

111TH CONGRESS  
1ST SESSION

# H. R. 1310

To amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2009

Mr. PALLONE (for himself, Mr. REICHERT, Mr. YARMUTH, Mr. GRIJALVA, Ms. WOOLSEY, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mr. MCNERNEY, Mr. STARK, Ms. ESHOO, Mr. HONDA, Ms. ZOE LOFGREN of California, Mr. FARR, Mrs. CAPPS, Mr. SHERMAN, Mr. BERMAN, Mr. SCHIFF, Mr. WAXMAN, Ms. WATSON, Ms. HARMAN, Ms. LORETTA SANCHEZ of California, Mr. FILNER, Mrs. DAVIS of California, Ms. LEE of California, Ms. DEGETTE, Mr. POLIS of Colorado, Ms. DELAURO, Mr. MURPHY of Connecticut, Ms. NORTON, Ms. CORRINE BROWN of Florida, Mr. MEEK of Florida, Mr. WEXLER, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. ABERCROMBIE, Ms. HIRONO, Mr. RUSH, Mr. GUTIERREZ, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. CARSON of Indiana, Mr. CHANDLER, Mr. NEAL of Massachusetts, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. TIERNEY, Mr. MARKEY of Massachusetts, Mr. CAPUANO, Mr. DELAHUNT, Mr. SARBANES, Ms. EDWARDS of Maryland, Mr. CUMMINGS, Mr. VAN HOLLEN, Mr. KILDEE, Mr. LEVIN, Ms. KILPATRICK of Michigan, Mr. CONYERS, Ms. MCCOLLUM, Mr. ELLISON, Mr. CLAY, Mr. CARNAHAN, Mr. CLEAVER, Mr. PRICE of North Carolina, Mr. SHULER, Mr. MILLER of North Carolina, Ms. SHEA-PORTER, Mr. HODES, Mr. ANDREWS, Mr. ROTHMAN of New Jersey, Mr. PAYNE, Mr. HOLT, Mr. SIRES, Mr. ENGEL, Mr. BISHOP of New York, Mr. ACKERMAN, Mr. NADLER of New York, Mr. WEINER, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. HINCHEY, Mr. HIGGINS, Ms. SLAUGHTER, Mr. KUCINICH, Ms. SUTTON, Mr. RYAN of Ohio, Mr. WU, Mr. BLUMENAUER, Mr. DEFazio, Mr. SESTAK, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. SCHWARTZ, Mr. KENNEDY, Mr. LANGEVIN, Mr. COHEN, Mr. MORAN of Virginia, Mr. CONNOLLY of Virginia, Mrs. CHRISTENSEN, Mr. INSLEE, Mr. McDERMOTT, Mr. SMITH of Washington, Ms. BALDWIN, Mr. KIRK, Mr. SMITH of New Jersey, Mr. WOLF, Mr. MCHUGH, Mr. PLATTS, Mr. HALL of New York, Ms. VELÁZQUEZ, Mr. COOPER, Ms. TSONGAS, Mr. PASCARELL, Mr. BRALEY of Iowa, Ms. PINGREE of Maine, Mr. OLVER, and Mr. HIMES) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

# A BILL

To amend the Federal Water Pollution Control Act to clarify that fill material cannot be comprised of waste.

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. SHORT TITLE.**

4       This Act may be cited as the “Clean Water Protec-  
5 tion Act”.

6 **SEC. 2. DEFINITION OF FILL MATERIAL.**

7       Section 502 of the Federal Water Pollution Control  
8 Act (33 U.S.C. 1362) is amended by adding at the end  
9 the following:

10           “(26) FILL MATERIAL.—The term ‘fill material’  
11 means any pollutant which replaces portions of the  
12 waters of the United States with dry land or which  
13 changes the bottom elevation of a water body for  
14 any purpose. The term does not include any pollut-  
15 ant discharged into the water primarily to dispose of  
16 waste.”.

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