

House to Take Up WRDA; House and Senate Conference Continues on Energy Bill

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Legislative Activity

WRDA

The House is expected this week to take up H.R. [5303](#), the “Water Resources Development Act of 2016” (WRDA). The Senate recently passed its version of the bill, [S. 2848](#), on September 15. Unlike the Senate, the House legislation does not include funding for drinking water and wastewater infrastructure or for emergency aid for the lead-contaminated drinking water crisis in Flint, MI. House Democrats have expressed reluctance to vote for the bill unless aid for Flint is included. Republicans have countered saying they would be open to adding that language in conference. House Democrats are also opposed to the bill due to the recent elimination of a bipartisan measure that would have made the Harbor Maintenance Trust Fund mandatory spending.

Energy Bill Conference

With regard to conference of the comprehensive energy bill, [S. 2012](#), the “North American Energy Security and Infrastructure Act of 2016,” staff from both the House and Senate continue to work together and have been making progress reaching agreement on selected sections of the energy bill, including energy efficiency provisions. Staff are expected to meet regularly throughout October to continue to ready the bill for negotiation. Member-level meetings on the more controversial provisions and actual votes on the bill are not expected until after the November elections.

This Week’s Hearings

- On Monday, September 26, the House Committee on Rules will hold a meeting to ready the House WRDA bill (H.R. 5303) for floor action which is expected this week.
- On Thursday, September 29, the House Committee on the Judiciary, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, will hold an oversight hearing titled “Monitoring the Activities of the Justice Department’s Civil, Tax and Environment and Natural Resources Divisions and the U.S. Trustee Program.”

Regulatory Activity

EPA Plans for Water Treatment Facilities

The EPA, Office of Water, is planning to issue a “[mandatory census](#)” of all publicly owned water treatment works (POTWs) in the U.S. The agency has stated that this information is being collected in order to help EPA execute a study intended to help States and POTWs “to set realistic nutrient load reduction targets for wastewater treatment facilities...and provide information on the time and costs needed to make enhancements in operation and maintenance procedures.” The multi-phase, long-term study will examine nutrient pollution, which the EPA maintains “remains the single greatest challenge to our Nation’s water quality, and presents a growing threat to public health and local economies—contributing to toxic harmful algal blooms, contamination of drinking water sources, and costly impacts on recreation, tourism and fisheries.” The full study is expected to be conducted over the course of four to five years. This initial phase of the study will require facilities to identify all of the secondary treatment or equivalent facilities in the U.S.

NAAQS for Nitrogen Dioxide (NO₂)

EPA has released for comment its “[Draft Policy Assessment for the Review of the Primary National Ambient Air Quality Standards for Nitrogen Dioxide](#).” Comments on the draft are intended to inform the agency’s ongoing review of the NAAQS. Comments are due December 8.

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