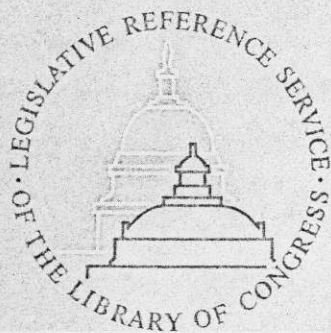


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WATER POLLUTION  
 Legislation Introduced in the  
 91st Congress, 2nd Session

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## INTRODUCTION

As of March 31, 1970 there had been 66 bills relating to water pollution introduced in the 2nd Session of the 91st Congress, 52 in the House of Representatives and 14 in the Senate. The major part of this legislative activity concerned the Administration's proposed amendments to the Federal Water Pollution Control Act. Other aspects included: control of phosphates in detergents; abatement of sludge and other dumping in the New York harbor area; termination of petroleum drilling in the Santa Barbara offshore zone; aids to industry for the control of pollution; prohibition of Federal procurement from pollution law violators; pollution monitoring; prevention of sanitary waste discharges from railroads; stiffening the control on pollution from vessels; pesticide control; a redirection of the mission of the Corps of Engineers; regulations concerning reservoir capacity for water quality improvement; and advancement of regional water quality planning.

The bills are presented in order of their introduction, first those of the House of Representatives and then those of the Senate. Similar bills are so indicated. In the case of the major Senate bills which were referred to the Public Works Committee, more detailed information may be obtained by referring to the House counterpart.

House Bills

H. R. 15566. Mr. Ruppe; 1/27/70, Public Works.

Provides under the Federal Water Pollution Control Act for the protection of the navigable waters of the United States from further pollution by requiring that synthetic petroleum-based detergents manufactured in the United States or imported into the United States be free of phosphorus.

Asserts that it shall be unlawful after June 30, 1971 for any person to import into the United States or manufacture in the United States any detergent containing phosphorus.

H. R. 15583. Mr. Hamilton; 1/27/70, Public Works.

Regional Water Quality Act - Encourages the formation of permanent regional water management associations which are responsible for the preparation and development of comprehensive pollution control plans for all or part of a river basin or parts thereof that is consistent with or part of a comprehensive river basin water and related land use plan for the area.

Provides that these objectives will be accomplished through: (1) the establishment of economic incentives to water users to conserve water and minimize wastes and to join together in regional water management associations to promote the most efficient use of the water sources of the region; and (2) the provision of financial assistance to municipalities and regional management associations for the construction of waste treatment facilities.

Provides for the imposition of National effluents charges for all those substances other domestic sewage which detract from the quality of the water for municipal, agricultural, industrial, recreational, sport, wildlife, and commercial fish uses.

Provides that such funds shall be allocated to municipalities and to regional management associations for construction of waste treatment facilities on a 3 to 1 basis in favor of municipalities.

H. R. 15682. Mr. King; 2/3/70, Public Works. (see H. R. 15566)

H. R. 15683. Mr. King; 2/3/70, Ways and Means.

Permits under the Internal Revenue Code, the amortization on the straight line method of the adjusted basis for air or water pollution works over a period of 36 months. Provides that the Secretary of Health, Education, and Welfare shall from time to time set minimum performance standards and shall certify the abatement works. [Adds 26 U.S.C. 183]

H. R. 15748. Mr. Hanna; 2/5/70. Interior Insular Affairs.  
(see S. 3351)

Directs the Secretary of the Interior to terminate all mineral leases and easements for the storage or transportation of oil, gas, or other minerals in the area of the Outer Continental Shelf seaward of the Santa Barbara State oil drilling sanctuary. Such seaward area shall be determined by the Secretary of the Interior by extending seaward the boundaries of such State sanctuary in a parallel manner to the edge of the lands beneath the navigable waters within the State of California surrounding the island known as Santa Cruz in the Santa Barbara Channel.

Authorizes the Secretary of the Interior to continue production under any lease in the area of the Outer Continental Shelf described above and to take such other actions with respect to such area, as may be necessary to prevent oil spillage, leaks, or other pollution.

H. R. 15827. Mr. Ottinger; 2/10/70. Merchant Marine and Fisheries.

Requires the Secretary of the Army under the National Environmental Policy Act of 1969 to terminate licenses and permits relating to the disposition of waste materials in the waters of the New York Bight.

Requires the Secretary, through the Chief of Engineers to make a complete investigation and study of the methods by which, and the cost of, restoring the waters of the New York Bight to their condition prior to the discharges terminated under this Act.

H. R. 15828. Mr. Ottinger et al.; 2/10/70, Merchant Marine and Fisheries. (see H. R. 15827)

H. R. 15829. Mr. Ottinger et al.; 2/10/70, Merchant Marine and Fisheries.

H. R. 15843. Mr. Ryan; 2/10/70, Appropriations.

Increases from \$800,000,000 to \$1,000,000,000 the supplemental appropriations to fund the construction grants for waste treatment works program of the Federal Water Pollution Control Act for the fiscal year 1970. [Amends 33 U.S.C. 466e]

H. R. 15872. Mr. Bennett; 2/16/70, Public Works. (see S. 3471)

Provides that, under the Federal Water Pollution Control Act, the Secretary of the Interior shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution control agencies and interstate agencies, and with the municipalities and industries involved, prepare and develop comprehensive programs for eliminating or reducing water pollution and for improving the usability and condition of such waters by controlling the water pollution activities.

