

106TH CONGRESS  
1ST SESSION

# S. 1037

To amend the Toxic Substances Control Act to provide for a gradual reduction in the use of methyl tertiary butyl ether, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 13, 1999

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Toxic Substances Control Act to provide for a gradual reduction in the use of methyl tertiary butyl ether, 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. USE OF METHYL TERTIARY BUTYL ETHER.**

4 Section 6 of the Toxic Substances Control Act (15  
5 U.S.C. 2605) is amended by adding at the end the fol-  
6 lowing:

7 “(f) USE OF METHYL TERTIARY BUTYL ETHER.—

8 “(1) PROHIBITION ON USE IN SPECIFIED NON-  
9 ATTAINMENT AREAS.—Effective beginning January

10 1, 2000, a person shall not use methyl tertiary butyl

1 ether in an area of the United States that is not a  
2 specified nonattainment area that is required to  
3 meet the oxygen content requirement for reformu-  
4 lated gasoline established under section 211(k) of  
5 the Clean Air Act (42 U.S.C. 7545(k)).

6 “(2) PROHIBITION ON USE IN AREAS OF LEAK-  
7 AGE.—If the Administrator finds that methyl ter-  
8 tiary butyl ether is leaking into ground water or sur-  
9 face water in an area, the Administrator may imme-  
10 diately prohibit the use of methyl tertiary butyl  
11 ether in the area.

12 “(3) UPGRADING OF UNDERGROUND STORAGE  
13 TANKS.—In enforcing the requirement that under-  
14 ground storage tanks be upgraded in accordance  
15 with section 280.21 of title 40, Code of Federal Reg-  
16 ulations, the Administrator shall focus enforcement  
17 of the requirement on areas described in paragraph  
18 (2).

19 “(4) USE OF METHYL TERTIARY BUTYL ETHER  
20 IN GASOLINE.—

21 “(A) INTERIM PERIOD.—

22 “(i) PHASED REDUCTION.—

23 “(I) IN GENERAL.—The Admin-  
24 istrator shall promulgate regulations  
25 to require—

1                   “(aa) by January 1, 2001, a  
2                    $\frac{1}{3}$  reduction in the quantity of  
3                   methyl tertiary butyl ether that  
4                   may be used in gasoline; and

5                   “(bb) by January 1, 2002, a  
6                    $\frac{2}{3}$  reduction in the quantity of  
7                   methyl tertiary butyl ether that  
8                   may be used in gasoline.

9                   “(II) BASIS FOR REDUCTIONS.—  
10                  Reductions under subclause (I) shall  
11                  be based on the quantity of methyl  
12                  tertiary butyl ether in use in gasoline  
13                  in the United States as of the date of  
14                  enactment of this subsection.

15                  “(ii) LABELING.—During the period  
16                  beginning on the date of enactment of this  
17                  subsection and ending December 31, 2002,  
18                  the Administrator shall require any person  
19                  selling gasoline that contains methyl ter-  
20                  tiary butyl ether at retail to prominently  
21                  label the fuel dispensing system for the  
22                  gasoline with a notice that the gasoline  
23                  contains methyl tertiary butyl ether.

1                   “(B) PROHIBITION.—Effective beginning  
2                   January 1, 2003, a person shall not use methyl  
3                   tertiary butyl ether in gasoline.”.

4 **SEC. 2. STUDY OF EFFECTS OF FUEL COMPONENTS.**

5                   Not later than July 31, 2000, the Administrator of  
6 the Environmental Protection Agency shall—

7                   (1) conduct a study of the behavior, toxicity,  
8                   carcinogenicity, health effects, and biodegradability,  
9                   in air and water, of ethanol, olefins, aromatics, ben-  
10                  zene, and alkylate; and

11                  (2) report the results of the study to Congress.

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