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COMPILATION OF SELECTED ACTS
WITHIN THE JURISDICTION OF THE
COMMITTEE ON COMMERCE

As Amended Through December 31, 1996

ENVIRONMENTAL LAW

VOLUME 1

INCLUDING

CLEAN AIR ACT
CLEAN AIR ACT AMENDMENTS OF 1977 (PUBLIC LAW 95-95)
SELECTED PROVISIONS OF THE ENERGY SECURITY ACT
(PUBLIC LAW 96-294)
CLEAN AIR ACT AMENDMENTS OF 1990 (PUBLIC LAW 101-549)
SECTION 348 OF THE NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1995 (PUBLIC LAW 104-59)

PREPARED FOR THE USE OF THE
COMMITTEE ON COMMERCE
U.S. HOUSE OF REPRESENTATIVES



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¹The companion volume to this publication (volume 2) contains the Solid Waste Disposal Act, the Mercury-Containing and Rechargeable Battery Management Act, the Pollution Prevention Act of 1990, the Toxic Substances Control Act, section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, certain provisions of law related to asbestos, the Noise Control Act of 1972, the Safe Drinking Water Act, the Safe Drinking Water Act Amendments of 1996, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (Superfund), and the Superfund Amendments and Reauthorization Act of 1986 (SARA).

**PROVISIONS OF THE CLEAN AIR ACT AMENDMENTS OF
1990 (PUBLIC LAW 101-549) THAT DID NOT AMEND THE
CLEAN AIR ACT**

* * * * *

PART B—OTHER PROVISIONS

SEC. 231. ETHANOL SUBSTITUTE FOR DIESEL.

Within one year after the enactment of the Clean Air Act Amendments of 1990, the Administrator shall contract with a laboratory which has done research on alcohol esters of rapeseed oil to evaluate the feasibility, engine performance, emissions, and production capability associated with an alternative to diesel fuel composed of ethanol and high erucic rapeseed oil. The Administrator shall submit a report on the results of this research to Congress within 3 years of the issuance of such contract.

* * * * *

SEC. 233. STATES AUTHORITY TO REGULATE.

(a) **STUDY.**—The Administrator of the Environmental Protection Agency and the Secretary of Transportation, in consultation with the Secretary of Defense, shall commence a study and investigation of the testing of uninstalled aircraft engines in enclosed test cells that shall address at a minimum the following issues and such other issues as they shall deem appropriate—

- (1) whether technologies exist to control some or all emissions of oxides of nitrogen from test cells;
- (2) the effectiveness of such technologies;
- (3) the cost of implementing such technologies;
- (4) whether such technologies affect the safety, design, structure, operation, or performance of aircraft engines;
- (5) whether such technologies impair the effectiveness and accuracy of aircraft engine safety design, and performance tests conducted in test cells; and
- (6) the impact of not controlling such oxides of nitrogen in the applicable nonattainment areas and on other sources, stationary and mobile, on oxides of nitrogen in such areas.

(b) **REPORT, AUTHORITY TO REGULATE.**—Not later than 24 months after enactment of the Clean Air Act Amendments of 1990, the Administrator of the Environmental Protection Agency and the Secretary of Transportation shall submit to Congress a report of the study conducted under this section. Following the completion of such study, any of the States may adopt or enforce any standard for emissions of oxides of nitrogen from test cells only after issuing a public notice stating whether such standards are in accordance with the findings of the study.

(b) SUBMISSION TO CONGRESS; COMMENTS; AUTHORIZATION.—
 (1) The report shall be transmitted to the Congress not later than 3 years after the date of enactment of the Clean Air Act Amendments of 1990.

(2) At least 90 days before issuing a report the Administrator shall provide an opportunity for public comment on the proposed report. The Administrator shall include in the final report a summary of the comments received on the proposed report.

(3) There are authorized to be appropriated such sums as are necessary to carry out this section.

* * * * *

SEC. 819. EXEMPTIONS FOR STRIPPER WELLS.