Asserts that "water pollution activities" shall mean: (1) The pollution of interstate and intrastate water, navigable waters of the United States, including boundary waters, tributaries, or portions of any of these waters, lakes, and ground waters (whether the discharge reaches such waters from runoff, percolation, or direct discharge into such waters or tributaries or portions of such waters) which endangers the health or welfare of any persons or adversely affects the quality of any such waters.

Provides that standards, which include criteria, requirements, and a plan, established pursuant to this subsection, shall be such as to protect the public health or welfare, to enhance the present quality and value of water and our water resources, to assure, by proper planning and implementation, the water resource needs for future population growth, industrial expansion, agricultural intensification, energy requirements, recreation and conservation uses and environmental quality, and to serve the purposes of this Act. Asserts that, in considering or establishing such standards, including criteria, requirements, plan, the Secretary, the Hearing Board, and the appropriate State authority, shall take into consideration their present and prospective use and value to maintain and improve the quality of water supplies, propagation of fish and aquatic life and wildlife, recreation, conservation of natural resources, protection of environmental quality, agriculture, industry, and other legitimate uses.

Allows the Secretary to investigate any facts, conditions, practices, or matters which he may find necessary or proper in order to determine whether any person has violated or is about to violate any provision of this Act or any standards, including criteria, requirements, and a plan thereunder, or to aid in the enforcement of the provisions of this Act or in promulgating criteria, plans, rules, or regulations thereunder, or in obtaining information to serve as a basis for recommending further legislation concerning the matters to which this Act relates;

(2) pollution of the waters of the contiguous zone of the United

States; and (3) pollution of the waters of the high seas beyond the territorial sea of the United States, which endangers the health or welfare of any person or adversely affects the quality of such waters through discharges which are transported from or originate in areas over which the United States has sovereignty.

Provides that the Secretary, after reasonable notice and a conference of representatives of appropriate Federal departments, and agencies, interstate, agencies, States, municipalities, and industries involved, shall promulgate regulations setting forth such water quality standards, including criteria, requirements for such waters, and a plan for the implementation and enforcement of such criteria and requirements, as to water pollution activities in such waters.

Provides that, for the purposes of any enforcement conference, investigation, or any other proceeding under this Act, the Secretary is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memorandums, contracts, agreements, or other records which the Secretary finds relevant or material to the inquiry.

H. R. 15873. Mr. Bennett; 2/16/70, Public Works. (see S. 3472)

Clean Water Financing Act-Allows the Federal government to pay 40 percent of the construction costs of sewerage treatment works of the State agrees to pay not less than 25 percent of the cost under the Federal Water Pollution Control Act.

Provides that no such grant or other financial assistance shall be made unless the applicant complies with the regulations that the Secretary of Interior prescribes to assure the effective and efficient use of such funds.

Directs the Secretary of Interior to allocate such funds in the following manner: (1) 60 percent of all sums appropriated in the ratio that the population of each State bears to the population of all the States, except that the first \$100,000,000 of sums within such percentage shall be allocated as follows: (A) 50 percent of such sums in the ratio that the population of each State bears to the population of all the States, and (B) 50 percent of such sums in the ratio that the quotient obtained by dividing the per capita income of the United States by the per capita income of each State bears to the sum of such quotient for all the States; (2) 20 percent of such sums to those States which agree to pay not less than 25 percent of the estimated reasonable cost, as determined by the Secretary, of all projects for which Federal grants or other commitments of financial assistance are to be made under this section during any fiscal year, which allotment shall be in the ratio that the population of each

such State bears to the population of all such States; (3) 20 percent of such sums to those States which the Secretary determines in accordance with regulations: (A) have the most severe water pollution problems; and (B) can best use such funds to meet the requirements of a basin wide pollution abatement plan; (4) the total allocation under clauses (1), (2), and (3) to any State shall not exceed the amount of Federal grant funds obligated within such State for purposes of this Act during the preceding fiscal year, unless such State shall file with the Secretary, within the first ninety days of the current fiscal year, an acceptable pollution control plan that would require the obligation of funds for purposes of this section which are in excess of the funds obligated within such State in the preceding fiscal year, in which case the Secretary may allocate up to the full amount that would otherwise be allocated to such State for the current fiscal year if he finds that this plan meets pollution control needs, conforms to water quality standards and enhances the present quality of said waters. Any sums available from the original allocations for which the Secretary has not approved funds in excess of the previous fiscal year and any sums allotted to a State under clauses (1), (2), and (3) hereof which are not obligated at the end of the fiscal year for which they are allotted shall be reallocated by the Secretary, on the basis used in clause (3) hereof to States having projects approved under this section for which grants have not been made because of lack of funds.

Extends the authorization for such grants for 4 years and authorizes an aggregate amount of \$4,000,000,000. [Amends 33 U.S.C. 466E]

H. R. 15903. Messrs. Fallon & Blatnik (by req.); 2/16/70,  
Public Works. (see S. 3468)

Environmental Financing Act - Creates the Environmental Financing Authority, subject to the control of the Secretary of the Treasury. States that the purpose of such Authority is to assure that the inability to borrow necessary funds at reasonable rates does not prevent any state or local public body from carrying out any project for construction of waste treatment works authorized and financed with the aid of grants provided by the Secretary of the Interior.

Provides that the Authority shall have a Board of Directors consisting of five persons, one of whom shall be the Secretary of the Treasury or his designee as Chairman of the Board, and four of whom shall be appointed by the President from among the officers or employees of the Authority or of any department or agency of the United States Government.



