

Appalachia Restoration Act

111th CONGRESS

1st SESSION

S. 696

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

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Appalachia Restoration Act.'

SEC. 2. FILL MATERIAL.

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

(26) FILL MATERIAL

(A) IN GENERAL – The term 'fill material' means any pollutant that --
(i) replaces a portion of the waters of the United States with dry land; or
(ii) modifies the bottom elevation of a body of water for any purpose.

(B) EXCLUSIONS – The term 'fill material' does not include--
(i) the disposal of excess spoil material (as described in section 515(b)(22) of the Surface Mining Control and Reclamation Act (30 U.S.C. 1265(b)(22))) in waters of the United States; or

(ii) trash or garbage.'.