

Section \_\_\_\_ of the Federal Water Pollution Control Act (33 U.S.C. 1342(p)) is amended to read as follows:

(4)(C) Federal standard for discharge of plastic pellets.

- (a) Definition. For the purposes of this section, “plastic pellets” are defined as pre-production plastic resin pellets that have not been converted into a final product.
- (b) Not later than [**insert date 36 months after the date of enactment of this Act**], the Administrator shall establish regulations setting forth requirements that minimize discharges of visible plastic pellets (visible to the naked eye as able to be seen by an ordinary person under normal observational conditions), where such pellets are intended to be used as feedstock in molding and extrusion manufacturing operations and exceed 1 millimeter in size. Requirements established under this Section are intended to establish a uniform federal standard applicable to all permits, whether issued by the Administrator or a State. The point of compliance for discharge of visible plastic pellets is after the final external outfall or at the off-site receiving water body as it appears on the NPDES permit for the facility.
- (c) The requirements to be established under this section shall apply to industrial discharges covered under this title, and shall—
  - a. require controls to minimize the discharge of visible plastic production pellets to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable. Such controls shall be based on feasible best management practices, including but not limited to Operation Clean Sweep, control techniques, system design, active measures, nature-based designs, and engineering methods;
  - b. be subject to a written best management practices plan, which would include site-specific best management practices, requirements for employee training, and inspections;
  - c. be subject to a compliance schedule of up to three years to install new controls or retrofit existing systems to achieve compliance, with flexibility afforded to consider other regulatory constraints when establishing a facility’s site-specific compliance schedule.
- (d) Transportation contractors and agents shall implement measures to prevent accidental releases of visible plastic pellets from instrumentalities (including but not limited to vessels, railcars and trucks) into Waters of the United States.
- (e) The Administrator shall prescribe conditions in such permits to assure compliance with the requirements of subsection (b), including conditions on data and information collection, reporting, and other information requirements as the Administrator deems appropriate.