Authorizes the Authority to make commitments to purchase and to purchase on terms and conditions determined by the Authority, any obligation or participation therein which is issued by a State or local public body to finance the non-Federal share of the cost of any waste treatment construction project for which the Secretary of the Interior has agreed to pay a portion of the project cost.

Provides that no commitment shall be entered into, and no purchase shall be made, unless the Secretary of the Interior has certified that the seller is unable to obtain at reasonable rates sufficient credit to finance his actual needs and unless the Secretary has agreed to guarantee timely payment of principal and interest on the obligation.

Provides that any purchase by the Authority shall be upon such terms and conditions as to yield a return at a rate determined by the Secretary of the Treasury taking into consideration (1) the current average yield on outstanding marketable obligations of the United States of comparable maturity or in its stead whenever the Authority has sufficient of its own long-term obligations outstanding, the current average yield on outstanding obligations of the Authority of comparable maturity; and (2) the market yields on municipal bonds.

Authorizes the Authority to charge fees for its commitments and other services adequate to cover all expenses and to provide for the accumulation of reasonable contingency reserves and such fees shall be included in the aggregate project costs.

Authorizes \$100,000,000 to provide initial capital to the Authority. Provides for the issuance of obligations of the authority. Sets forth the general powers of the Authority and provides for a tax exemption for its property, franchise, capital, reserves, surplus, security holdings and other funds and income.

Directs the Authority to submit an annual report to the President and Congress.

H. R. 15904. Messrs. Fallon & Blatnik (by req.); 2/16/70,  
Public Works. (see H. R. 15873)

H. R. 15905. Messrs. Fallon & Blatnik (by req.); 2/16/70,  
Public Works. (see H. R. 15872)

H. R. 15906. Messrs. Fallon & Blatnik (by req.); 2/16/70,  
Public Works. (see S. 3470)

Provides that, under the Federal Water Pollution Control Act, the Secretary of Health, Education, and Welfare shall

conduct in the Department of the Interior and encourage, cooperate with, and render assistance to other appropriate public (whether Federal, State, interstate, or municipal, or intermunicipal) authorities, agencies, and institutions, private agencies and institutions, and individuals for the purposes of conducting and promoting the coordination of research, investigations, experiments, demonstrations, and studies relating to the causes, control, and prevention of water pollution and the enhancement and protection of water quality, the development and demonstration of waste water reuse technology, and associated and related problems which shall include, but not limited to: (1) practicable means of treating municipal sewage and other waterborne wastes to remove the maximum possible amounts of physical, chemical, and biological pollutants in order to restore and maintain the maximum amount of the Nation's water at a quality suitable for repeated reuse; (2) methods and techniques of identifying the effects of pollutants upon water quality; (3) methods and procedures for evaluating the effects of augmented streamflow upon water quality; (4) analysis of bodies of water with respect to water quality, waste disposal practices, water uses and needs, and water quality control; (5) development and demonstration of new, improved, or useful methods of controlling the discharge into any waters of untreated or inadequately treated sewage or other wastes from sewers which carry storm water or both storm water and sewage or other wastes; (6) development and demonstration of advanced waste treatment and waste water renovation (including the temporary use of new or improved chemical additives which provide substantial immediate improvement to existing treatment processes) or new or improved methods of joint treatment systems for municipal and industrial wastes; and (7) development and demonstration of new and improved methods and technology for control of pollution of water by industry and the treatment of industrial waste.

Provides that the Secretary shall approve any plan for a program to prevent and control water pollution which is submitted by the State water pollution control agency or an interstate agency, if such plan: (1) provides for administration or for the supervision of administration of the plan by the State water pollution control agency, or in the case of a plan submitted by an interstate agency, by such interstate agency; (2) provides that such agency will make such reports, in such form and containing such information, as the Secretary may, from time to time, reasonably require to carry out his functions under this Act; (3) sets forth the plans, policies, and methods to be followed in carrying out the State (or interstate) plan and in its administration; (4) provides for extension or improvement of the State

or interstate program for prevention and control of water pollution; (5) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the plan; and (6) provides acceptable criteria to be used by the State in determining priority of projects.

Provides that the Secretary shall not disapprove any plan without first giving reasonable notice and opportunity for a conference with the Secretary to the State water pollution control agency or interstate agency which has submitted such plan.

H. R. 15915. Mr. Howard; 2/16/70, Public Works.

Provides for amendments to the Act of June 29, 1888, relating to the prevention of obstructive and injurious deposits in the harbor of New York. Provides that notwithstanding any other provision of law, the Secretary of the Army acting through the Chief of Engineers shall, within thirty days following the date of enactment of this Act, revoke or otherwise terminate any license or permit which he has issued authorizing the discharge (including, but not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping) of any sewage, sludge, spoil, or other waste into the waters of the New York Bight or into any other waters within a twenty-five mile radius of the Ambrose Lighthouse.

Provides that the Secretary of the Army acting through the Chief of Engineers shall make a complete investigation and study of the methods by which, and the cost of, restoring the waters of the New York Bight to their condition prior to the discharges. Asserts that the Secretary shall report to Congress the results of such investigation and study, together with his recommendations, no later than one year after the date of enactment of this Act.

H. R. 15987. Mr. Brotzman; 2/18/70, Public Works. (see H. R. 15873)

H. R. 15988. Mr. Brotzman; 2/18/70; Public Works. (similar bill, H. R. 15872)

Expands the Secretary of the Interior's authority to prepare or develop comprehensive water quality management programs relating to water pollution activities in interstate waters and navigable waters, including boundary waters of the United States, and waters of the contiguous zone, and other ocean waters, ground water, and tributaries and portions of these waters. Authorizes the Secretary to conduct his own investigation of the condition of any waters as well as to conduct joint investigations with other agencies.

