KEN KIRK,
NACWA Executive Director.

I reserve the balance of my time.

Mrs. DRAKE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 2452, the Sewage Overflow Community Right-to-Know Act.

Our Nation has nearly 23,000 miles of ocean and gulf shoreline along the continental United States, 5,500 miles of Great Lakes shoreline and 3.6 million miles of rivers and streams. Public confidence and the quality of our Nation's waters is important to every citizen of this Nation, but it is also critical to industries that rely on safe and clean water.

To improve the public's confidence in the quality of our Nation's waters and protect public health and safety, Representatives BISHOP and LOBIONDO introduced H.R. 2452, the Sewage Overflow Community Right-to-Know Act. Sometimes, especially during wet weather, sewage systems can leak or overflow. This can be caused by inadequate design or capacity or by breaks in the system of pipes that are often old and in need of repair.

H.R. 2452 requires the publicly owned treatment works develop and implement a feasible monitoring program that is reasonably able to detect the occurrence of an overflow or leak in their sewer systems in a timely manner and to notify the public and health authorities whenever a release would threaten public health and safety.

The Environmental Protection Agency is to develop regulations to help local utilities implement these monitoring and notification requirements starting 180 days after these regulations have been issued. EPA or the States, as the case may be, are to incorporate these monitoring and notification requirements into local utilities' Clean Water Act permits on a rolling basis as their permits come up for renewal.

This should provide for the orderly implementation of this program and minimize the need to reopen utilities' permits. To minimize burdening local

utilities with duplicative notification requirements, States that have substantially equivalent release notification programs in place may seek EPA's approval to implement the State's notification program instead of the requirements under H.R. 2452. The bill authorizes the use of State revolving loan funds to help communities pay for this monitoring and notification program.

Under this program, EPA and local utilities must define the appropriate amount of monitoring to reduce risk and reasonably protect human health. However, they need to be careful not to unwisely use up funds that are meant to address the very infrastructure problems that are causing the release of sewage in the first place.

I congratulate Representatives BISHOP and LOBIONDO on sponsoring this bill. The public has a right to know when their waters are threatened by sewage release. So I encourage all Members to support this bill.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 2452, the ''Sewage Overflow Community Right-to-Know Act''. Let me begin by congratulating our Committee colleague, the gentleman from New York (Mr. BISHOP), for introducing legislation to provide common-sense standards for public notification of both combined sewer overflows and sanitary sewer overflows. This well-thought-out legislation will be a welcome addition to Federal efforts in protecting public health as well as the natural environment.

The most reliable way to prevent human illness from waterborne diseases and pathogens is to eliminate the potential for human exposure to the discharge of pollutants from combined sewer overflows (''CSOs'') and sanitary sewer overflows (''SSOs''). This can occur either through the elimination of the discharge, or, in the event that a release does occur, to minimize the potential human contact to pollutants.

Unfortunately, Federal law does not provide uniform, national standards for public notification of combined and sanitary sewer overflows. Notification of sewer overflows is covered only by a patchwork of Federal regulations, State laws, and local initiatives aimed at limiting human exposure to discharges.

Potential human exposure to the pollutants found in sewer overflows can occur in a variety of ways. According to the Environmental Protection Agency (''EPA'), the most common pathways include direct contact with sewer discharges in recreational waters and beaches, drinking water contaminated by sewer discharges, and consuming or handling contaminated fish or shellfish. However, humans are also at risk of direct exposure to sewer overflows, including sewer backups into residential buildings, city streets, and sidewalks.

In October 2007, in my own Congressional district, basements and city streets across the city of Duluth were flooded with sewer overflows that resulted from massive rainstorms in the Lake Superior basin. The Western Lake Superior Sanitary Sewer District reported at least seven major sewage overflows in its service area, with reports of numerous additional backups into local streets and basements.

