

113TH CONGRESS
1ST SESSION

H. R. 1175

To amend the Federal Water Pollution Control Act and direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2013

Mr. CARTWRIGHT (for himself, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CONNOLLY, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GRAYSON, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. KEATING, Mr. LANGEVIN, Ms. LEE of California, Ms. LOFGREN, Mrs. LOWEY, Ms. MCCOLLUM, Ms. MENG, Mr. MORAN, Mr. NADLER, Ms. NORTON, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Ms. SLAUGHTER, Mr. SMITH of Nebraska, Mr. TONKO, Ms. TSONGAS, Mr. SARBANES, Mr. TAKANO, Mr. YARMUTH, Mr. PETERS of Michigan, Mr. LOWENTHAL, Mr. COHEN, Ms. PINGREE of Maine, Ms. CHU, Mr. VAN HOLLEN, and Ms. EDWARDS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act and direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Focused Reduction of
3 Effluence and Stormwater runoff through Hydrofracking
4 Environmental Regulation Act of 2013” or the “FRESH-
5 ER Act of 2013”.

6 **SEC. 2. STORMWATER RUNOFF FROM OIL, GAS, AND MIN-**
7 **ING OPERATIONS.**

8 (a) **LIMITATION ON PERMIT REQUIREMENT.**—Sec-
9 tion 402 of the Federal Water Pollution Control Act (33
10 U.S.C. 1342) is amended by striking subsection (l) and
11 inserting the following:

12 “(l) **LIMITATION ON PERMIT REQUIREMENT.**—The
13 Administrator shall not require a permit under this section
14 for discharges composed entirely of return flows from irri-
15 gated agriculture, nor shall the Administrator directly or
16 indirectly, require any State to require such a permit.”.

17 (b) **DEFINITIONS.**—Section 502 of the Federal Water
18 Pollution Control Act (33 U.S.C. 1362) is amended—

19 (1) by striking paragraph (24); and

20 (2) by redesignating paragraph (25) as para-
21 graph (24).

22 (c) **STUDY.**—

23 (1) **IN GENERAL.**—The Secretary of the Inte-
24 rior shall conduct a study of stormwater impacts
25 with respect to any area that the Secretary deter-
26 mines may be contaminated by stormwater runoff

1 associated with oil or gas operations, which shall in-
2 clude—

3 (A) an analysis of measurable contamina-
4 tion in such area;

5 (B) an analysis of ground water resources
6 in such area; and

7 (C) an analysis of the susceptibility of
8 aquifers in such area to contamination from
9 stormwater runoff associated with such oper-
10 ations.

11 (2) REPORT.—Not later than 1 year after the
12 date of enactment of this section, the Secretary shall
13 submit to Congress a report on the results of studies
14 conducted under paragraph (1).

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