

111TH CONGRESS
1ST SESSION

S. _____

To amend the Federal Water Pollution Control Act to include a definition
of fill material.

IN THE SENATE OF THE UNITED STATES

Mr. CARDIN (for himself and Mr. ALEXANDER) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To amend the Federal Water Pollution Control Act to include
a definition of fill material.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Appalachia Restoration
5 Act”.

6 **SEC. 2. FILL MATERIAL.**

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

10 “(26) FILL MATERIAL.—

1 “(A) IN GENERAL.—The term ‘fill mate-
2 rial’ means any pollutant that—

3 “(i) replaces a portion of the waters
4 of the United States with dry land; or

5 “(ii) modifies the bottom elevation of
6 a body of water for any purpose.

7 “(B) EXCLUSIONS.—The term ‘fill mate-
8 rial’ does not include—

9 “(i) the disposal of excess spoil mate-
10 rial (as described in section 515(b)(22) of
11 the Surface Mining Control and Reclama-
12 tion Act (30 U.S.C. 1265(b)(22))) in
13 waters of the United States; or

14 “(ii) trash or garbage.”.