

S 3558

Clean Water Cooperative Federalism Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Sep 19, 2012

Current Status: Read twice and referred to the Committee on Environment and Public Works.

Latest Action: Read twice and referred to the Committee on Environment and Public Works. (Sep 19, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/3558>

Sponsor

Name: Sen. Manchin, Joe, III [D-WV]

Party: Independent • **State:** WV • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Toomey, Patrick [R-PA]	R · PA		Sep 19, 2012

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Sep 19, 2012

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
112 HR 3409	Related bill	Nov 13, 2012: Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
112 HR 2018	Related bill	Jul 18, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 103.

Clean Water Cooperative Federalism Act of 2011 [*sic*] - Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to prohibit the Administrator of the Environmental Protection Agency (EPA) from: (1) promulgating a revised or new water quality standard for a pollutant when the Administrator has approved a state water quality standard for such pollutant unless the state concurs with the Administrator's determination that the revised or new standard is necessary to meet the requirements of such Act; (2) taking action to supersede a state's determination that a discharge will comply with effluent limitations, water quality standards, controls on the discharge of pollutants, and toxic and pretreatment effluent standards under such Act; (3) withdrawing approval of a state program under the National Pollution Discharge Elimination System (NPDES), limiting federal financial assistance for a state NPDES program, or objecting to the issuance of a NPDES permit by a state on the basis that the Administrator disagrees with the state regarding the implementation of an approved water quality standard or the implementation of any federal guidance that directs the interpretation of such standard; and (4) prohibiting the specification of any defined area as a disposal site for the discharge of dredged or fill material into navigable waters and denying or restricting the use of such area as a disposal site in a permit if the state where the discharge originates does not concur with the Administrator's determination that the discharge will result in an unacceptable adverse effect on municipal water supplies, shellfish beds, and fishery areas.

Shortens the period in which the Director of the United States Fish and Wildlife Service must submit comments with respect to a general dredge and fill permit application. Requires the Administrator and other agencies to submit comments on an application for a general permit or a permit to discharge into navigable waters at specified disposal sites within 30 days (or 60 days if additional time is requested) after the date of receipt of such application.

Applies this Act to actions taken on or after this Act's date of enactment, including actions taken with respect to permit applications that are pending or revised or new standards that are being promulgated.

Requires the Administrator to report on any increase or reduction in waterborne pathogenic microorganisms (including protozoa, viruses, bacteria, and parasites), toxic chemicals, or toxic metals (such as lead and mercury) in waters regulated by a state under this Act.

Prohibits this Act from being construed to limit the authority of the Administrator to regulate a pipeline that crosses a streambed.

Requires the Administrator, before issuing a regulation, policy statement, guidance, response to a petition, or other requirement or implementing a new or substantially altered program under this Act, to analyze the impact, disaggregated by state, of such action on employment levels and economic activity. Directs the Administrator to: (1) post such analysis on EPA's website; (2) request that the governor of any state experiencing more than a de minimis negative impact on employment levels or economic activity (a loss of more than 100 jobs or a decrease in economic activity of more than \$1 million) post such analysis in the state's Capitol; (3) hold a public hearing in each state where such action will have more than a de minimis negative impact; and (4) give notice of such impact to states' congressional delegations, governors, and legislatures.

Actions Timeline

- **Sep 19, 2012:** Introduced in Senate
- **Sep 19, 2012:** Read twice and referred to the Committee on Environment and Public Works.