Provides that the Secretary shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution control agencies and interstate agencies, and with the municipalities and industries involved, prepare and develop comprehensive programs for eliminating or reducing water pollution and for improving the usability and condition of such waters by controlling the water pollution activities. Asserts that, in the development of such comprehensive programs, the Secretary shall give full consideration to and shall recommend the measures, practices and improvements which he deems appropriate to maintain and improve the quality of water supplies, propagation of fish and aquatic life and wildlife, recreation, conservation of natural resources, protection of environmental quality, agriculture, industry, and other legitimate uses.

Defines "water pollution activities" to mean: (1) the pollution of interstate waters, navigable waters of the United States, including boundary waters, tributaries or portions of any of these waters, and ground waters (whether the discharge reaches such waters from runoff, percolation, or direct discharge into such waters or tributaries or portions of such waters) which endangers the health or welfare of any persons or adversely affects the quality of any such waters; (2) pollution of the waters of the Contiguous Zone of the United States that causes or is likely to cause pollution of the territorial sea of the United States to an extent that endangers the health or welfare of any persons or is likely to adversely affect the quality of the territorial sea of the United States; and (3) pollution of the waters of the high seas beyond the territorial sea of the United States, which endangers the health or welfare of any person or adversely affects the quality of such waters through discharges which are transported from or originate in areas over which the United States has sovereignty.

Provides that any water pollution activity consisting of any discharge into the waters which reduces the quality of such waters below the water quality standards established under this subsection, or any discharge into said waters which is of lesser quality than the requirements controlling such discharges or any discharge which is not in compliance with the implementation and enforcement plan for such criteria and requirements (whether the discharge causing or contributing to such pollution reaches such waters from runoff, percolation, or direct discharge into such waters or tributaries thereof or adjoining bodies of water) is subject to abatement proceeding is initiated under this subsection, the Secretary shall notify each alleged polluter, the water pollution control agency, and the interstate agency, if any of the State or States where such pollution originates or which may be affected adversely by such well as to conduct joint investigations with other agencies.

pollution, of the violation of such standards and of the remedial action required and shall call a public hearing to be held not less than twenty-one days after issuance of such notice. Asserts that, if remedial action as determined by the Secretary, to secure abatement of the pollution is not taken within such one hundred and eighty day period after the Secretary has issued notice of violation, or if, at any time thereafter, the alleged pollutor fails to take remedial action, as determined by the Secretary, the Secretary may request the Attorney General to bring a suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution, including compliance with such standards, which include criteria, requirements and plan.

Allows the Secretary to investigate any facts, conditions, practices, or matters which he may find necessary or proper in order to determine whether any person has violated or is about to violate any provision of this Act or any standards, including criteria, requirements and a plan thereunder, or to aid in the enforcement of the provisions of this Act or in promulgating criteria, plans, rules or regulations thereunder, or in obtaining information to serve as a basis for recommending further legislation concerning the matters to which this Act relates. Allows the Secretary to permit any person to file with him a statement in writing under oath or otherwise, as he shall determine, as to any or all facts and circumstances concerning a matter which may be the subject of investigation.

Provides that the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, is authorized: (A) to enter, at reasonable times, any public or private property from which discharge is being made into waters; (B) to inspect and investigate, at reasonable times and within reasonable limits and in a reasonable manner, the operation of collection systems, waste treatment works or facilities, or conditions relating to pollution or the possible pollution of such waters; and (C) to have access to such records in connection therewith as the Secretary may require.

H. R. 15989. Mr. Brotzman; 2/18/70, Public Works. (see H. R. 15906)

H. R. 16072. Mr. Daniel (Va.); 2/19/70, Interstate and Foreign  
Commerce.

Provides that reservoir storage capacity for water quality control purposes which is a part of any overall plan for water quality control proposed by the applicant or required by the Commission shall

not exceed such proportion of the total storage required for the water quality control plan as the drainage area of such reservoir bears to the drainage area of the river basin or basins involved in such water quality control plan. [Amends 16 U.S.C. 803]

H. R. 16077. Mr. Hechler (W. Va.); 2/19/70, Public Works.  
(see H. R. 15583)

H. R. 16103. Mr. Patten; 2/19/70, Public Works. (see H. R. 15903)

H. R. 16104. Mr. Patten; 2/19/70, Public Works. (see H. R. 15783)

H. R. 16105. Mr. Patten; 2/19/70, Public Works. (see H. R. 15988)

H. R. 16106. Mr. Patten; 2/19/70, Public Works. (see H. R. 15989)

H. R. 16107. Mr. Patten; 2/19/70, Public Works. (see H. R. 15915)

H. R. 16140. Mr. Murphy (N. Y.); 2/24/70, Public Works. (see  
H. R. 15906)

H. R. 16141. Mr. Murphy (N. Y.); 2/24/70, Public Works. (see  
H. R. 15872)

H. R. 16142. Mr. Murphy (N. Y.); 2/24/70, Public Works. (see  
H. R. 15873)

H. R. 16143. Mr. Murphy (N. Y.); 2/24/70, Public Works. (see  
H. R. 15903)

H. R. 16215. Mr. Steiger (Wisc.); 2/26/70, Public Works. (similar  
bill H. R. 15905)

Provides that, under the Federal Water Pollution Control Act, the Secretary of Health, Education, and Welfare shall conduct in the Department of the Interior and encourage, cooperate with, and render assistance

