

106TH CONGRESS  
1ST SESSION

# S. 172

To reduce acid deposition under the Clean Air Act, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. MOYNIHAN (for himself, Mr. SCHUMER, and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

---

## A BILL

To reduce acid deposition 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 “Acid Deposition and  
5 Ozone Control Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) reductions of atmospheric nitrogen oxide  
9 and sulfur dioxide from utility plants, in addition to  
10 the reductions required under the Clean Air Act (42

1 U.S.C. 7401 et seq.), are needed to reduce acid dep-  
2 osition and its serious adverse effects on public  
3 health, natural resources, building structures, sen-  
4 sitive ecosystems, and visibility;

5 (2) nitrogen oxide and sulfur dioxide contribute  
6 to the development of fine particulates, suspected of  
7 causing human mortality and morbidity to a signifi-  
8 cant extent;

9 (3) regional nitrogen oxide reductions of 50  
10 percent in the Eastern United States, in addition to  
11 the reductions required under the Clean Air Act,  
12 may be necessary to protect sensitive watersheds  
13 from the effects of nitrogen deposition;

14 (4) without reductions in nitrogen oxide and  
15 sulfur dioxide, the number of acidic lakes in the Adi-  
16 rondacks in the State of New York is expected to in-  
17 crease by up to 40 percent by 2040; and

18 (5) nitrogen oxide is highly mobile and can lead  
19 to ozone formation hundreds of miles from the emit-  
20 ting source.

21 (b) PURPOSES.—The purposes of this Act are—

22 (1) to recognize the current scientific under-  
23 standing that emissions of nitrogen oxide and sulfur  
24 dioxide, and the acid deposition resulting from emis-

1 sions of nitrogen oxide and sulfur dioxide, present a  
2 substantial human health and environmental risk;

3 (2) to require reductions in nitrogen oxide and  
4 sulfur dioxide emissions;

5 (3) to support the efforts of the Ozone Trans-  
6 port Assessment Group to reduce ozone pollution;

7 (4) to reduce utility emissions of nitrogen oxide  
8 by 70 percent from 1990 levels; and

9 (5) to reduce utility emissions of sulfur dioxide  
10 by 50 percent after the implementation of phase II  
11 sulfur dioxide requirements under section 405 of the  
12 Clean Air Act (42 U.S.C. 7651d).

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) ADMINISTRATOR.—The term “Adminis-  
16 trator” means the Administrator of the Environ-  
17 mental Protection Agency.

18 (2) AFFECTED FACILITY.—The term “affected  
19 facility” means a facility with 1 or more combustion  
20 units that serve at least 1 electricity generator with  
21 a capacity equal to or greater than 25 megawatts.

22 (3) NO<sub>x</sub> ALLOWANCE.—The term “NO<sub>x</sub> allow-  
23 ance” means a limited authorization under section  
24 4(3) to emit, in accordance with this Act, quantities  
25 of nitrogen oxide.

1           (4) MMBTU.—The term “mmBtu” means  
2           1,000,000 British thermal units.

3           (5) PROGRAM.—The term “Program” means  
4           the Nitrogen Oxide Allowance Program established  
5           under section 4.

6           (6) STATE.—The term “State” means the 48  
7           contiguous States and the District of Columbia.

8   **SEC. 4. NITROGEN OXIDE ALLOWANCE PROGRAM.**

9           (a) IN GENERAL.—

10           (1) ESTABLISHMENT.—Not later than 18  
11           months after the date of enactment of this Act, the  
12           Administrator shall establish a program to be known  
13           as the “Nitrogen Oxide Allowance Program”.

14           (2) SCOPE.—The Program shall be conducted  
15           in the 48 contiguous States and the District of Co-  
16           lumbia.

17           (3) NO<sub>x</sub> ALLOWANCES.—

18           (A) ALLOCATION.—The Administrator  
19           shall allocate under paragraph (4)—

20                   (i) for each of calendar years 2002  
21                   through 2004, 5,400,000 NO<sub>x</sub> allowances;  
22                   and

23                   (ii) for calendar year 2005 and each  
24                   calendar year thereafter, 3,000,000 NO<sub>x</sub>  
25                   allowances.

