

114TH CONGRESS  
1ST SESSION

# H. R. 4265

To amend the Clean Air Act with respect to national ambient air quality standards, including the 2015 ozone standards, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2015

Mr. OLSON (for himself, Mr. LATTA, Mr. CUELLAR, and Mrs. KIRKPATRICK) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Clean Air Act with respect to national ambient air quality standards, including the 2015 ozone standards, 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 as the “Clean Air Implementa-  
5 tion Act of 2015”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Timeline for review of national ambient air quality standards.

Sec. 4. Consideration of technological feasibility.

Sec. 5. Emissions emanating from outside of the United States.

1 **SEC. 3. TIMELINE FOR REVIEW OF NATIONAL AMBIENT AIR**  
2 **QUALITY STANDARDS.**

3 Section 109(d) of the Clean Air Act (42 U.S.C.  
4 7409(d)) is amended—

5 (1) in paragraphs (1) and (2)(B), by striking  
6 “at five-year intervals” each place it appears and in-  
7 serting “at 8-year intervals”;

8 (2) in paragraph (1), by striking the last sen-  
9 tence; and

10 (3) by adding at the end the following:

11 “(3) Whenever the national ambient air quality  
12 standard for an air pollutant is revised pursuant to this  
13 subsection, the next 8-year interval for such air pollutant  
14 under paragraphs (1) and (2)(B) shall be calculated begin-  
15 ning on the date of finalization of such revised standard.

16 “(4) The Administrator, in consultation with relevant  
17 State air quality officials, may review and revise criteria  
18 or promulgate new standards earlier or more frequently  
19 than required under paragraph (1).”.

20 **SEC. 4. CONSIDERATION OF TECHNOLOGICAL FEASIBILITY.**

21 Section 109(b)(1) of the Clean Air Act (42 U.S.C.  
22 7409(b)(1)) is amended by inserting after the first sen-  
23 tence the following: “If the Administrator, in consultation  
24 with the independent scientific review committee under

1 subsection (d), finds that a range of levels of air quality  
2 for an air pollutant are requisite to protect human health  
3 with an adequate margin of safety, as described in the  
4 preceding sentence, the Administrator may consider, as a  
5 secondary consideration, likely technological feasibility in  
6 establishing and revising the national primary ambient air  
7 quality standard for such pollutant.”.

8 **SEC. 5. EMISSIONS EMANATING FROM OUTSIDE OF THE**  
9 **UNITED STATES.**

10 (a) **CONSIDERATION OF STATE PETITIONS.**—Section  
11 179B of the Clean Air Act (42 U.S.C. 7509a) is amend-  
12 ed—

13 (1) by redesignating subsections (b) through (d)  
14 as (e) through (e), respectively; and

15 (2) by inserting after subsection (a) the fol-  
16 lowing:

17 “(b) **BALANCE OF EVIDENCE.**—If a State submits a  
18 petition to demonstrate that the standard described in  
19 (a)(2) or (c) is met, the Administrator shall consider such  
20 petition to be approvable if the preponderance of the evi-  
21 dence indicates that such standard is satisfied.”.

22 (b) **REPORT TO CONGRESS.**—Not later than 24  
23 months after the date of enactment of this Act, the Ad-  
24 ministrator of the Environmental Protection Agency, in

1 coordination with the National Academy of Science, shall  
2 submit a report to the Congress on—

3 (1) the extent to which foreign sources of air  
4 pollution impact achievement and maintenance of  
5 national ambient air quality standards under the  
6 Clean Air Act (42 U.S.C. 7401 et seq.); and

7 (2) the extent to which such Act successfully  
8 takes such impact into account.

9 (c) SUSPENSION OF 2015 OZONE STANDARDS.—

10 (1) IN GENERAL.—The Administrator of the  
11 Environmental Protection Agency shall—

12 (A) suspend the application and implemen-  
13 tation of the 2015 ozone standards until the  
14 date on which the report required by subsection  
15 (b) is submitted to the Congress; and

16 (B) extend each deadline in the rule cited  
17 in paragraph (2) for a period equal to the pe-  
18 riod beginning on the date of enactment of this  
19 Act and ending on the date on which the report  
20 required by subsection (b) is submitted to the  
21 Congress.

22 (2) DEFINITION.—In this subsection, the term  
23 “2015 ozone standards” means the national ambient  
24 air quality standards for ozone published in the rule  
25 entitled “National Ambient Air Quality Standards

1 for Ozone” published in the Federal Register on Oc-  
2 tober 26, 2015 (80 Fed. Reg. 65292).

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