

107TH CONGRESS
1ST SESSION

H. R. 2249

To amend section 211 of the Clean Air Act to require a more uniform formula for gasoline and diesel fuel so that gasoline and diesel fuel manufactured for one region of the country may be transported to and sold in other regions of the country, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2001

Mr. BLUNT (for himself, Mr. RUSH, Mr. HASTERT, Mr. SHIMKUS, Mr. TERRY, Mr. LEWIS of Kentucky, Mr. ROGERS of Michigan, Mr. COSTELLO, Mr. OSBORNE, Mr. BEREUTER, Mr. LIPINSKI, Mrs. EMERSON, Mr. LATHAM, Mr. BOSWELL, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. HULSHOF, Mr. KIRK, Mr. BARCIA, Mr. PETERSON of Minnesota, and Mrs. NORTHUP) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend section 211 of the Clean Air Act to require a more uniform formula for gasoline and diesel fuel so that gasoline and diesel fuel manufactured for one region of the country may be transported to and sold in other regions of the country, 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 “Gasoline Access and
5 Stabilization Act of 2001”.

1 **SEC. 2. NATIONAL REQUIREMENT FOR REFORMULATED**
2 **AND OXYGENATED GASOLINE.**

3 (a) REFORMULATED GASOLINE.—(1) Section 211 of
4 the Clean Air Act (42 U.S.C. 7545) is amended by adding
5 the following new subsection at the end thereof:

6 “(p) PHASE III UNIFORM FORMULA FOR REFORMU-
7 LATED AND OXYGENATED GASOLINE.—

8 “(1) NATIONAL FORMULA.—After notice and
9 opportunity for hearing, the Administrator shall pro-
10 mulgate regulations for reformulated gasoline and
11 oxygenated gasoline sold for use in all States. The
12 regulations shall require such gasoline to comply
13 with a national formula promulgated by the Admin-
14 istrator that meets the requirements of both sub-
15 sections (k) and (m). The regulations shall prohibit
16 any manufacturer of reformulated gasoline or
17 oxygenated gasoline from selling, offering for sale, or
18 introducing into commerce in any State any gasoline
19 for purposes of compliance with the requirements of
20 subsection (k) or (m) unless the gasoline complies
21 with such national formula.

22 “(2) OXYGENATE REQUIREMENT.—The formula
23 under paragraph (1) shall include provisions regard-
24 ing the oxygen content of such gasoline which shall
25 require that a single type of oxygenate be used. Such

1 formula shall insure that the oxygen content shall
2 equal or exceed the following:

3 “(A) WINTER OXYGEN LEVELS.—2.7 per-
4 cent by weight (subject to a testing tolerance
5 established by the Administrator) in portions of
6 the year in which any area referred to in sub-
7 section (m) is prone to high ambient concentra-
8 tions of carbon monoxide.

9 “(B) SUMMER OXYGENATE LEVELS.—2.0
10 percent by weight (subject to a testing tolerance
11 established by the Administrator) in portions of
12 the year in which any area referred to in sub-
13 section (m) is not prone to high ambient con-
14 centrations of carbon monoxide.

15 “(3) FACTORS TO BE CONSIDERED.—In estab-
16 lishing the national formula under this subsection,
17 the Administrator shall take into account the tox-
18 icity of various alternatives, the effects of various
19 fuel additives on water quality, crude oil supply, and
20 such other factors as the Administrator determines
21 appropriate.

22 “(4) ALTERNATIVE.—The reformulated gaso-
23 line approved by the Administrator for a State re-
24 ferred to in subsection (c)(4)(B) shall be treated, for

1 any State, as satisfying the requirements of this
2 subsection.

3 “(4) STATE OPT-IN TO NATIONAL REFORMU-
4 LATED GAS PROGRAM OR CALIFORNIA REFORMU-
5 LATED GAS PROGRAM.—The Governor of any State
6 may elect to have any area within the State, or the
7 entire State, be treated as a covered area for pur-
8 poses of subsection (k) by notifying the Adminis-
9 trator of such State’s election. An election provided
10 for in this subsection shall not be subject to any of
11 the requirements or limitations set forth in para-
12 graph (6) of subsection (k). Such election shall take
13 effect at such time as the State determines in its no-
14 tice to the Administrator.

15 “(5) EFFECTIVE DATE.—The regulations pro-
16 mulgated under paragraph (1) of this subsection
17 shall take effect with respect to all reformulated gas-
18 oline and oxygenated gasoline sold, offered for sale,
19 or introduced into commerce after the date 4 years
20 after the promulgation of such regulations.”.

21 (2) The Administrator shall commence a rulemaking
22 proceeding under this section 211(p) of the Clean Air Act
23 (as added by paragraph (1) of this subsection) promptly
24 after the enactment of this Act.

1 (b) OTHER STATE AND LOCAL VARIATIONS IN GASO-
2 LINE PROHIBITED.—(1) Subparagraph (C) of subsection
3 (c)(4) of such Act is amended by adding the following at
4 the end thereof: “This subparagraph shall not apply to
5 any gasoline (including reformulated gasoline or
6 oxygenated gasoline) offered for sale, or introduced into
7 commerce after December 31, 2004, and after such date,
8 no State, or political subdivision thereof, (other than the
9 State of California pursuant to subsection (c)(4)(B) or an-
10 other State exercising the right to opt in to California’s
11 reformulated gas standards pursuant to subsection (p)(4))
12 may prescribe or attempt to enforce any control or prohi-
13 bition regarding the characteristics or components (includ-
14 ing the chemical composition or emission characteristics)
15 of gasoline, or any additive to gasoline, that is not iden-
16 tical to such regulations.”.

17 (2) Section 211(c)(4)(A) of such Act is amended by
18 inserting after “for purposes of motor vehicle emission
19 control” the phrase “or for any other purpose”.

20 (3) Not later than 9 months prior to the effective
21 date of regulations under subsection (p) of section 211 of
22 the Clean Air Act, the Administrator of the Environmental
23 Protection Agency shall notify each State for which an
24 amendment of the applicable implementation plan under
25 the Clean Air Act will be necessary by reason of the

1 amendment made by this subsection and shall require that
2 each such State submit such revision to the Administrator
3 under section 110 of this Act within 3 months after receiv-
4 ing such notification.

5 **SEC. 2. ELIMINATION OF SULFUR REDUCTION PHASE-IN**
6 **REQUIREMENT.**

7 (a) AMENDMENT.—Section 211(i) of the Clean Air
8 Act (42 U.S.C. 7545(i)) is amended by adding the fol-
9 lowing at the end thereof:

10 “(5) Effective September 1, 2006, no person shall
11 manufacture, sell, supply, or offer for sale or supply, dis-
12 pense, transport, or introduce into commerce motor vehicle
13 diesel fuel which contains a concentration of sulfur in ex-
14 cess of 15 ppm or which fails to meet a cetane minimum
15 index of 40 and a maximum aromatic content of 35 vol-
16 ume percent.”.

17 (b) REGULATIONS.—Not later than 12 months after
18 enactment of this Act, the Administrator of the Environ-
19 mental Protection Agency shall promulgate regulations to
20 implement and enforce the requirements of paragraph (5)
21 of section 211(i) of the Clean Air Act, as added by this
22 Act.

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