to other appropriate public (whether Federal, State, interstate, or municipal, or intermunicipal) authorities, agencies, and institutions, private agencies and institutions, and individuals for the purposes of conducting and promoting the coordination of research, investigations, experiments, demonstration, and studies relating to the causes, control, and prevention of water pollution and the enhancement and protection of water quality, the development and demonstration of waste water reuse technology, and associated and related problems which shall include, but not limited to: (1) practicable means of treating municipal sewage and other waterborne wastes to remove the maximum possible amounts of physical, chemical, and biological pollutants in order to restore and maintain the maximum amount of the Nation's water at a quality suitable for repeated reuse; (2) methods and techniques of identifying the effects of pollutants upon water quality; (3) methods and procedures for evaluating the effects of augmented streamflow upon water quality; (4) analysis of bodies of water with respect to water quality, waste disposal practices, water uses and needs, and water quality control; (5) development and demonstration of effective and practicable remedial measures, including without limitation measures for the prevention of nutrient entry and the removal of existing nutrients and vegetation, to improve the quality of the waters of the lakes of the United States; (6) development and demonstration of new, improved, or useful methods of controlling the discharge into any waters of untreated or inadequately treated sewage or other wastes from sewers which carry storm water or both storm water and sewage or other wastes; (7) development and demonstration of advanced waste treatment and waste water renovation (including the temporary use of new and improved chemical additives which provide substantial immediate improvement to existing treatment processes) or new or improved methods of joint treatment systems for municipal and industrial wastes; and (8) development and demonstration of new and improved methods and technology for control of pollution of water by industry and the treatment of industrial waste.

Provides that, the Secretary shall approve any plan for a program to prevent and control water pollution which is submitted by the State water pollution control agency or an interstate agency, if such plan: (1) provides for the supervision of administration of the plan by the State water pollution control agency, or in the case of a plan submitted by an interstate agency, by such interstate agency; (2) provides that such agency will make such reports, in such form and containing such information, as the Secretary may, from time to time, reasonably require to carry out his functions under this Act; (3) sets forth the plans, policies, and methods to be followed in carrying out the State (or interstate) plan and in its administration; (4) provides for extension or improvement of the State or interstate program for prevention and control of water pollution; (5) provides such accounting, budgeting, and other fiscal methods and procedures as are

necessary for the proper and efficient administration of the plan; and (6) provides acceptable criteria to be used by the State in determining priority of projects.

Provides that the Secretary shall not disapprove any plan without first giving reasonable notice and opportunity for a conference with the Secretary to the State water pollution control agency or interstate agency which has submitted such plan.

H. R. 16225. Mr. Fish; 3/2/70, Public Works.

Increases the criminal penalty for the wrongful deposit of certain refuse, injury to harbor improvements, and obstruction of navigable waters to a fine of \$10,000 or imprisonment for not less than 30 days nor more than 1 year.

Provides that in the case of any violation which continues over a period of time, each day such violation continues shall be a separate violation. [Amends 33 U.S.C. 411]

H. R. 16229. Mr. Ottinger et. al.; 3/2/70, Merchant Marine and Fisheries. (see H. R. 15827)

H. R. 16240. Mr. Broyhill (Va.); 3/3/70, Public Works. (see H. R. 15988)

H. R. 16241. Mr. Broyhill (Va.); 3/3/70, Public Works. (see H. R. 15906)

H. R. 16242. Mr. Broyhill (Va.); 3/3/70, Public Works. (see H. R. 15903)

H. R. 16243. Mr. Broyhill (Va.); 3/3/70, Public Works. (see H. R. 15873)

H. R. 16256. Mr. Pucinski; 3/3/70, Public Works. (see S. 3507)

Detergent Pollution Control Act - Enumerates various congressional findings and declarations relating to pollution and synthetic detergents.



Makes it unlawful after June 30, 1972 for any person to import into the United States or manufacture in the U. S. any detergent containing phosphorus. Provides that any such detergent shall be liable to be proceeded against on libel of information and condemned in any district court in the United States within the jurisdiction of which such detergent is found.

Provides that any detergent condemned under this Act shall, after entry of a decree, be disposed of by destruction or sale as the court may, in accordance with the provisions of this subsection, direct and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States.

Directs the Secretary of the Treasury to deliver to the Secretary of the Interior upon his request, samples of detergents which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Secretary and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that such detergent contains phosphorus, such detergent shall be refused admission and destroyed, unless it is exported.

Pending decision as to the admission of a detergent being imported or offered for import, the secretary of the Treasury may authorize delivery of such detergent to the owner or consignee upon the execution by him of a good and sufficient bond providing for the payment of such liquidated damages in the event of default as may be required pursuant to regulations of the Secretary of the Treasury.

Directs the Secretary of the Interior to establish standards of water eutrophication ability, biodegradability, toxicity, and of effects on the public health and welfare which must be met by all synthetic detergents.

Provides that the Secretary of the Interior shall, on or before June 30, 1971, prescribe and publish in the Federal Register, such standards and rules and regulations as are necessary to carry out the policy of this Act.

Provides that any person who violates such rules and regulations shall be guilty of a misdemeanor and upon conviction thereof shall be subject for the first offense to a fine of not more than \$5,000 and for any subsequent offense to a fine of not more than \$20,000.

Provides Federal assistance for the development and manufacture of detergents that are free of phosphorus and directs the Secretary to inventory and report existing technology on substitutes for polyphosphates in detergents, and other technology relating to the development of pollution free detergents.