1 (B) USE.—Each NO<sub>x</sub> allowance shall au-  
2 thorize an affected facility to emit—

3 (i) 1 ton of nitrogen oxide during each  
4 of the months of October, November, De-  
5 cember, January, February, March, and  
6 April of any year; or

7 (ii) ½ ton of nitrogen oxide during  
8 each of the months of May, June, July,  
9 August, and September of any year.

10 (4) ALLOCATION.—

11 (A) DEFINITION OF TOTAL ELECTRIC  
12 POWER.—In this paragraph, the term “total  
13 electric power” means all electric power gen-  
14 erated by utility and nonutility generators for  
15 distribution, including electricity generated  
16 from solar, wind, hydro power, nuclear power,  
17 cogeneration facilities, and the combustion of  
18 fossil fuel.

19 (B) ALLOCATION OF ALLOWANCES.—The  
20 Administrator shall allocate annual NO<sub>x</sub> allow-  
21 ances to each of the States in proportion to the  
22 State’s share of the total electric power gen-  
23 erated in all of the States.

1 (C) PUBLICATION.—The Administrator  
2 shall publish in the Federal Register a list of  
3 each State’s NO<sub>x</sub> allowance allocation—

4 (i) by December 1, 2000, for calendar  
5 years 2002 through 2004;

6 (ii) by December 1, 2002, for calendar  
7 years 2005 through 2007; and

8 (iii) by December 1 of each calendar  
9 year after 2002, for the calendar year that  
10 begins 61 months thereafter.

11 (5) INTRASTATE DISTRIBUTION.—

12 (A) IN GENERAL.—A State may submit to  
13 the Administrator a report detailing the dis-  
14 tribution of NO<sub>x</sub> allowances of the State to af-  
15 fected facilities in the State—

16 (i) not later than September 30,  
17 2001, for calendar years 2002 through  
18 2004;

19 (ii) not later than September 30,  
20 2003, for calendar years 2005 through  
21 2012; and

22 (iii) not later than September 30 of  
23 each calendar year after 2013, for the cal-  
24 endar year that begins 61 months there-  
25 after.

1 (B) ACTION BY THE ADMINISTRATOR.—If  
2 a State submits a report under subparagraph  
3 (A) not later than September 30 of the calendar  
4 year specified in subparagraph (A), the Admin-  
5 istrator shall distribute the NO<sub>x</sub> allowances to  
6 affected facilities in the State as detailed in the  
7 report.

8 (C) LATE SUBMISSION OF REPORT.—A re-  
9 port submitted by a State after September 30  
10 of a specified year shall be of no effect.

11 (D) DISTRIBUTION IN ABSENCE OF A RE-  
12 PORT.—

13 (i) IN GENERAL.—Subject to sub-  
14 section (e), if a State does not submit a re-  
15 port under subparagraph (A) not later  
16 than September 30 of the calendar year  
17 specified in subparagraph (A), the Admin-  
18 istrator shall, not later than November 30  
19 of that calendar year, distribute the NO<sub>x</sub>  
20 allowances for the calendar years specified  
21 in subparagraph (A) to each affected facil-  
22 ity in the State in proportion to the af-  
23 fected facility's share of the total electric  
24 power generated in the State.

1 (ii) DETERMINATION OF FACILITY'S  
2 SHARE.—In determining an affected facili-  
3 ty's share of total electric power generated  
4 in a State, the Administrator shall con-  
5 sider the net electric power generated by  
6 the facility and the State to be—

7 (I) for calendar years 2002  
8 through 2004, the average annual  
9 amount of electric power generated,  
10 by the facility and the State, respec-  
11 tively, in calendar years 1997 through  
12 1999;

13 (II) for calendar years 2005  
14 through 2012, the average annual  
15 amount of electric power generated,  
16 by the facility and the State, respec-  
17 tively, in calendar years 1999 through  
18 2001; and

19 (III) for calendar year 2013 and  
20 each calendar year thereafter, the  
21 amount of electric power generated,  
22 by the facility and the State, respec-  
23 tively, in the calendar year 5 years  
24 previous to the year for which the de-  
25 termination is made.

1           (E) JUDICIAL REVIEW.—A distribution of  
2           NO<sub>x</sub> allowances by the Administrator under  
3           subparagraph (D) shall not be subject to judi-  
4           cial review.

