Clean Water Act/U.S. House of Representatives: Association of Clean Water Administrators Identifies 14 Pending Bills

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The Association of Clean Water Administrators ("ACWA") has identified 14 bills proposing to amend the Clean Water Act pending in the United States House of Representatives.

The bills are described in the ACWA publication *Weekly Wrap*. See Vol. XVI, Issue 18 (Week of June 9, 2025).

ACWA describes itself as:

…the national voice of state and interstate water programs.

The bills identified in the ACWA Weekly Wrap, along with a brief description, include:

- H.R. 3300 – Clarifies that aerial fire retardant would be exempt from NPDES permitting.
- H.R. 3824 – Prohibits the EPA and states from requiring NPDES permits for discharges of pesticides into navigable waters if the pesticides are registered, used for their intended purposes, and used in compliance with their pesticide label requirements, as already required.
- H.R. 3888 – Provides for more robust public participation process for EPA developed 304(a) criteria, including that criteria are subject to Administrative Procedures Act notice and comment rulemaking requirements and limited judicial review.
- H.R. 3897 – Clarifies that NPDES permits must only include clear, objective, concrete limits on specific pollutants or waterbody conditions.
- H.R. 3898 – Codifies WOTUS definition excludes water treatment systems, ephemeral features, groundwater, and prior converted croplands.
- H.R. 3899 – Codifies the existing practice of issuing general permits under the NPDES program and or provide two years written notice if the permitting authority does not intend to reissue the general permit.
- H.R. 3900 – Ensures technology required in ELGS is actually commercially available in the United States, making ELGs reasonably obtainable.
- H.R. 3901 – Requires Army Corps to expedite jurisdictional determination to eliminate the backlog for JDs and 404 permit application.
- H.R. 3902 – Requires EPA to review regulations surrounding the state assumption of 404 to streamline the process and encourage assumption.
- H.R. 3905 – Requires judicial review of 404 permits to occur within 60 days.

- H.R. 3927 – Clarifies specific steps for Army Corps nationwide permitting process.
- H.R. 3928 – Clarifies that states 401 certification should only consider discharges that would result from the federally permitted or licensed activity itself.
- H.R. 3934 – Requires water quality standards take into account municipal combined storm and sanitary sewer long-term control plans, as well as the attainability of the WQS through commercially available treatment technologies.
- H.R. 3935 – Prevents EPA from vetoing a 404 permit before a permit application has been filed or after a permit has already been issued by the Corps.

A link to the *Weekly Wrap* article including links to each referenced bill can be found here.