

105TH CONGRESS
1ST SESSION

S. 1084

To establish a research and monitoring program for the national ambient air quality standards for ozone and particulate matter and to reinstate the original standards under the Clean Air Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 29, 1997

Mr. INHOFE (for himself and Mr. BREAUX) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a research and monitoring program for the national ambient air quality standards for ozone and particulate matter and to reinstate the original standards under the Clean Air Act, 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 “Ozone and Particulate
5 Matter Research Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) Public Law 101–549 (commonly known as
2 the “Clean Air Act Amendments of 1990”) (104
3 Stat. 2399) established a number of measures and
4 programs that address ozone and particulate matter
5 pollution and the precursors to ozone and particulate
6 matter pollution;

7 (2) most of the measures and programs are
8 continuing or have yet to be implemented;

9 (3) the United States has made significant
10 progress on reducing atmospheric levels of ozone and
11 particulate matter since passage of Public Law 101–
12 549 and will continue to make significant progress
13 in reducing atmospheric levels of ozone and particu-
14 late matter through continued implementation of
15 that Act for the next 5 years;

16 (4) changing the current national ambient air
17 quality standard for ozone, which is explicitly incor-
18 porated into part D of title I of the Clean Air Act
19 (42 U.S.C. 7501 et seq.), could nullify many of the
20 ozone provisions in Public Law 101–549 and lead to
21 disruptions and delays in the reduction of ozone and
22 the precursors to ozone;

23 (5) the Administrator of the Environmental
24 Protection Agency and the Clean Air Scientific Advi-
25 sory Committee have recommended that additional

1 research be conducted to determine any adverse
 2 health effects of fine particles (including research on
 3 the biological mechanism for adverse health effects,
 4 toxicity and dose response levels, and specification of
 5 the size and type of particle that might have adverse
 6 health effects); and

7 (6) currently available atmospheric data regard-
 8 ing fine particle levels in the United States are inad-
 9 equate to provide an understanding of any adverse
 10 health effects of fine particles or a basis for des-
 11 ignating areas under title I of the Clean Air Act (42
 12 U.S.C. 7401 et seq.).

13 **SEC. 3. PARTICULATE MATTER RESEARCH PROGRAM.**

14 (a) INDEPENDENT PANEL.—

15 (1) IN GENERAL.—The Administrator of the
 16 Environmental Protection Agency (referred to in
 17 this Act as the “Administrator”) shall request the
 18 National Academy of Sciences to convene an inde-
 19 pendent panel of scientists with expertise on the
 20 health effects of air pollution to establish priorities
 21 for research on the health effects of particulate mat-
 22 ter.

23 (2) REPORT.—Not later than February 1,
 24 1998, the Administrator shall report to Congress the
 25 recommendations of the independent panel.

1 (b) RESEARCH PRIORITIES.—At a minimum, the
2 independent panel shall consider—

3 (1) the sizes and physical-chemical characteris-
4 tics of the constituents of particulate matter;

5 (2) the health effects of individual exposure to
6 concentrations of fine particulate matter at ambient
7 levels verses indoor levels;

8 (3) the identification and evaluation of biologi-
9 cal mechanisms for fine particulate matter as related
10 to life shortening, acute mortality, and morbidity;

11 (4) controlled inhalation exposure as a deter-
12 minant of dose-response relationships; and

13 (5) long-term health effect evaluations examin-
14 ing individual exposure to fine particulate matter,
15 other particulate indicators, and other copollutants
16 and airborne allergens.

17 (c) INTERAGENCY COMMITTEE.—

18 (1) ESTABLISHMENT.—Not later than 60 days
19 after the date of enactment of this Act, the Presi-
20 dent shall establish a committee to be known as the
21 “Particulate Matter Interagency Committee” (re-
22 ferred to in this Act as the “Interagency Commit-
23 tee”).

24 (2) PURPOSES.—The Interagency Committee
25 shall—

1 (A) not later than 180 days after the date
2 of enactment of this Act, develop recommenda-
3 tions for a program to coordinate the activities
4 of Federal agencies engaged in research on
5 human health effects of particulate matter that
6 ensures that the research advances the
7 prioritized agenda of the independent panel;
8 and

9 (B) monitor, review, and periodically evalu-
10 ate the program.

