

OC San Federal Legislative Update

September 2025

FEDERAL - 119TH CONGRESS

S. 1092

WIPPES Act

● High Priority ● Support

Summary: S.1092 would direct the Federal Trade Commission to establish federal "Do Not Flush" labeling requirements for nonflushable wet wipes packaging. The labeling requirements would be enacted one year after the bill's enactment. The bill mirrors California's state labeling law and is supported by clean water, industry, environmental advocates, and civil engineer stakeholders. House companion legislation is HR 2269.

Introduced: 03/24/2025

Sponsor: Sen. Jeff Merkley OR

Latest Actions:

05/21/2025 - Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nat...

03/24/2025 - Read twice and referred to the Committee on Commerce, Science, and Transportation.

03/24/2025 - Introduced in Senate

Committees: Senate Commerce, Science and Transportation Committee

Why it matters: S. 1092 provides a source control solution to the problem of the flushing of nonflushable wipes that will reduce costs associated with fixing damaged treatment infrastructure for wastewater utilities. The labeling requirements compliment existing "Do Not Flush" labeling state law. Senator Alex Padilla is an original co-sponsor. OC San continues to publicly support the effort and has sent support letters to the delegation this Congress.

Outlook: S. 1092 has high potential to be passed by the Senate this Congress based on the Committee on Commerce, Science and Transportation's bipartisan markup of the bill earlier this Spring. The committee's action raises the possibility for S. 1092 will be considered on the Floor under Unanimous Consent

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H.R. 2269

Summary: H.R. 2269 would direct the Federal Trade Commission to establish federal "Do Not Flush" labeling requirements for nonflushable wet wipes packaging. The labeling requirements

WIPPES Act

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would be enacted one year after the bill's enactment. The bill mirrors California's state labeling law and is supported by clean water, industry, environmental advocates, and civil engineer stakeholders. Senate companion legislation is S. 1092.

Introduced: 03/21/2025

Sponsor: Rep. Lisa McClain MI-09

Latest Actions:

06/24/2025 - Received in the Senate.

06/23/2025 - Motion to reconsider laid on the table Agreed to without objection.

06/23/2025 - On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H2852-2853)

Committees: House Energy and Commerce Committee

Why it matters: H.R. 2269 provides a source control solution to the problem of the flushing of nonflushable wipes that will reduce costs associated with fixing damaged treatment infrastructure for wastewater utilities. The labeling requirements compliment existing "Do Not Flush" labeling state law. Rep. Lou Correa is a co-sponsor. OC San continues to publicly support the effort and has sent support letters to the delegation this Congress.

Outlook: H.R. 2269 has high chances of passing the House this session. The legislation has been scheduled to be voted on under suspension on the House Floor the week of June 23. The Committee on Energy and Commerce's bipartisan markup of the bill also infer a bipartisan vote on the Floor.

FEDERAL - 119TH CONGRESS

H.R. 3898

PERMIT Act

○ No Priority ○ No Stance

AI Summary: The PERMIT Act amends the Federal Water Pollution Control Act to streamline water quality standards, reduce regulatory burdens, clarify permitting terms, and improve federalism and efficiency in clean water permitting.

Introduced: 06/11/2025

Sponsor: Rep. Mike Collins GA-10

Latest Actions:

07/02/2025 - Placed on the Union Calendar, Calendar No. 145.

07/02/2025 - Reported (Amended) by the Committee on Transportation and Infrastructure. H. Rept. 119-180.

07/02/2025 - POLITICO Pro - Republicans on the House Transportation and Infrastructure Committee Wednesday advanced a sweeping pack...

Committees: House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

Why It Matters: H.R. 3898 represents a comprehensive Clean Water Act permitting reform bill. Key provisions:

- mandated 10 year NPDES permits
- codification of exemption from WOTUS definition for wastewater and water storage facilities
- expedited review and approval of section 404 permit applications
- ten year general permits for dredge and fill activities with requirement for 2 year advanced notification if permit not to be renewed
- water quality certification reviews limited to project impacts on water quality

Outlook. The House is expected to consider H.R. 3898 this Fall. Passage is highly likely as many of the bill's provisions passed the House during the last Congress. This included ten year permits.

FEDERAL - 119TH CONGRESS

H.R. 2093

To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.

● High Priority ● Support

Summary: H.R. 2093 would amend the Clean Water Act's permitting provisions to allow for delegated states or USEPA to issue ten year National Permit Discharge Eliminate System (NPDES) permits. The bill, if enacted, would extend current terms from five years.

Introduced: 03/14/2025

Sponsor: Rep. Ken Calvert CA-41

Latest Actions:

03/14/2025 - Referred to the Subcommittee on Water Resources and Environment.

03/14/2025 - Referred to the House Committee on Transportation and Infrastructure.

03/14/2025 - Introduced in House

Committees: House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

Why it matters: H.R. 2093 amends the NPDES permit term to align with the current project construction timeline realities for water utilities and help reduce costs associated with permit renewals for both utilities and state regulators. H.R. 2093 provides this while preserving existing permit reopener provisions to ensure environmental protections are upheld.

Outlook: H.R. 2093 has the potential to advance this Congress. Committee majority staff support the bill's policy intent and has expressed the desire to pursue last year's Creating Confidence Clean Water Permitting Act (HR 7023) again this Congress, which included H. R. 2093's permit extension language. H.R. 7023 passed the House in the 118th Congress.

