

117TH CONGRESS  
1ST SESSION

# H. R. 2133

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.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2021

Mr. CARTWRIGHT (for himself, Ms. BARRAGÁN, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Ms. CLARKE of New York, Mr. COHEN, Mr. CONNOLLY, Ms. DEGETTE, Ms. ESHOO, Mr. GRIJALVA, Mr. HASTINGS, Mrs. HAYES, Mr. JONES, Mr. KHANNA, Mr. LARSON of Connecticut, Mr. LYNCH, Ms. MATSUI, Ms. MCCOLLUM, Ms. MENG, Mr. MORELLE, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEGUSE, Ms. NORTON, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SHERMAN, Mr. SIRES, Mr. SMITH of Washington, Mr. VARGAS, Ms. VELÁZQUEZ, Mr. WELCH, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## 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 2021” or the “FRESH-  
5 ER Act of 2021”.

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

8       (a) **LIMITATION ON PERMIT REQUIREMENT.**—Sec-  
9 tion 402(l) of the Federal Water Pollution Control Act (33  
10 U.S.C. 1342) is amended by striking paragraph (2) and  
11 redesignating paragraph (3) as paragraph (2).

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

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

15               (2) by redesignating paragraphs (25) through  
16 (27) as paragraphs (24) through (26), respectively.

17       (c) **STUDY.**—

18               (1) **IN GENERAL.**—The Secretary of the Inte-  
19 rior shall conduct a study of stormwater impacts  
20 with respect to any area that the Secretary deter-  
21 mines may be contaminated by stormwater runoff  
22 associated with oil or gas operations, which shall in-  
23 clude—

24                       (A) an analysis of measurable contamina-  
25 tion in such area;

1 (B) an analysis of ground water resources  
2 in such area; and

3 (C) an analysis of the susceptibility of  
4 aquifers in such area to contamination from  
5 stormwater runoff associated with such oper-  
6 ations.

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

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