H. R. 16349. Mr. Helstoski; 3/9/70, Public Works. (see H. R. 15873)

H. R. 16350. Mr. Helstoski; 3/9/70, Public Works. (see H. R. 15906)

H. R. 16351. Mr. Helstoski; 3/9/70, Public Works. (see H. R. 15988)

H. R. 16352. Mr. Helstoski; 3/9/70, Public Works. (see H. R. 15903)

H. R. 16373. Mr. Corman; 3/10/70, Merchant Marine and Fisheries.

Authorizes restrictions and prohibitions by the Secretary of the Interior on the use of insecticides, herbicides, fungicides, and pesticides which pollute the navigable waters of the United States.  
[Amends 16 U.S.C. 742-d-1]

H. R. 16453. Mr. McDade; 3/12/70, Public Works. (see H. R. 15988)

H. R. 16454. Mr. McDade; 3/12/70, Public Works. (see H. R. 15906)

H. R. 16455. Mr. McDade; 3/12/70, Public Works. (see H. R. 15903)

H. R. 16456. Mr. McDade; 3/12/70, Public Works. (see H. R. 15873)

H. R. 16474. Mr. Helstoski; 3/16/70, Ways and Means.

Allows an incentive tax credit equal to twenty percent for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and permits the amortization of such cost within a period of from one to five years.  
[Adds 26 U.S.C. 41, 183]

H. R. 16566. Mr. Talcott; 3/19/70, Public Works.

Authorizes and directs the Corps of Engineers to engage in public works for waste water purification and reuse.

H. R. 16609. Mr. Murphy (N. Y.) et al.; 3/23/70, Merchant Marine and Fisheries. (see H. R. 16427)

H. R. 16623. Mr. Cowger; 3/24/70, Public Works. (see S. 3416)

Federal Procurement and Environmental Enhancement Act - Declares that all Federal departments, independent agencies and other instrumentalities of the United States using appropriated funds shall not contribute to environmental pollution by contracting for goods, materials and services with those persons in violation of the Federal Water Pollution Control Act and the Clean Air Act.

Requires the establishment of contract regulations by the Secretary of Health, Education, and Welfare. Provides that such regulations shall be included in all Federal procurement contracts and shall: (1) require the contractor or seller to furnish adequate proof of compliance with the air and water pollution acts, or, in the alternative, at the time of contract the seller agrees to implement an affirmative plan for compliance pursuant to those acts; (2) upon notice from the Secretary, require the Federal Government, represented by the appropriate department or agency head, to terminate such contract, at any time and without payment of any penalties or damages, and upon due notice to that person that such person is not complying with applicable water pollution control laws, regulations, or standards; (3) reserve to the Federal Government, represented by the appropriate department or agency head, the right to continue such contract if such person has implemented an affirmative plan or schedule pursuant to this Act; and (4) exempt the Federal Government from adjusting the contract price for any resulting increased costs or the adjusting of any delivery or performance schedule due to the continuance of the contract under (3) above.

Exempts the Department of Defense from this Act, if the Secretary of Defense, after public hearing determines that such exemption is necessary for national defense.

Provides that the termination, continuance, and exemption procedures of (2), (3) and (4) apply with respect to contracts directly related to a pollution action.

H. R. 16703. Mr. Mikva; 3/26/70, Public Works. (see H. R. 15566)

Senate Bills

- S. 3351. Messrs. Murphy & Cranston; 1/28/70 Interior and Insular Affairs.  
(see H.R. 15748)

Directs the Secretary of the Interior to terminate all mineral leases and easements for the storage or transportation of oil, gas, or other minerals in the area of the Outer Continental Shelf seaward of the Santa Barbara State oil drilling sanctuary. Such seaward area shall be determined by the Secretary of the Interior by extending seaward the boundaries of such State sanctuary in a parallel manner to the edge of the lands beneath the navigable waters within the State of California surrounding the island known as Santa Cruz in the Santa Barbara Channel.

Authorizes the Secretary of the Interior to continue production under any lease in the area of the Outer Continental Shelf described above, and to take such other actions with respect to such area, as may be necessary to prevent oil spillage, leaks, or other pollution.

- S. 3468. Mr. Scott et al. (by reg.); 2/18/70, Public Works. (see H.R. 15903)

To establish an Environmental Financing Authority to assist in the financing of waste treatment facilities, and for other purposes.

This act would be cited as the "Environmental Financing Act of 1970."

The bill would establish an Environmental Authority as an instrumentality of the United States subject to the general provision and direction of the Secretary of the Treasury, to assure that local communities will be able to obtain funds at reasonable interest rates to finance the non-Federal share of the cost of a waste treatment construction project.

The Authority would consist of a 5-man board of directors with the Secretary of the Treasury as chairman and 4 others appointed by the President from the officers or employees of the Authority or of any Federal agency. Initial capital will be advanced by the Treasury. The Authority would charge fees to cover expenses and to accumulate reasonable reserves, and such fees would be included in the project costs. The Authority would be required to transmit to the President and the Congress an annual report of its operations.

- S. 3470. Mr. Scott et al. (by reg.); 2/18/70, Public Works. (see H.R. 15906)

To amend secs. 5, 6, and 7 of the Federal Water Pollution Control Act, as amended, and for other purposes.

