

S 692

Water Infrastructure Flexibility Act

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Mar 21, 2017

Current Status: Referred to the Subcommittee on Environment.

Latest Action: Referred to the Subcommittee on Environment. (Oct 13, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/692>

Sponsor

Name: Sen. Fischer, Deb [R-NE]

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

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blunt, Roy [R-MO]	R · MO		Mar 21, 2017
Sen. Booker, Cory A. [D-NJ]	D · NJ		Mar 21, 2017
Sen. Boozman, John [R-AR]	R · AR		Mar 21, 2017
Sen. Brown, Sherrod [D-OH]	D · OH		Mar 21, 2017
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Mar 21, 2017
Sen. Portman, Rob [R-OH]	R · OH		Mar 21, 2017
Sen. Inhofe, James M. [R-OK]	R · OK		Mar 27, 2017
Sen. Klobuchar, Amy [D-MN]	D · MN		Apr 3, 2017
Sen. Donnelly, Joe [D-IN]	D · IN		May 25, 2017

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Oct 13, 2017
Environment and Public Works Committee	Senate	Hearings By (subcommittee)	Mar 28, 2017
Transportation and Infrastructure Committee	House	Referred To	Oct 10, 2017

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
115 HR 7279	Related bill	Jan 14, 2019: Became Public Law No: 115-436.
115 S 2800	Related bill	Jul 10, 2018: By Senator Barrasso from Committee on Environment and Public Works filed written report. Report No. 115-294.
115 HR 2355	Related bill	May 5, 2017: Referred to the Subcommittee on Environment.
115 HR 1971	Identical bill	Apr 7, 2017: Referred to the Subcommittee on Water Resources and Environment.

Summary (as of Oct 5, 2017)

Water Infrastructure Flexibility Act

(This measure has not been amended since it was reported to the Senate on May 25, 2017. The summary of that version is repeated here.)

(Sec. 3) This bill amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to allow municipalities to develop a plan that integrates wastewater and stormwater management.

A permit for a municipal discharge under the national pollutant discharge elimination system that incorporates an integrated plan may integrate all requirements under the Act addressed in the plan, including requirements relating to: (1) a combined sewer overflow; (2) a capacity, management, operation, and maintenance program for sanitary sewer collection systems; (3) a municipal stormwater discharge; (4) a municipal wastewater discharge; and (5) a total maximum daily load program.

Those permits may include a schedule of compliance that allows actions for meeting water quality-based effluent limitations to be implemented over more than one permit term if the compliance schedules are authorized by state water quality standards. Those actions may include implementing green infrastructure as part of a water quality-based effluent limitation. (Green infrastructure includes measures that mimic natural processes to store, reuse, or reduce stormwater.)

The bill establishes an Office of the Municipal Ombudsman in the Environmental Protection Agency (EPA) to provide: (1) technical assistance to municipalities seeking to comply with the Clean Water Act and the Safe Drinking Water Act, and (2) information to the EPA to ensure that agency policies are implemented by all EPA offices.

(Sec. 4) The EPA must ensure that specified EPA offices promote the integration of green infrastructure into permitting programs, planning efforts, research, technical assistance, and funding guidance.

(Sec. 5) The bill establishes requirements for revising the EPA's 1997 guidance about combined sewer overflows, including by setting forth criteria for determining the ability of households to pay utility bills. (Combined sewer systems collect rainwater, sewage, and industrial wastewater into one pipe. During storms, the combined wastewater sometimes exceeds the capacity of the treatment plant. When this occurs, combined sewer overflows discharge directly into water bodies.)

Actions Timeline

- **Oct 13, 2017:** Referred to the Subcommittee on Environment.
- **Oct 10, 2017:** Message on Senate action sent to the House.
- **Oct 10, 2017:** Received in the House.
- **Oct 10, 2017:** Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, 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.
- **Oct 5, 2017:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S6373-6374; text: CR S6373-6374)
- **Oct 5, 2017:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S6373-6374; text: CR S6373-6374)
- **May 25, 2017:** Committee on Environment and Public Works. Reported by Senator Barrasso with an amendment in the nature of a substitute. With written report No. 115-87.
- **May 25, 2017:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 109.
- **May 25, 2017:** An errata sheet on written report No. 115-87 was printed.
- **Apr 5, 2017:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 28, 2017:** Committee on Environment and Public Works Subcommittee on Fisheries, Water, and Wildlife. Hearings held. With printed Hearing: S.Hrg. 115-12.
- **Mar 21, 2017:** Introduced in Senate
- **Mar 21, 2017:** Read twice and referred to the Committee on Environment and Public Works.