

104TH CONGRESS
2D SESSION

H. R. 4339

To amend the Clean Air Act to impose certain requirements on areas upwind of ozone nonattainment areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 1996

Mr. CONDIT (for himself, Mr. DOOLITTLE, Mr. CUNNINGHAM, and Mr. RADANOVICH) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To amend the Clean Air Act to impose certain requirements on areas upwind of ozone nonattainment areas, 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 “Transported Air Pollu-
5 tion Mitigation Act of 1996”.

1 **SEC. 2. SIP REVISIONS FOR AREAS UPWIND OF OZONE NON-**
2 **ATTAINMENT AREAS.**

3 (a) **REQUIREMENTS FOR ALL AREAS.**—Section
4 110(a) of the Clean Air Act is amended by inserting the
5 following new paragraph after paragraph (3):

6 “(4) For each area (hereinafter in this paragraph re-
7 ferred to as an ‘upwind area’) in a State which, as deter-
8 mined by the State, cause or significantly contribute to
9 a violation of the ambient air quality standard for ozone
10 in another area (hereinafter in this paragraph referred to
11 as a ‘downwind area’), the State shall submit, within 1
12 year of the date of enactment of this paragraph, a revision
13 of the applicable implementation plan that includes a re-
14 quirement that either—

15 “(A) the upwind area reduce emissions of each
16 air pollutant concerned by an amount determined by
17 the State to be necessary to mitigate impacts caused
18 by the upwind region to air pollution concentrations
19 in the downwind region; or

20 “(B) the upwind region make payments to the
21 State or to such State’s designated air quality dis-
22 trict to compensate the downwind area in such
23 amounts as such State finds necessary to pay for the
24 costs of emission reduction measures required to be
25 undertaken in the downwind area.”.

1 (b) REQUIREMENTS FOR MODERATE OZONE NON-
2 ATTAINMENT AREAS.—Section 182(b)(4) of the Clean Air
3 Act is amended by inserting “(A)” after the side heading
4 and by adding the following at the end thereof:

5 “(B) Within 1 year after the enactment of this
6 subparagraph each moderate area which the State
7 determines to cause or significantly contribute to a
8 violation of the national ambient air quality stand-
9 ards for ozone in a downwind area (as identified by
10 the State under section 110(a)(4)), the State shall
11 submit, immediately after the enactment of this sub-
12 paragraph, a revision to the applicable implementa-
13 tion plan that includes all provisions necessary to
14 provide for an enhanced vehicle inspection program
15 as described in paragraph (3) of subsection (c) and
16 the regulations of the Administrator adopted pursu-
17 ant to such paragraph.”.

18 (c) REQUIREMENTS FOR MAINTENANCE PLANS.—
19 Subsection (a) 175A of the Clean Air Act is amended by
20 adding the following at the end thereof: “Such plan shall
21 also be amended within 1 year after the later of—

22 “(1) the date of enactment of the Transported
23 Air Pollution Mitigation Act of 1996, or

24 “(2) the date on which the request under sec-
25 tion 107(d) is submitted,

1 to include measures to provide for an enhanced vehicle in-
2 spection program as described in paragraph (3) of section
3 182(c) and the regulations of the Administrator adopted
4 pursuant to such paragraph if the State determines that
5 the area requesting redesignation is causing or signifi-
6 cantly contributing to a violation of the national ambient
7 air quality standards for ozone in a downwind area (as
8 identified by the State under section 110(a)(4)).”.

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