

111TH CONGRESS
2^D SESSION

S. 3481

To amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2010

Mr. CARDIN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

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. FEDERAL RESPONSIBILITY FOR STORMWATER**

4 **POLLUTION.**

5 Section 313 of the Federal Water Pollution Control
6 Act (33 U.S.C. 1323) is amended by adding at the end
7 the following:

8 “(c) **FEDERAL RESPONSIBILITY FOR STORMWATER**
9 **POLLUTION.**—Reasonable service charges described in
10 subsection (a) include reasonable fees or assessments

1 made for the purpose of stormwater management in the
2 same manner and to the same extent as any nongovern-
3 mental entity.

4 “(d) NO TREATMENT AS TAX OR LEVY.—A fee or
5 assessment described in this section—

6 “(1) shall not be considered to be a tax or other
7 levy subject to an assertion of sovereign immunity;
8 and

9 “(2) may be paid using appropriated funds.”.

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