



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

April 17, 2014

H.R. 524

A bill to amend the Federal Water Pollution Control Act to clarify that the Administrator of the Environmental Protection Agency does not have the authority to disapprove a permit after it has been issued by the Secretary of the Army under section 404 of such Act

*As ordered reported by the House Committee on Transportation and Infrastructure
on April 9, 2014*

Section 404 of the Federal Water Pollution Control Act (Clean Water Act) established a program to regulate the discharge of dredged or fill material (for example, rock, sand, soil, clay, plastics, construction debris, wood chips, or waste from mining or other excavation activities) into waters of the United States, including wetlands. Proposed activities that could result in such discharges are regulated through a permit and review process wherein the U.S. Army Corps of Engineers (Corps) is responsible for making permitting decisions. Under current law, the Environmental Protection Agency (EPA) has the authority to revoke or modify permits issued by the Corps. Enacting this legislation would prohibit EPA from revoking a permit issued by the Corps under section 404 of the Clean Water Act.

Based on information from EPA, CBO estimates that enacting this legislation would have no significant effect on the federal budget because EPA seldom revokes permits issued by the Corps. Since 1972, EPA has revoked permits from the Corps for only two projects.

Pay-as-you-go procedures do not apply to H.R. 524 because enacting the bill would not affect direct spending or revenues.

H.R. 524 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Susanne S. Mehlman. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.