

118TH CONGRESS
1ST SESSION

S. 2337

To require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 18, 2023

Mr. DURBIN (for himself, Mr. MERKLEY, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes.

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 the “Plastic Pellet Free
5 Waters Act”.

1 **SEC. 2. EFFLUENT LIMITATIONS FOR WASTEWATER,**
2 **SPILLS, AND RUNOFF FROM PLASTIC POLY-**
3 **MER PRODUCTION FACILITIES, PLASTIC**
4 **MOLDING AND FORMING FACILITIES, AND**
5 **OTHER POINT SOURCES ASSOCIATED WITH**
6 **THE TRANSPORT AND PACKAGING OF PLAS-**
7 **TIC PELLETS OR OTHER PRE-PRODUCTION**
8 **PLASTIC MATERIALS.**

9 Not later than 60 days after the date of enactment
10 of this Act, the Administrator of the Environmental Pro-
11 tection Agency (referred to in this section as the “Admin-
12 istrator”) shall promulgate a final rule to ensure that—

13 (1) the discharge of plastic pellets or other pre-
14 production plastic materials (including discharge
15 into wastewater and other runoff) from facilities reg-
16 ulated under part 414 or 463 of title 40, Code of
17 Federal Regulations (as in effect on the date of en-
18 actment of this Act), is prohibited;

19 (2) the discharge of plastic pellets or other pre-
20 production plastic materials (including discharge
21 into wastewater and other runoff) from a point
22 source (as defined in section 502 of the Federal
23 Water Pollution Control Act (33 U.S.C. 1362)) that
24 makes, uses, packages, or transports those plastic
25 pellets and other pre-production plastic materials is
26 prohibited; and

1 (3) the requirements under paragraphs (1) and
2 (2) are reflected in—

3 (A) all wastewater, stormwater, and other
4 permits issued by the Administrator and State-
5 delegated programs under section 402 of the
6 Federal Water Pollution Control Act (33 U.S.C.
7 1342) to facilities and other point sources (as
8 defined in section 502 of that Act (33 U.S.C.
9 1362)) that make, use, package, or transport
10 plastic pellets or other pre-production plastic
11 materials, as determined by the Administrator,
12 in addition to other applicable limits and stand-
13 ards; and

14 (B) all standards of performance promul-
15 gated under section 312(p) of the Federal
16 Water Pollution Control Act (33 U.S.C.
17 1322(p)) that are applicable to point sources
18 (as defined in section 502 of that Act (33
19 U.S.C. 1362)) that make, use, package, or
20 transport plastic pellets or other pre-production
21 plastic materials, as determined by the Admin-
22 istrator.

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