5           (b) NO<sub>x</sub> ALLOWANCE TRANSFER SYSTEM.—

6           (1) IN GENERAL.—Not later than 18 months  
7           after the date of enactment of this Act, the Adminis-  
8           trator shall promulgate a NO<sub>x</sub> allowance system reg-  
9           ulation under which a NO<sub>x</sub> allowance allocated  
10          under this Act may be transferred among affected  
11          facilities and any other person.

12          (2) ESTABLISHMENT.—The regulation shall es-  
13          tablish the NO<sub>x</sub> allowance system under this section,  
14          including requirements for the allocation, transfer,  
15          and use of NO<sub>x</sub> allowances under this Act.

16          (3) USE OF NO<sub>x</sub> ALLOWANCES.—The regulation  
17          shall—

18                (A) prohibit the use (but not the transfer  
19                in accordance with paragraph (5)) of any NO<sub>x</sub>  
20                allowance before the calendar year for which  
21                the NO<sub>x</sub> allowance is allocated; and

22                (B) provide that the unused NO<sub>x</sub> allow-  
23                ances shall be carried forward and added to  
24                NO<sub>x</sub> allowances allocated for subsequent years.

1           (4) CERTIFICATION OF TRANSFER.—A transfer  
2           of a NO<sub>x</sub> allowance shall not be effective until a  
3           written certification of the transfer, signed by a re-  
4           sponsible official of the person making the transfer,  
5           is received and recorded by the Administrator.

6           (c) NO<sub>x</sub> ALLOWANCE TRACKING SYSTEM.—Not later  
7           than 18 months after the date of enactment of this Act,  
8           the Administrator shall promulgate regulations for  
9           issuing, recording, and tracking the use and transfer of  
10          NO<sub>x</sub> allowances that shall specify all necessary procedures  
11          and requirements for an orderly and competitive function-  
12          ing of the NO<sub>x</sub> allowance system.

13          (d) PERMIT REQUIREMENTS.—A NO<sub>x</sub> allowance allo-  
14          cation or transfer shall, on recordation by the Adminis-  
15          trator, be considered to be a part of each affected facility's  
16          operating permit requirements, without a requirement for  
17          any further permit review or revision.

18          (e) NEW SOURCE RESERVE.—

19                (1) IN GENERAL.—For a State for which the  
20                Administrator distributes NO<sub>x</sub> allowances under  
21                subsection (a)(5)(D), the Administrator shall place  
22                10 percent of the total annual NO<sub>x</sub> allowances of the  
23                State in a new source reserve to be distributed by  
24                the Administrator—

1 (A) for calendar years 2002 through 2005,  
2 to sources that commence operation after 1998;

3 (B) for calendar years 2006 through 2011,  
4 to sources that commence operation after 2000;  
5 and

6 (C) for calendar year 2012 and each cal-  
7 endar year thereafter, to sources that com-  
8 mence operation after the calendar year that is  
9 5 years previous to the year for which the dis-  
10 tribution is made.

11 (2) SHARE.—For a State for which the Admin-  
12 istrator distributes NO<sub>x</sub> allowances under subsection  
13 (a)(5)(D), the Administrator shall distribute to each  
14 new source a number of NO<sub>x</sub> allowances sufficient to  
15 allow emissions by the source at a rate equal to the  
16 lesser of the new source performance standard or  
17 the permitted level for the full nameplate capacity of  
18 the source, adjusted pro rata for the number of  
19 months of the year during which the source oper-  
20 ates.

21 (3) UNUSED NO<sub>x</sub> ALLOWANCES.—

22 (A) IN GENERAL.—During the period of  
23 calendar years 2000 through 2005, the Admin-  
24 istrator shall conduct auctions at which a NO<sub>x</sub>  
25 allowance remaining in the new source reserve

1 that has not been distributed under paragraph  
2 (2) shall be offered for sale.

3 (B) OPEN AUCTIONS.—An auction under  
4 subparagraph (A) shall be open to any person.

5 (C) CONDUCT OF AUCTION.—

6 (i) METHOD OF BIDDING.—A person  
7 wishing to bid for a NO<sub>x</sub> allowance at an  
8 auction under subparagraph (A) shall sub-  
9 mit (by a date set by the Administrator) to  
10 the Administrator (on a sealed bid sched-  
11 ule provided by the Administrator) an offer  
12 to purchase a specified number of NO<sub>x</sub> al-  
13 lowances at a specified price.

