

1 SJR3
2 179197-2
3 By Senator Waggoner
4 RFD: Rules
5 First Read: 15-AUG-16

1 SJR3

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4 ENROLLED, SJR3,

5 URGING THE UNITED STATES ENVIRONMENTAL PROTECTION

6 AGENCY TO WITHDRAW PROPOSED RULES REGARDING THE NATIONAL

7 POLLUTION DISCHARGE ELIMINATION SYSTEM PROGRAM.

8

9 WHEREAS, the United States Environmental Protection

10 Agency (EPA) has proposed significant changes to rules

11 implementing the National Pollution Discharge Elimination

12 System (NPDES) in its proposed Docket EPA-HQ-OW-2016-0145; and

13 WHEREAS, changing the rules so that the EPA may take

14 jurisdiction of an NPDES permit being issued by a delegated

15 state brings uncertainty to existing permit holders including

16 business, industry, and state and local governmental entities;

17 and

18 WHEREAS, the EPA proposed rules related to

19 administratively extending permits are vague and not

20 authorized by the Clean Water Act; and

21 WHEREAS, these rules will adversely impact the

22 ability of delegated states to manage NPDES permits as

23 authorized by the Clean Water Act; and

1 WHEREAS, the additional requirement for delegated
2 states with regard to record keeping will impose an undue
3 burden on the states with no additional revenue; and

4 WHEREAS, EPA mandated changes in calculations used
5 by delegated states will reduce the flexibility state
6 regulators need to account for local conditions; and

7 WHEREAS, the EPA failed to engage state regulators
8 and other parties in meaningful collaborations on these NPDES
9 issues; now therefore,

10 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
11 HOUSES THEREOF CONCURRING, That the EPA is urged to
12 immediately withdraw EPA-HQ-OW-2016-0145.

13 BE IT FURTHER RESOLVED, That a copy of this
14 resolution be provided to EPA Administrator Gina McCarthy and
15 each member of the Alabama congressional delegation.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SJR3
Senate 16-AUG-16
I hereby certify that the within Act originated in and adopted
the Senate.

Patrick Harris
Secretary

House of Representatives
Amended and adopted 19-AUG-16

Senate concurred in House amendment 19-AUG-16

By: Senator Waggoner