The bill would combine the existing secs. 5 and 6 into a new sec. 5, which would authorize the Secretary of the Interior to conduct the necessary study, research, and investigation within the Department, and through Federal assistance to individual agencies and institutions. It would give the Secretary increased flexibility in administering this program. The new secs. 6 and 7 would include increased authorizations

on a sliding scale from \$12.5 million in fiscal year 1971 to \$30 million for fiscal year 1975 and would provide 3 new categories of grants: (1) program development grants; (2) program improvement grants; and (3) special project grants, which are intended to encourage and support substantial program development and improvements.

S. 3471. Mr. Scott et al. (by reg.); 2/18/70, Public Works. (see H.R. 15872)

To amend secs. 1, 3, 10, and 13 of the Federal Water Pollution Control Act, as amended, and for other purposes.

The bill amends the declaration of policy in sec. 1 of the act to assure equality in the application of water quality requirements and to protect the right of the public to clean water. Amends sec. 3 to expand the authority of the Secretary of the Interior to develop comprehensive water quality management programs relating to water pollution activities in interstate waters and navigable waters, including boundary waters of the United States, and waters of the contiguous zone and tributaries of all these waters. Sec. 10 is amended to require standards for boundary, ground, waters of the contiguous zone, etc., to reduce the amount of time required between publication and promulgation of standards from 6 months to 60 days. Sec. 13 is amended to modify the definition of the State water pollution control agency and include a definition of the contiguous zone.

S. 3472. Mr. Scott et al. (by reg.); 2/18/70, Public Works. (see H.R. 15873)

To amend sec. 8 of the Federal Water Pollution Control Act, as amended, and for other purposes.

The bill would authorize the Secretary of the Interior to incur obligations in the form of grants or otherwise in amounts up to \$4 billion for construction of waste treatment plants during the next 4 years beginning with fiscal year 1971. Authorizes appropriations of such sums as may be required for liquidation of obligations incurred, and submission of a report to Congress not later than Jan. 10, 1973, on the requirements for the construction of waste treatment facilities for fiscal years 1975 through 1979.

This act may be cited as the "Clean Water Financing Act of 1970."

S. 3488. Mr. Williams (N.J.); 2/20/70, Public Works.

National Marine Waters Pollution Control and Quality Enhancement Act - Provides that no owner or operator of a vessel or an onshore or offshore facility shall discharge or cause or contribute to the discharge of wastes from any vessel, except sewage discharged from marine sanitation devices, or from any onshore or offshore facility into or upon waters beyond the contiguous zone.

Asserts that any owner or operator who commits such violations shall be assessed a civil penalty of not more than \$10,000 for each violation. Provides that each occurrence of a violation may constitute a separate offense. Provides that a civil penalty shall be assessed by the Secretary of the department in which the Coast Guard is operating only after the person charged with a violation has been given an opportunity for a public hearing and such Secretary has determined, by decision incorporating his findings of fact therein, that a violation did occur, and the amount of the penalty which is warranted, and incorporating, when appropriate, an order therein requiring that the penalty be paid.

Provides that the Secretary shall make grants available to any State, municipality, or other political subdivision of a State for the construction of treatment works annually to provide financial assistance to them for the costs of transporting on, and discharging from, vessels wastes into or upon waters beyond the contiguous zone in accordance with applicable regulations. Asserts that the Secretary shall not provide any such financial assistance unless he determines that such wastes will receive, in order to prevent any damage to such waters and the total environment, treatment before such discharge by means and measures that utilize the most advanced treatment technology available.

Provides that, if the person against whom a civil penalty is assessed fails to pay the penalty within the time prescribed in such order, such Secretary shall file a petition for enforcement of such order in any appropriate district court of the United States. Asserts that the petition shall designate the person against whom the order is sought to be enforced as the respondent. Provides that a copy of the petition shall forthwith be sent by registered or certified mail to the respondent and thereupon such Secretary shall certify and file in such court the record upon which such order sought to be enforced was issued. Provides that the court shall have jurisdiction to enter a judgment enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order and decision of such Secretary or it may remand the proceedings to such Secretary for such further action as it may direct.

Asserts that such regulations shall be published in the Federal Register and shall afford interested persons a period of not less than thirty days thereafter to submit written data or comments. Allows the Secretary upon the expiration of such period and after consideration of all relevant matter presented to promulgate such regulations with such modifications as he deems appropriate.

S. 3500. Mr. Nelson; 2/24/70, Public Works.

Enumerates various congressional findings and declarations relating to pollution and synthetic detergents.

Makes it unlawful after June 30, 1972 for any person to import into the United States or manufacture in the U.S. any detergent containing phosphorus. Provides that any such detergent shall be liable to be proceeded against on libel of information and condemned in any district court in the United States within the jurisdiction of which such detergent is found.

Provides that any detergent condemned under this Act shall, after entry of a decree, be disposed of by destruction or sale as the court may, in accordance with the provisions of this subsection, direct and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States.

Directs the Secretary of the Treasury to deliver to the Secretary of the Interior upon his request, samples of detergents which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Secretary and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that such detergent contains phosphorus, such detergent shall be refused admission and destroyed, unless it is exported.

Pending decision as to the admission of a detergent being imported or offered for import, the Secretary of the Treasury may authorize delivery of such detergent to the owner or consignee upon the execution by him of a good and sufficient bond providing for the payment of liquidated damages in the event of default as may be required pursuant to regulations of the Secretary of the Treasury.

S. 3507. Mr. Nelson; 2/25/70, Public Works. (see H.R. 16256)

To amend the Federal Water Pollution Control Act to ban polyphosphates in detergents and to establish standards and programs to abate and control water pollution by synthetic detergents.

This act may be cited as the "Detergent Pollution Control Act of 1970."