14 (ii) SALE BASED ON BID PRICE.—A  
15 NO<sub>x</sub> allowance auctioned under subpara-  
16 graph (A) shall be sold on the basis of bid  
17 price, starting with the highest priced bid  
18 and continuing until all NO<sub>x</sub> allowances  
19 for sale at the auction have been sold.

20 (iii) NO MINIMUM PRICE.—A mini-  
21 mum price shall not be set for the pur-  
22 chase of a NO<sub>x</sub> allowance auctioned under  
23 subparagraph (A).

24 (iv) REGULATIONS.—The Adminis-  
25 trator, in consultation with the Secretary

1 of the Treasury, shall promulgate a regula-  
2 tion to carry out this paragraph.

3 (D) USE OF NO<sub>x</sub> ALLOWANCES.—A NO<sub>x</sub>  
4 allowance purchased at an auction under sub-  
5 paragraph (A) may be used for any purpose  
6 and at any time after the auction that is per-  
7 mitted for use of a NO<sub>x</sub> allowance under this  
8 Act.

9 (E) PROCEEDS OF AUCTION.—The pro-  
10 ceeds from an auction under this paragraph  
11 shall be distributed to the owner of an affected  
12 source in proportion to the number of allow-  
13 ances that the owner would have received but  
14 for this subsection.

15 (f) NATURE OF NO<sub>x</sub> ALLOWANCES.—

16 (1) NOT A PROPERTY RIGHT.—A NO<sub>x</sub> allow-  
17 ance shall not be considered to be a property right.

18 (2) LIMITATION OF NO<sub>x</sub> ALLOWANCES.—Not-  
19 withstanding any other provision of law, the Admin-  
20 istrator may terminate or limit a NO<sub>x</sub> allowance.

21 (g) PROHIBITIONS.—

22 (1) IN GENERAL.—After January 1, 2000, it  
23 shall be unlawful—

24 (A) for the owner or operator of an af-  
25 fected facility to operate the affected facility in

1 such a manner that the affected facility emits  
2 nitrogen oxides in excess of the amount per-  
3 mitted by the quantity of NO<sub>x</sub> allowances held  
4 by the designated representative of the affected  
5 facility; or

6 (B) for any person to hold, use, or transfer  
7 a NO<sub>x</sub> allowance allocated under this Act, ex-  
8 cept as provided under this Act.

9 (2) OTHER EMISSION LIMITATIONS.—Section  
10 407 of the Clean Air Act (42 U.S.C. 7651f) is re-  
11 pealed.

12 (3) TIME OF USE.—A NO<sub>x</sub> allowance may not  
13 be used before the calendar year for which the NO<sub>x</sub>  
14 allowance is allocated.

15 (4) PERMITTING, MONITORING, AND ENFORCE-  
16 MENT.—Nothing in this section affects—

17 (A) the permitting, monitoring, and en-  
18 forcement obligations of the Administrator  
19 under the Clean Air Act (42 U.S.C. 7401 et  
20 seq.); or

21 (B) the requirements and liabilities of an  
22 affected facility under that Act.

23 (h) SAVINGS PROVISIONS.—Nothing in this section—

24 (1) affects the application of, or compliance  
25 with, the Clean Air Act (42 U.S.C. 7401 et seq.) for

1 an affected facility, including the provisions related  
2 to applicable national ambient air quality standards  
3 and State implementation plans;

4 (2) requires a change in, affects, or limits any  
5 State law regulating electric utility rates or charges,  
6 including prudence review under State law;

7 (3) affects the application of the Federal Power  
8 Act (16 U.S.C. 791a et seq.) or the authority of the  
9 Federal Energy Regulatory Commission under that  
10 Act; or

11 (4) interferes with or impairs any program for  
12 competitive bidding for power supply in a State in  
13 which the Program is established.

14 **SEC. 5. INDUSTRIAL SOURCE MONITORING.**

15 Section 412(a) of the Clean Air Act (42 U.S.C.  
16 7651k(a)) is amended in the first sentence by inserting  
17 “, or of any industrial facility with a capacity of 100 or  
18 more mmBtu’s per hour,” after “The owner and operator  
19 of any source subject to this title”.

