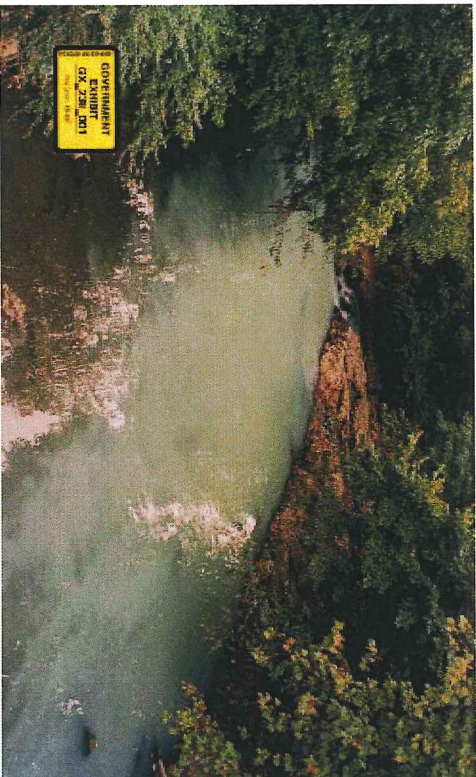


U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

May 5, 2010

Opponents have made unfounded claims that H.R. 5088, America's Commitment to Clean Water Act, requires Federal regulation of backyard puddles and birdbaths, because they do not want to talk about...

Avondale Creek, Alabama



Dear Colleague:

In July 2005, McWane, Inc., a manufacturer of cast iron pipe, flanges, valves, and fire hydrants, was convicted on multiple criminal counts for violation of the Clean Water Act. The defendants were found guilty of illegally discharging process wastewater containing hydraulic oil and sludge contaminated with lead and zinc into Avondale Creek (*pictured above*), a tributary of the Black Warrior River, Alabama. According to the case, one McWane employee described the extent of the process wastewater discharges as “enough to drown a small village.”

Yet, as a result of the rollback of Clean Water Act protections caused by two decisions of the U.S. Supreme Court, the criminal Clean Water Act convictions for McWane, Inc. were overturned.

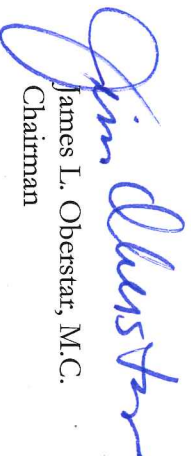
When Congress enacted the Clean Water Act in 1972, over the veto of President Nixon, it clearly intended to prevent the discharge of pollutants into waters such as Avondale Creek.

I have introduced H.R. 5088, **America's Commitment to Clean Water Act** to restore these fundamental protections, and to reaffirm the ability of the Clean Water Act to protect the nation's waters, including wetlands. These waters support our economic well-being, enable our quality of life, and sustain our environment for future generations.

Contrary to the claims of special interest groups, many of which have opposed the Clean Water Act since its inception, H.R. 5088 is not an expansion of the Clean Water Act and will not require permits for every wet area. **Simply put, if it was not regulated before 2001, it will not be regulated with the enactment of this legislation.**

I urge you to look past the rhetoric and support America's Commitment to Clean Water Act. If you would like more information on the bill, or want to cosponsor H.R. 5088, please contact the Subcommittee on Water Resources and Environment at (202) 225-0060.

Sincerely,


James L. Oberstar, M.C.
Chairman