11 (2) COMPOSITION OF INTERAGENCY COMMIT-
12 TEE.—

13 (A) MEMBERSHIP.—The Interagency Com-
14 mittee shall be composed of 8 members, of
15 whom—

16 (i) 1 shall be appointed by the Adminis-
17 trator;

18 (ii) 1 shall be appointed by the Secretary
19 of Agriculture;

20 (iii) 1 shall be appointed by the Secretary
21 of Defense;

22 (iv) 1 shall be appointed by the Secretary
23 of Energy;

24 (v) 1 shall be appointed by the Secretary
25 of Health and Human Services;

1 (vi) 1 shall be appointed by the Director of
 2 the National Institute of Environmental Health
 3 Sciences;

4 (vii) 1 shall be appointed by the Director
 5 of the National Institute of Standards and
 6 Technology; and

7 (viii) 1 shall be appointed by the Director
 8 of the Office of Science and Technology Policy.

9 (B) CHAIRPERSON.—The Interagency Commit-
 10 tee shall elect a chairperson from among its mem-
 11 bers appointed under clauses (ii) through (viii) of
 12 subparagraph (A) who shall be responsible for en-
 13 suring that the duties of the Interagency Committee
 14 are carried out.

15 (C) STAFF.—Members of the Interagency Com-
 16 mittee shall provide appropriate staff to carry out
 17 the duties of the Interagency Committee.

18 (d) REPORT TO INTERAGENCY COMMITTEE.—

19 (1) IN GENERAL.—The Administrator shall re-
 20 quest the National Academy of Sciences to periodi-
 21 cally submit to the Interagency Committee, the
 22 Clean Air Science Advisory Committee, and Con-
 23 gress a report that evaluates the prioritized research
 24 activities under the program described in subsection
 25 (c)(2)(A).

1 (2) EXPENSES.—The Administrator shall be re-
2 sponsible for expenses incurred by the National
3 Academy of Sciences in carrying out paragraph (1).

4 **SEC. 4. SCIENCE REVIEW.**

5 No earlier than 4 years after the date of enactment
6 of this Act, the Administrator shall—

7 (1) complete a thorough review of the air qual-
8 ity criteria published under section 108 of the Clean
9 Air Act (42 U.S.C. 7408) for ozone and fine particu-
10 late matter and a thorough review of the standards
11 in effect under that Act for ozone and particulate
12 matter; and

13 (2) determine, in accordance with section 108
14 and 109 of that Act (42 U.S.C. 7408, 7409), wheth-
15 er to—

16 (A) retain the criteria and standards in ef-
17 fect under that Act for ozone and particulate
18 matter;

19 (B) make revisions in the criteria and
20 standards; or

21 (C) promulgate new criteria and standards.

22 **SEC. 5. PARTICULATE MONITORING PROGRAM.**

23 (a) IN GENERAL.—The Administrator may require
24 State implementation plans to require ambient air quality
25 monitoring for fine particulate matter pursuant to section

1 110(a)(2)(B) of the Clean Air Act (42 U.S.C.
2 7410(a)(2)(B)).

3 (b) GRANTS.—The Administrator shall make grants
4 to States to carry out monitoring required under sub-
5 section (a).

6 **SEC. 6. REINSTATEMENT OF STANDARDS.**

7 (a) IN GENERAL.—The national ambient air quality
8 standards for ozone and particulate matter under section
9 109 of the Clean Air Act (42 U.S.C. 7409), as in effect
10 on July 15, 1997, are reinstated.

11 (b) REVISION OF STANDARDS.—The national ambi-
12 ent air quality standards for ozone and particulate matter
13 reinstated under subsection (a) shall not be revised until
14 completion of the scientific review under section 4.

15 **SEC. 7. OZONE RESEARCH.**

16 The National Institutes of Health is directed to begin
17 a research program to study the health effects of allergens
18 on asthmatics, particularly in regards to urban inner city
19 areas.

20 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

21 There is authorized to be appropriated to carry out
22 sections 1–6 of this Act \$75,000,000 for each of fiscal
23 years 1998 through 2002. There is authorized to be ap-

- 1 appropriated to carry out section 7 of this Act \$25,000,000
- 2 for each of the fiscal years 1998 through 2002.

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