20 **SEC. 6. EXCESS EMISSIONS PENALTY.**

21 (a) IN GENERAL.—

22 (1) LIABILITY.—The owner or operator of an  
23 affected facility that emits nitrogen oxides in any  
24 calendar year in excess of the NO<sub>x</sub> allowances the  
25 owner or operator holds for use for the facility for

1 that year shall be liable for the payment of an excess  
2 emissions penalty.

3 (2) CALCULATION.—The excess emissions pen-  
4 alty shall be calculated by multiplying \$6,000 by the  
5 quantity that is equal to—

6 (A) the quantity of NO<sub>x</sub> allowances that  
7 would authorize the nitrogen oxides emitted by  
8 the facility for the calendar year; minus

9 (B) the quantity of NO<sub>x</sub> allowances that  
10 the owner or operator holds for use for the fa-  
11 cility for that year.

12 (3) OVERLAPPING PENALTIES.—A penalty  
13 under this section shall not diminish the liability of  
14 the owner or operator of an affected facility for any  
15 fine, penalty, or assessment against the owner or op-  
16 erator for the same violation under any other provi-  
17 sion of law.

18 (b) EXCESS EMISSIONS OFFSET.—

19 (1) IN GENERAL.—The owner or operator of an  
20 affected facility that emits nitrogen oxide during a  
21 calendar year in excess of the NO<sub>x</sub> allowances held  
22 for the facility for the calendar year shall offset in  
23 the following calendar year a quantity of NO<sub>x</sub> allow-  
24 ances equal to the number of NO<sub>x</sub> allowances that  
25 would authorize the excess nitrogen oxides emitted.

1           (2) PROPOSED PLAN.—Not later than 60 days  
2 after the end of the year in which excess emissions  
3 occur, the owner or operator of an affected facility  
4 shall submit to the Administrator and the State in  
5 which the affected facility is located a proposed plan  
6 to achieve the offset required under paragraph (1).

7           (3) CONDITION OF PERMIT.—On approval of  
8 the proposed plan by the Administrator, as submit-  
9 ted, or as modified or conditioned by the Adminis-  
10 trator, the plan shall be considered a condition of  
11 the operating permit for the affected facility without  
12 further review or revision of the permit.

13       (c) PENALTY ADJUSTMENT.—The Administrator  
14 shall annually adjust the amount of the penalty specified  
15 in subsection (a) to reflect changes in the Consumer Price  
16 Index for all urban consumers published by the Bureau  
17 of Labor Statistics.

18 **SEC. 7. SULFUR DIOXIDE ALLOWANCE PROGRAM REVI-**  
19 **SIONS.**

20       Section 402 of the Clean Air Act (42 U.S.C. 7651a)  
21 is amended by striking paragraph (3) and inserting the  
22 following:

23           “(3) ALLOWANCE.—The term ‘allowance’  
24 means an authorization, allocated to an affected unit

1 by the Administrator under this title, to emit, during  
2 or after a specified calendar year—

3 “(A) in the case of allowances allocated for  
4 calendar years 1997 through 2004, 1 ton of  
5 sulfur dioxide; and

6 “(B) in the case of allowances allocated for  
7 calendar year 2005 and each calendar year  
8 thereafter, ½ ton of sulfur dioxide.”

9 **SEC. 8. REGIONAL ECOSYSTEMS.**

10 (a) REPORT.—

11 (1) IN GENERAL.—Not later than December 31,  
12 2002, the Administrator shall submit to Congress a  
13 report identifying objectives for scientifically credible  
14 environmental indicators, as determined by the Ad-  
15 ministrator, that are sufficient to protect sensitive  
16 ecosystems of the Adirondack Mountains, mid-Appa-  
17 lachian Mountains, Rocky Mountains, and Southern  
18 Blue Ridge Mountains and water bodies of the Great  
19 Lakes, Lake Champlain, Long Island Sound, and  
20 the Chesapeake Bay.

21 (2) ACID NEUTRALIZING CAPACITY.—The re-  
22 port under paragraph (1) shall—

23 (A) include acid neutralizing capacity as  
24 an indicator; and

1           (B) identify as an objective under para-  
2 graph (1) the objective of increasing the propor-  
3 tion of water bodies in sensitive receptor areas  
4 with an acid neutralizing capacity greater than  
5 zero from the proportion identified in surveys  
6 begun in 1984.