Similarly, earlier this month, heavy rains in the Midwest and flooding along the Mississippi River system resulted in a significant overload to the sewer systems and treatment works, and resulted in the release of untold gallons of untreated or partially treated sewage into the homes and street of communities along the Mississippi River system. As families are starting to return to their homes, they are in need of information on any health risks from coming into contact with potentially contaminated waters.

The cost of eliminating CSOs and SSOs throughout the nation is staggering. In its most recent Clean Water Needs Survey (2000), EPA estimated the future capital needs to address existing CSOs at $50.6 billion. In addition, EPA estimates that it would require an additional $88.5 billion in capital improvements to reduce the frequency of SSOs caused by wet weather and other conditions.

Upon being elected Chairman of the Committee on Transportation and Infrastructure, I made it a priority to renew the Federal commitment in addressing the nation's wastewater infrastructure needs.

In March 2007, the House approved two bills reported from the Committee on Transportation and Infrastructure—H.R. 720, the ''Water Quality Financing Act'', and H.R. 569, the ''Water Quality Investment Act''—to reauthorize appropriations for the construction, repair, and rehabilitation of wastewater infrastructure, including measures to address CSOs and SSOs.

H.R. 720 authorizes appropriations of $14 billion over four years for the Clean Water State Revolving Fund, which is the primary source of Federal funds for wastewater infrastructure. H.R. 569 authorizes appropriations of $1.7 billion in Federal grants over 5 years to address combined sewers and sanitary sewers. Both bills are pending before the United States Senate.

However, even with significant increases in Federal, State, and local investment, it is likely that sewer overflows will continue. In the event that a release does occur, the most effective way to prevent illness is to provide timely and adequate public notice to minimize human exposure to pollutants.

H.R. 2452, the ''Sewage Overflow Community Right-to-Know Act'', amends the Clean Water Act to provide a uniform, national standard for monitoring, reporting, and public notification of sewer overflows. This legislation, which was approved by the Committee on Transportation and Infrastructure by voice vote, will strengthen the monitoring and public notification requirements of the Clean Water Act to encourage increased awareness and public notification of overflows in an expeditious manner.

The bill under consideration this afternoon is a slightly modified version of this legislation as reported by the Committee. The bill, as amended, makes a few technical and clarifying changes to the bill, as well as addresses a few transitional issues on the implementation of this Act.

The framework of this amendment was developed jointly by the majority and minority Members of the Committee, it consultation with the National Association of Clean Water Agencies, the Water Environment Federation, the California Association of Sanitation Agencies, and American Rivers. I appreciate the hard work by all parties to help move this common-sense legislation to increase public awareness of combined sewer overflows and sanitary sewer overflows.

Again, I applaud Mr. BISHOP for introducing this common-sense legislation to ensure that our citizens are made aware of the potential public health threats caused by sewer overflows. I urge my colleagues to join me in supporting H.R. 2452.

Mr. BISHOP of New York. Madam Speaker, on behalf of the residents of eastern Long Island, I would like to commend Chairman OBERSTAR, Chairwoman JOHNSON and Congressman LOBIONDO for their leadership and unwavering dedication to clean water issues. I would also like to thank the Transportation and Infrastructure Committee staff for their hard work and commitment to advancing this legislation to the full House today.

Madam Speaker, the EPA estimates that sewer overflows discharge roughly 850 billion gallons of raw or partially treated sewage annually into local waters. These discharges, laden with potentially harmful chemicals and pathogens, often end up in local rivers, lakes, streams, and the ocean.

In response, the Transportation & Infrastructure Committee has taken appropriate measures to restore the federal commitment to our Nation's wastewater infrastructure. In the 110th Congress, we have passed the Water Quality Financing Act, authorizing funds for the State Revolving Fund; and the Beach Protection Act, to carry out coastal recreation water quality monitoring and notification programs. Today, we take our commitment to water quality one step further by passing the Sewage Overflow Community Right-to-know Act.

