

House Passes Rewritten Water Act

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*Bill Makes Industry
Compliance Easier*

By Gary Lee
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The House yesterday passed a revision of the Clean Water Act that dramatically reduces federal wetlands protection and gives industry broad flexibility to comply with regulations designed to combat pollution in the nation's rivers and other waterways.

With the 240 to 185 vote, the GOP-led House further demonstrated its will to reshape U.S. environmental policy. Thirty-four moderate Republicans broke ranks with the party leadership and voted against the bill, while 45 conservative Democrats joined the Republican majority to back the measure.

Rep. Bud Shuster (R-Pa.), who led the fiery three-day floor fight in favor of the statute, said passage of his bill was necessary to remove control of the nation's water protection laws from "environmental extremists."

Environmentalists and some lawmakers attacked the bill as a rollback of 25 years of progress in cleaning up the country's lakes and rivers. "This is the most regressive environmental bill passed by Congress in a generation," said Dawn Martin, a spokesman for the American Oceans Campaign. "We hope it never becomes law."

Supporters praised the Shuster bill for giving states a stronger role in enforcing antipollution laws and easing some of the compliance costs imposed by federal regulations on industry and local water authorities.

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House Gives States Greater Role in Pollution Control

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Yesterday's vote was a big defeat for the Clinton administration, which had lobbied hard against passage. "This bill will bring more sewage and toxic waste pouring into our rivers and lakes," said Carol M. Browner, Environmental Protection Agency administrator. "This is a gutting of one of our strongest environmental laws."

The bill still faces a fight in the Senate, where support is mixed, and a possible presidential veto. Clinton has hinted that he will not sign the legislation if it comes to his desk.

Sen. John H. Chafee (R-R.I.), chairman of the Committee on Environment and Public Works, has said that he strongly supports the existing statute and considers its revision a low priority. But other members of the committee are pushing for major changes in the law.

Originally passed in 1972, the Clean Water Act gave federal authorities the power to impose strict anti-pollution standards on industry and municipal water authorities.

The Shuster bill transfers authority for enforcing those standards to the states. It also creates loopholes that would exempt some industries from the toughest requirements and allow them to discharge higher levels of pollutants into lakes and rivers. And it replaces a requirement that industry pretreat storm water before it runs into waterways with a less stringent state-run treatment program.

The bill also abandons a Clinton administration proposal to clamp down on polluted agricultural and urban runoff. Instead it leaves authority for abating this so-called nonpoint-source pollution, considered by environmen-

talists to be the biggest source of uncontrolled water pollution, to a program critics consider ineffective.

Another controversial provision of the bill defines what constitutes a wetland in a way that EPA officials say will lead to a 50 percent to 70 percent reduction in the nation's federally protected wetland areas. The bill says that marshy areas must be under water for at least 21 days during the growing season before they can be declared wetlands, for example. Under existing rules, federal authorities have more latitude in determining what is a wetland.

Rep. James A. Hayes (D-La.), a longtime critic of government wetlands policy, said current regulations for defining wetlands were too confusing and onerous for property owners.

Opponents to the House bill have charged that it was written by lobbyists for the chemical manufacturers, farmers and other industry groups. But Shuster and other proponents deny the charge, pointing out that many state and local water regulators also support the changes.

Rep. Norman Y. Mineta (D-Calif.) and Rep. Sherwood L. Boehlert (R-N.Y.) led a spirited bipartisan opposition to the bill. "This is a terrible bill," asserted Boehlert, who mobilized a block of moderate Republican opponents.

"But I'm happy with the vote," he added. "For one thing, it proves that all Republicans are not anti-environmental. For another, it showed that there are not enough votes there to override a veto."