7           (3) UPDATED REPORT.—Not later than Decem-  
8 ber 31, 2008, the Administrator shall submit to  
9 Congress a report updating the report under para-  
10 graph (1) and assessing the status and trends of  
11 various environmental indicators for the regional  
12 ecosystems referred to in paragraph (1).

13           (4) REPORTS UNDER THE NATIONAL ACID PRE-  
14 CIPITATION ASSESSMENT PROGRAM.—The reports  
15 under this subsection shall be subject to the require-  
16 ments applicable to a report under section  
17 103(j)(3)(E) of the Clean Air Act (42 U.S.C.  
18 7403(j)(3)(E)).

19           (b) REGULATIONS.—

20           (1) DETERMINATION.—Not later than Decem-  
21 ber 31, 2008, the Administrator shall determine  
22 whether emissions reductions under section 4 are  
23 sufficient to ensure achievement of the objectives  
24 stated in subsection (a)(1).

1           (2) PROMULGATION.—If the Administrator de-  
2           termines under paragraph (1) that emissions reduc-  
3           tions under section 4 are not sufficient to ensure  
4           achievement of the objectives identified in subsection  
5           (a)(1), the Administrator shall promulgate, not later  
6           than 2 years after making the finding, such regula-  
7           tions, including modification of nitrogen oxide and  
8           sulfur dioxide allowance allocations or any such  
9           measure, as the Administrator determines are nec-  
10          essary to protect the sensitive ecosystems described  
11          in subsection (a)(1).

12 **SEC. 9. GENERAL COMPLIANCE WITH OTHER PROVISIONS.**

13          Except as expressly provided in this Act, compliance  
14          with this Act shall not exempt or exclude the owner or  
15          operator of an affected facility from compliance with any  
16          other law.

17 **SEC. 10. MERCURY EMISSION STUDY AND CONTROL.**

18          (a) STUDY AND REPORT.—The Administrator  
19          shall—

20                (1) study the practicality of monitoring mercury  
21                emissions from all combustion units that have a ca-  
22                pacity equal to or greater than 250 mmBtu's per  
23                hour; and

1           (2) not later than 2 years after the date of en-  
2           actment of this Act, submit to Congress a report on  
3           the results of the study.

4           (b) REGULATIONS CONCERNING MONITORING.—Not  
5           later than 1 year after the date of submission of the report  
6           under subsection (a), the Administrator shall promulgate  
7           a regulation requiring the reporting of mercury emissions  
8           from units that have a capacity equal to or greater than  
9           250 mmBtu's per hour.

10          (c) EMISSION CONTROLS.—

11           (1) IN GENERAL.—Not later than 1 year after  
12           the commencement of monitoring activities under  
13           subsection (b), the Administrator shall promulgate a  
14           regulation controlling electric utility and industrial  
15           source emissions of mercury.

16           (2) FACTORS.—The regulation shall take into  
17           account technological feasibility, cost, and the pro-  
18           jected reduction in levels of mercury emissions that  
19           will result from implementation of this Act.

20   **SEC. 11. DEPOSITION RESEARCH BY THE ENVIRONMENTAL**  
21                           **PROTECTION AGENCY.**

22           (a) IN GENERAL.—The Administrator shall establish  
23           a competitive grant program to fund research related to  
24           the effects of nitrogen deposition on sensitive watersheds  
25           and coastal estuaries in the Eastern United States.

1 (b) CHEMISTRY OF LAKES AND STREAMS.—

2 (1) INITIAL REPORT.—Not later than Septem-  
3 ber 30, 2001, the Administrator shall submit to the  
4 Committee on Environment and Public Works of the  
5 Senate and the Committee on Resources of the  
6 House of Representatives a report on the health and  
7 chemistry of lakes and streams of the Adirondacks  
8 that were subjects of the report transmitted under  
9 section 404 of Public Law 101–549 (commonly  
10 known as the “Clean Air Act Amendments of  
11 1990”) (104 Stat. 2632).

12 (2) FOLLOWING REPORT.—Not later than 2  
13 years after the date of the report under paragraph  
14 (1), the Administrator shall submit a report updat-  
15 ing the information contained in the initial report.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated—

18 (1) to carry out subsection (a), \$1,000,000 for  
19 each of fiscal years 2000 through 2005; and

20 (2) to carry out subsection (b), \$1,000,000 for  
21 each of fiscal years 2000, 2001, 2007, and 2008.

○