As the saying goes, an ounce of prevention is worth a pound of cure: The best way to avoid human health and environmental concerns from sewer overflows is to ensure that they never occur in the first place. However, even with significant increases in investment, sewer overflows will continue to occur. Therefore, it is imperative that we provide the public with comprehensive and timely notification of sewer overflows. We need to make sure that the public is aware of sewer overflows to give communities the opportunity to protect themselves.

It makes no sense for operators of local sewer systems to know where and when overflows are occurring, but not to promptly notify the public. Notification of sewer overflows will help the public avoid direct contact with potentially harmful chemicals and pathogens, and it will facilitate rapid response to overflows in order to minimize the potential harm to the environment.

Accordingly, the Bishop/LoBiondo Sewage Overflow Community Right-to-know Act provides for the monitoring, reporting and public notification of sewer overflows from Publicly Owned Treatment Works by requiring POTWs to institute and utilize programs to alert operators to overflows, notify the public within 24 hours of discovery of an overflow by an operator, and notify public health officials when human health is endangered.

The bill requires the Environmental Protection Agency establish criteria to guide POTWs in assessing whether a sewer overflow has the potential to affect human health and developing communication measures to ensure the public is notified. The bill also establishes a process for EPA to determine if a State's existing notification program is substantially equivalent to, or better than, the requirements established in this bill, and should be allowed to continue.

This bill is a result of hard work by several organizations who believe that Americans deserve clean, safe waters. Without their many insights this legislation would not have been possible. Therefore, I would like to thank American Rivers, the National Association of Clean Water Agencies, the Water Environment Federation, and the California Association of Sanitation Agencies for the countless hours they have given to refine the bill's language to ensure that public health and the environment are protected.

Madam Speaker, I encourage my colleagues to vote in favor of this commonsense legislation, and I again thank my friend and colleague, Mr. LOBIONDO, for his leadership and support in authoring the bill.

Mr. LOBIONDO. Madam Speaker, I rise in strong support of H.R. 2452, the Sewage Overflow Right-to-Know Act.

Last year, nearly 250,000 gallons of partially treated sewage leaked from the Asbury Park, New Jersey, sewer treatment plant into the Atlantic Ocean threatening beach goers for miles down the shore. It was the result of a broken pipe that went undetected for over 6 hours. Fortunately, no one got sick and the environment did not suffer any long term consequences. But that is not always the case.

The EPA estimates approximately 900 billion gallons of untreated sewage enter our waterways each year, sickening nearly 3.5 million people annually.

That is why I was pleased to join with Representative BISHOP to introduce H.R. 2452, the Sewage Overflow Community Right-to-Know Act. This commonsense legislation will help keep the public safe from waterborne illness by requiring sewer operators to put in place monitoring systems to detect overflows and to promptly notify the public in the event of an overflow. While some States and localities have strong notification programs in place already, the majority do not. Establishing a minimum standard for public notification is the right thing to do.

H.R. 2452 makes sewer operators eligible for existing grant funds and loans to help defer the cost of implementing monitoring and notification programs, and it provides flexibility to States that already have these critical programs in place.

I want to thank the National Association of Clean Water Agencies and American Rivers for working with Chairman OBERSTAR and Ranking Member MICA to make improvements to this legislation. The bill before us today represents a good compromise between all interested parties.

I want to thank Chairman OBERSTAR, Ranking Member MICA, Chairwoman JOHNSON, and Ranking Member BOOZMAN for their assistance and support. I also want to thank Jon Pawlow on Mr. MICA's Staff, Ryan Seiger on Mr. OBERSTAR's staff, and Mark Copeland on Mr. BISHOP's staff for their tremendous effort. I urge all members to support this commonsense measure.

Mrs. TAUSCHER. Madam Speaker, I raise in support of H.R. 2452, the Raw Sewage Overflow Community Right-to-Know Act. Sewer overflows present serious threats to the environment and to human health. Our crumbling wastewater infrastructure has resulted in an increasing number of sewage spills, most commonly through combined sewer overflows and sanitary sewer overflows.