The bill amend the Federal Water Pollution Control Act, as amended, by adding 4 new sections:

Sec. 19 would add definitions essential for the purposes of this act; sec. 20 would make it unlawful after June 30, 1972, for any person to import into, or manufacture in the United States any detergent containing phosphorus. It establishes procedures by which the ban will be implemented and enforced; sec. 21 authorizes the Secretary of the Interior to establish standards of ability, biodegradability, toxicity, and of effects on the public health and welfare which must be met by all synthetic detergents. It authorizes the Secretary to prescribe and publish the standards in the Federal Register on or before June 30, 1971; and sec. 22 which authorizes a \$10,000,000 a year Federal assistance program for the next 5 years to accelerate the development and manufacture of detergents that are free of phosphorus.

S. 3516. Mr. Muskie et al.; 2/26/70, Interior and Insular Affairs.

Santa Barbara Channel Preservation Act - requires the Secretary of the Interior to assume the control and management of all mineral exploration, drilling, or pumping operations being conducted on the effective date of this Act on Federal lands within the Santa Barbara Channel from which oil has been or is being discharged into the waters of said Channel for the purpose of preventing further blowouts and to stop further oil discharge and seepage with a maximum of safety.

Terminates permanently in an orderly and safe manner all mineral operations in this area. Provides for the orderly removal of platforms from this area.

Authorizes the Secretary to enter into negotiations to pay damages to existing mineral lessees in the area, less costs and damages incurred by the United States. Provides that these lessees could sue for such damages in the Court of Claims, and directs the court to decide whether such termination to protect other resources of the shelf was an inherent part of the lease and therefore not compensable.

Makes permanent the ecological preserve established by public land order on March 3, 1969 and sets aside the remainder of the Federal lands in the channel.

S. 3528. Mr. McIntyre; 3/2/70, Banking and Currency.

Encourages the development and utilization of new and improved methods of waste disposal and pollution control. Assists small business concerns to effect conversions required to meet Federal or State pollution control standards.

Assists small businesses which specialize in the development of new methods of reducing pollution or otherwise improve our environment or which voluntarily adopt such methods. Requires the Small Business Administration to consider environmental aspects in its regular loan programs.

Requires the Small Business Administration in its regular loan programs to give priority to those applications which will further the development or utilization of new methods of reducing pollution. Requires the Administration to consider the environmental aspects of all loans made.

S. 3551. Mr. Pell; 3/5/70, Commerce.

Provides that under part 1 of the Interstate Commerce Act the Interstate Commerce Commission shall, after investigation, order every carrier within a time specified in the order, to install sanitation devices designed to prevent the discharge from any locomotive, car, or similar vehicle of such carrier of untreated or inadequately treated sewage into or upon any of the navigable waters of the United States or land within the United States, which devices shall comply with specifications and requirements prescribed by the Commission, upon the whole or any part of its railroad. Asserts that such order shall be issued and published a reasonable time (as determined by the Commission) in advance of the date for its fulfillment.

Directs the Commission to prepare rules, standards, and instructions for the installation, inspection, maintenance, and repair of such sanitation devices to be observed by such carrier. Provides that the



Commission may on its own motion, upon good cause shown, revise, amend, or modify such rules, standards, and instructions. Authorizes the Commission to inspect and test any sanitation devices referred to in this section used by any such carrier and to determine whether such devices are in proper condition to operate. Authorizes the Commission to employ persons familiar with the subject. Provides that such persons shall be in the classified service and shall be appointed after competitive examination according to the law and the rules of the Civil Service Commission governing the classified service. Asserts that no person interested, either directly or indirectly, in any patented article required to be used on or in connection with any of such devices or who has any financial interest in any carrier or in any concern dealing in railway supplies shall be used for such purpose.

Asserts that any carrier which fails to comply with any of the orders, rules, regulations, standards, or instructions made, prescribed, or approved hereunder shall be liable to a penalty of \$500 for each such violation and \$500 for each and every day of such violation, refusal, or neglect continues.

S. 3556. Mr. Sparkman; 3/6/70, Commerce.

Directs the Secretary of Commerce, through the Environmental Science Services Administration to: (1) make a daily determination, in the area of each Weather Bureau office operated by such Administration, of the extent of pollutants dangerous to the public health and welfare which are present in the atmosphere in such area; (2) make a determination, at appropriate intervals of time and in appropriate areas, of the extent of pollutants dangerous to the public health and welfare which are present in the navigable waters of the United States; and (3) disseminate to the public the results of such determinations.

S. 3614. Messrs. Cook and Mansfield; 3/20/70, Public Works.  
(see H.R. 16623)

To amend the Federal Water Pollution Control Act and the Clean Air Act in order to provide assistance in enforcing such acts through Federal procurement contract procedures.

This act may be cited as the "Federal Procurement and Environmental Enhancement Act of 1970."

The bill would prohibit all departments, independent agencies, and other instrumentalities of the United States using federally appropriated funds, from purchasing goods, materials, or services from those persons in violation of the Federal Water Pollution Control Act, or the Clean Air Act, as amended.

To facilitate enforcement, it would authorize the Secretary of the Interior and the Secretary of Health, Education, and Welfare to establish contract regulations, and the insertion thereof, in all Federal procurement contracts, and to establish the necessary notification procedures.

Finally, exempts the Secretary of Defense from this act, if the Secretary determines that such exemption is necessary for national defense.

S. J. Res. 172. Messrs. McClellan & Fulbright; 2/10/70, Judiciary.

Authorizes the President to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week."