

111TH CONGRESS  
2D SESSION

# S. 3481

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

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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

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## 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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