As this Congress works to reauthorize the Clean Water State Revolving Fund and improve our wastewater infrastructure, it is essential that our constituents receive prompt notification when a spill occurs. H.R. 2452 provides a national Standard for such notification and permits the use of Clean Water State Revolving funds for publically-owned treatment works to monitor their infrastructure for spills.

In California, we have an existing notification process that is the most aggressive in the Nation. I applaud Chairman OBERSTAR and his staff for recognizing the existence of State notification programs and ensuring that duplication of State and Federal standards does not overburden local sanitation officials. In this bill, States like California may operate their own notification program if the EPA certifies that it is substantially equivalent to the Federal program.

I would like to include a letter from the California Association of Sanitation Agencies that expresses full support for H.R. 2452. I commend Mr. BISHOP and Mr. OBERSTAR for their hard work on this legislation, and urge my colleagues to support the Raw Sewage Overflow Community Right-to-Know Act.

CALIFORNIA ASSOCIATION OF SANITATION AGENCIES,
Sacramento, CA, June 23, 2008.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, U.S. House of Representatives, Washington, DC.

Hon. JOHN MICA,
Ranking Republican, Committee on Transportation and Infrastructure, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN OBERSTAR AND RANKING MEMBER MICA: On behalf of the California Association of Sanitation Agencies (CASA), I write in support of H.R. 2452, which would address the important issue of reporting and notification for sewer overflows. This legislation represents the culmination of a collaborative approach involving wastewater treatment operators and the environmental community. We appreciate the committee's willingness to address CASA's concerns.

CASA understands that the legislation has been amended to address one of our major concerns, which relates to longstanding California requirements for notification of regulatory authorities and the public in the event of a sewer spill that threatens public health or the environment. Specifically, the amendment provides a delegation process so that existing state notification programs designed to inform- the public of health threats emanating from sewer overflows will not be supplanted, provided EPA determines that the programs are substantially equivalent to the federal program. This is vital to avoid inefficient and potentially confusing duplication of effort. Further, this amendment will allow POTWs to target their limited resources to fulfilling their responsibilities as first responders when spills occur. Second, we understand that the committee report clarifies that satellite collection systems are not subject to the provisions of the bill. This is important because many regional POTWs do not manage these upstream systems, and have no authority for spills that occur from facilities outside their jurisdiction.

There is one provision in the amended bill that has given rise to a new concern. This new provision is designed to ensure that the notification provisions of the bill will be implemented in a timely matter. However, as written, there is no mechanism for informing permittees of their new, fully enforceable obligations, which appears to be at odds with basic due process rights. We hope that as Congress considers the bill that this matter can be further reviewed and addressed prior to final passage.

Again, we appreciate the opportunity to work with the committee on this important legislation.

Sincerely,

KAMIL AZOURY,
President.

Mrs. DRAKE. Madam Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I have no further requests for time, and I ask for support of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) that the House suspend the rules and pass the bill, H.R. 2452, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: ''A bill to amend the Federal Water Pollution Control Act to ensure that publicly owned treatment works monitor for and report sewer overflows, and for other purposes.''.

A motion to reconsider was laid on the table.

PROVIDING REIMBURSEMENT FOR EXPENSES INCURRED BY MEMBERS OF COMMITTEE ON LEVEE SAFETY

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6040) to amend the Water Resources Development Act of 2007 to clarify the authority of the Secretary of the Army to provide reimbursement for travel expenses incurred by members of the Committee on Levee Safety.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6040

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMMITTEE ON LEVEE SAFETY.

Section 9003(f) of the Water Resources Development Act of 2007 (33 U.S.C. 3302(f)) is amended by striking ''To the extent amounts are made available in advance in appropriations Acts,'' and inserting ''Subject to the availability of appropriations,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentlewoman from Virginia (Mrs. DRAKE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on H.R. 6040.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.