FEDERAL - 119TH CONGRESS

H.R. 1267

Water Systems PFAS Liability Protection Act

● High Priority ● Support

AI Summary: The Water Systems PFAS Liability Protection Act exempts water and wastewater treatment facilities from CERCLA liability for releases of certain perfluoroalkyl and polyfluoroalkyl substances, provided they comply with applicable laws and regulations.

Introduced: 02/12/2025

Sponsor: Rep. Marie Gluesenkamp Perez WA-03

Latest Actions:

02/12/2025 - Referred to the Subcommittee on Water Resources and Environment.

02/12/2025 - Referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation an...

02/12/2025 - Referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation an...

Committees: House Energy and Commerce Committee, House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

Why It Matters: The legislation would provide important protection to water and wastewater agencies against third party litigation seeking to secure cost contributions for cleanups that involve PFAS contamination. Absent an explicit liability protection provision such agencies would be exposed to liability simply because an agency treated water and wastewater that contained PFAS chemicals and disposed of residuals and biosolids.

Outlook: H.R. 1267 represents a placeholder bill to address the water sector's concerns over the potential liability created by USEPA's designation of PFAS as a hazardous substance under CERCLA. Both the House and Senate committees with jurisdiction over CERCLA have expressed interest in addressing PFAS liability. However, any significant legislative activity is expected to await USEPA's recommendations on how to address passive receivers liability created by the PFAS designation.

FEDERAL - 119TH CONGRESS

H.R. 1265

To amend the Save Our Seas 2.0 Act to expand eligibility for certain wastewater infrastructure grants, and for other purposes.

○ No Priority ○ No Stance

Summary: H.R. 1265 aims to expand eligibility for certain wastewater infrastructure grants under the Save Our Seas 2.0 Act12. This expansion would allow communities and projects to qualify for federal funding, which can be used to improve and modernize wastewater treatment facilities. By increasing access to these grants, the bill seeks to enhance the capacity of wastewater management systems to handle pollutants, reduce environmental impacts, and support public health. This could lead to more efficient and effective wastewater treatment processes, ultimately contributing to cleaner waterways and a healthier environment.

Introduced: 02/12/2025

Sponsor: Del. Eleanor Holmes Norton DC-At Large

Latest Actions:

04/01/2025 - Referred to the Subcommittee on Water Resources and Environment.

02/12/2025 - Referred to the House Committee on Transportation and Infrastructure.

02/12/2025 - Sponsor introductory remarks on measure. (CR E120)

Committees: House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Coast Guard and Maritime Transportation Subcommittee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

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H.R. 1285

Water Infrastructure
Subcontractor and Taxpayer
Protection Act of 2025

◦ No Priority ◦ No Stance

Summary: H.R. 1285 would amend the Water Infrastructure Finance and Innovation Act of 2014. The key points: Payment and Performance Security Requirements: The bill establishes new requirements for payment and performance security for projects funded under the act. Project Funding: Ensure that projects financed through the Water Infrastructure Finance and Innovation Act have adequate financial safeguards.H.R. 2093 would amend the Clean Water Act's permitting provisions to allow for delegated states or USEPA to issue ten year National Permit Discharge Eliminate System (NPDES) permits. The bill, if enacted, would extend current terms from five years

Introduced: 02/13/2025

Sponsor: Rep. Mike Bost IL-12

Latest Actions:

02/13/2025 - Referred to the Subcommittee on Water Resources and Environment.

02/13/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

02/13/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

Committees: House Energy and Commerce Committee, House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

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H.R. 2344

Summary: Would establish a program to enhance the preparedness and resilience of drinking water and wastewater systems against various threats. The bill's primary focus is on

Water ISAC Threat Protection Act

◦ No Priority ◦ No Stance

safeguarding these critical utilities from risks such as natural disasters, cyberattacks, and other vulnerabilities that could disrupt essential water services.

Introduced: 03/25/2025

Sponsor: Rep. Jan Schakowsky IL-09

Latest Actions:

03/25/2025 - Referred to the Subcommittee on Water Resources and Environment.

03/25/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

03/25/2025 - Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ene...

Committees: House Energy and Commerce Committee, House Transportation and Infrastructure Committee, House Transportation and Infrastructure Committee Water Resources and Environment Subcommittee

FEDERAL - 119TH CONGRESS

S. 857

Water Conservation Rebate Tax Parity Act

◦ No Priority ◦ No Stance

Summary: Amends federal tax law so that homeowners would not need to pay income tax when they receive rebates from water utilities for water conservation and water runoff management improvements. S. 857.

Introduced: 03/05/2025

Sponsor: Sen. John Curtis UT

Latest Actions:

03/05/2025 - Read twice and referred to the Committee on Finance.

03/05/2025 - Introduced in Senate

Committees: Senate Finance Committee

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S. 1118

Water Intelligence, Security, and Cyber Threat Protection Act of 2025

◦ No Priority ◦ No Stance

Summary: S. 1118 would provide funding and additional access for clean water and wastewater utilities to become members of the Water Information Sharing and Analysis Center (WaterISAC). The WaterISAC is a critical source of information and best practices for water systems to protect against, mitigate, and respond to threats. House Companion bill H.R. 2344. Endorsed by American Water Works Association, Association of Metropolitan Water Agencies, National Association of Clean Water Agencies, National Association of Water Companies, and Water Environment Federation.

Introduced: 03/25/2025

Sponsor: Sen. Ed Markey MA

Latest Actions:

03/25/2025 - Read twice and referred to the Committee on
Environment and Public Works.

03/25/2025 - Introduced in Senate

Committees: Senate Environment and Public Works Committee