

HR 5077

Coal Jobs Protection Act of 2014

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Environmental Protection

Introduced: Jul 11, 2014

Current Status: Placed on the Union Calendar, Calendar No. 449.

Latest Action: Placed on the Union Calendar, Calendar No. 449. (Sep 18, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/5077>

Sponsor

Name: Rep. Capito, Shelley Moore [R-WV-2]

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

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barr, Andy [R-KY-6]	R · KY		Jul 15, 2014
Rep. Bucshon, Larry [R-IN-8]	R · IN		Jul 15, 2014
Rep. Guthrie, Brett [R-KY-2]	R · KY		Jul 15, 2014
Rep. McKinley, David B. [R-WV-1]	R · WV		Jul 15, 2014
Rep. Murphy, Tim [R-PA-18]	R · PA		Jul 15, 2014
Rep. Rogers, Harold [R-KY-5]	R · KY		Jul 16, 2014
Rep. Rokita, Todd [R-IN-4]	R · IN		Jul 16, 2014
Rep. Whitfield, Ed [R-KY-1]	R · KY		Jul 18, 2014
Rep. Rothfus, Keith J. [R-PA-12]	R · PA		Jul 31, 2014

Committee Activity

Committee	Chamber	Activity	Date
Transportation and Infrastructure Committee	House	Discharged from	Jul 16, 2014

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
113 S 1514	Related bill	Sep 18, 2013: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 191.
113 S 1006	Related bill	May 22, 2013: Read twice and referred to the Committee on Environment and Public Works.
113 HR 1948	Related bill	May 14, 2013: Referred to the Subcommittee on Water Resources and Environment.
113 HR 1829	Related bill	May 7, 2013: Referred to the Subcommittee on Water Resources and Environment.
113 S 861	Related bill	May 6, 2013: Read twice and referred to the Committee on Environment and Public Works. (text of measure as introduced: CR S3093-3096)

Coal Jobs Protection Act of 2014 - (Sec. 2) Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to revise the National Pollutant Discharge Elimination System (NPDES) to prohibit the Environmental Protection Agency (EPA) or a state acting pursuant to an equivalent approved state program (permitting authority) from basing a determination on whether to approve a permit for discharges from a point source (a source of water pollution that comes from a single, discrete place, such as a pipe) on the permit applicant's adherence to guidance issued by the EPA.

Authorizes an applicant, if the permitting authority does not approve or deny a substantially complete application for a new permit within 270 days after the date of receipt of an application, to discharge as if the application were approved.

Prohibits the EPA from disapproving or withdrawing approval of a state permit program under NPDES, or limiting financial assistance for the program, based on: (1) the failure of the program to incorporate or comply with EPA guidance, or (2) the implementation of a water quality standard that has been adopted by the state and approved by the EPA.

Prohibits the EPA from objecting or denying the issuance of a NPDES permit by a state based on EPA guidance or the EPA's interpretation of a water quality standard that has been adopted by the state and approved by the EPA.

(Sec. 3) Establishes deadlines for completing environmental assessments or environmental impact statements under the National Environmental Policy Act of 1969 (NEPA) if they are required for permits to discharge dredged or fill material into navigable waters. Considers permits to be approved if the Army Corps of Engineers fails to act by those deadlines. Prohibits permits from being subject to judicial review if the Secretary fails to act by the deadlines.

Requires a state to concur with the EPA's determination that a discharge will result in an unacceptable adverse effect in order for the EPA to deny or restrict the specification of any defined area as a disposal site or the use of defined areas as disposal sites.

Shortens the deadline for other agencies to submit comments to the Army Corps on a proposed discharge permit from 90 days to 30 days (or 60 days if additional time is requested).

(Sec. 4) Requires the EPA to analyze the impact of issuing a regulation, policy statement, guidance, response to a petition, or other requirement or implementing a new or substantially altered program under the Clean Water Act on employment levels or economic activity in each state before taking an action. Requires a hearing in each state if the EPA finds more than a de minimis negative impact.

(Sec. 5) Prohibits the EPA from: (1) promulgating a water quality standard for a pollutant when the EPA has approved a state water quality standard for the pollutant unless the state concurs; or (2) taking action to supersede a state's determination that a discharge will comply with discharge limitations, water quality standards, controls on the discharge of pollutants, and toxic and pretreatment discharge standards under the Clean Water Act.

(Sec. 6) Increases the authority of states to determine the list of impaired waters in their states and the Total Maximum Daily Load (TMDLs) of pollutants for those waters. Authorizes states to disregard, accept, or modify the EPA's disagreement with, and recommendations for, a state's identification of: (1) waters as areas with insufficient controls, and (2) pollutants suitable for TMDL measurement.

(Sec. 7) Codifies the current regulatory definition of "fill material," thereby determining what material is subject to the permit program for the discharge of dredged or fill material into navigable waters of the United States. Includes as fill

material rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in the waters of the United States. Exempts trash and garbage from requirements governing the discharge of fill material into waters of the United States.

Actions Timeline

- **Sep 18, 2014:** Reported (Amended) by the Committee on Transportation and Infrastructure. H. Rept. 113-604.
- **Sep 18, 2014:** Placed on the Union Calendar, Calendar No. 449.
- **Jul 16, 2014:** Subcommittee on Water Resources and Environment Discharged.
- **Jul 16, 2014:** Committee Consideration and Mark-up Session Held.
- **Jul 16, 2014:** Ordered to be Reported (Amended) by the Yeas and Nays: 28 - 24.
- **Jul 14, 2014:** Referred to the Subcommittee on Water Resources and Environment.
- **Jul 11, 2014:** Introduced in House
- **Jul 11, 2014:** Referred to the House Committee on Transportation and Infrastructure.