Notwithstanding any other provision of law, the amendments to the Clean Air Act made by section 103 of the Clean Air Act Amendments of 1990 (relating to additional provisions for ozone nonattainment areas), by section 104 of such amendments (relating to additional provisions for carbon monoxide nonattainment areas), by section 105 of such amendments (relating to additional provisions for PM-10 nonattainment areas), and by section 106 of such amendments (relating to additional provisions for areas designated as nonattainment for sulfur oxides, nitrogen dioxide, and lead) shall not apply with respect to the production of and equipment used in the exploration, production, development, storage or processing of—

(1) oil from a stripper well property, within the meaning of the June 1979 energy regulations (within the meaning of section 4996(b)(7) of the Internal Revenue Code of 1986, as in effect before the repeal of such section); and

(2) stripper well natural gas, as defined in section 108(b) of the Natural Gas Policy Act of 1978 (15 U.S.C. 3318(b)), except to the extent that provisions of such amendments cover areas designated as Serious pursuant to part D of title I of the Clean Air Act and having a population of 350,000 or more, or areas designated as Severe or Extreme pursuant to such part D.

SEC. 820. EPA REPORT ON MAGNETIC LEVITATION.

The Administrator of the Environmental Protection Agency shall, not later than 6 months after the date of enactment of this Act, submit to the Congress and the President a report of the Administrator's activities under any agreement with the Department of Transportation entered into prior to such date of enactment providing for an analysis of the health and environmental aspects of magnetic levitation technology.

SEC. 821. INFORMATION GATHERING ON GREENHOUSE GASES CONTRIBUTING TO GLOBAL CLIMATE CHANGE.

(a) MONITORING.—The Administrator of the Environmental Protection Agency shall promulgate regulations within 18 months after the enactment of the Clean Air Act Amendments of 1990 to require that all affected sources subject to title V¹ of the Clean Air Act shall also monitor carbon dioxide emissions according to the same timetable as in section 511¹ (b) and (c). The regulations shall

¹References to section 511 probably intended to refer to section 412. References to title V probably intended to refer to title IV, relating to acid deposition.

require that such data be reported to the Administrator. The provisions of section 511¹(e) of title V¹ of the Clean Air Act shall apply for purposes of this section in the same manner and to the same extent as such provision applies to the monitoring and data referred to in section 511.¹

(b) PUBLIC AVAILABILITY OF CARBON DIOXIDE INFORMATION.—For each unit required to monitor and provide carbon dioxide data under subsection (a), the Administrator shall compute the unit's aggregate annual total carbon dioxide emissions, incorporate such data into a computer data base, and make such aggregate annual data available to the public.

* * * * *

SEC. 901. CLEAN AIR RESEARCH.

(a) * * *

* * * * *

(e) ASSESSMENT OF INTERNATIONAL AIR POLLUTION CONTROL TECHNOLOGIES.—The Administrator of the Environmental Protection Agency shall conduct a study that compares international air pollution control technologies of selected industrialized countries to determine if there exist air pollution control technologies in countries outside the United States that may have beneficial applications to this Nation's air pollution control efforts. With respect to each country studied, the study shall include the topics of urban air quality, motor vehicle emissions, toxic air emissions, and acid deposition. The Administrator shall, within 2 years after the date of enactment of this Act, submit to the Congress a report detailing the results of such study.

(f) ADIRONDACK EFFECTS ASSESSMENT.—The Administrator of the Environmental Protection Agency shall establish a program to research the effects of acid deposition on waters where acid deposition has been most acute. The Administrator shall enter into a multi-year contract for such purposes with an independent university which has a year-round field analytical laboratory on a body of water of not less than 25,000 acres nor greater than 75,000 acres, which lies within a geographic region designated as a Biosphere Reserve by the Department of State. The facility must have demonstrated the capability to analyze relevant data on said body of water over a period of 20 years as well as extensive ecosystem modeling capabilities. There are authorized to be appropriated to carry out this subsection not less than \$6,000,000.

(g) WESTERN STATES ACID DEPOSITION RESEARCH.—(1) The Administrator of the Environmental Protection Agency shall sponsor monitoring and research and submit to Congress annual and periodic assessment reports on—

(A) the occurrence and effects of acid deposition on surface waters located in that part of the United States west of the Mississippi River;

(B) the occurrence and effects of acid deposition on high elevation ecosystems (including forests,¹ and surface waters); and

¹The comma after "forests" should have been omitted.