

Calendar No. 320110TH CONGRESS
1ST SESSION**S. 1785**

To amend the Clean Air Act to establish deadlines by which the Administrator of the Environmental Protection Agency shall issue a decision on whether to grant certain waivers of preemption under that Act.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2007

Mr. NELSON of Florida (for himself, Mrs. BOXER, Mr. LAUTENBERG, Mr. SANDERS, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. CARDIN, Mr. WHITEHOUSE, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

AUGUST 2, 2007

Reported by Mrs. BOXER, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Clean Air Act to establish deadlines by which the Administrator of the Environmental Protection Agency shall issue a decision on whether to grant certain waivers of preemption under that Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. WAIVERS OF PREEMPTION.**

2 Section 209 of the Clean Air Act (42 U.S.C. 7543)
3 is amended by adding at the end the following:

4 “(f) WAIVERS OF PREEMPTION.—

5 “(1) PENDING REQUESTS.—Not later than 30
6 days after the date of enactment of this subsection;
7 but in no case later than September 30, 2007, the
8 Administrator shall issue to the Governor of each
9 applicable State a decision on each request for a
10 waiver of preemption under subsection (b) that—

11 “(A) has been submitted by the State; and

12 “(B) is pending as of the date of enact-
13 ment of this subsection.

14 “(2) SUBSEQUENT REQUESTS.—With respect to
15 a request for a waiver of preemption under sub-
16 section (b) (including such a request submitted by a
17 State that has adopted and enforced certain stand-
18 ards as described in section 177) that is submitted
19 by a State after the date of enactment of this sub-
20 section, not later than 180 days after the date on
21 which the Administrator receives the request, the
22 Administrator shall issue to the Governor of the
23 State a decision on whether to grant the waiver.”.

24 **SECTION 1. WAIVERS OF PREEMPTION.**

25 Section 209 of the Clean Air Act (42 U.S.C. 7543) is
26 amended by adding at the end the following:

1 “(f) *WAIVERS OF PREEMPTION.*—

2 “(1) *PENDING REQUESTS.*—*Not later than 30*
3 *days after the date of enactment of this subsection,*
4 *but in no case later than September 30, 2007, the Ad-*
5 *ministrator shall issue a decision on each request for*
6 *a waiver of preemption under subsection (b) that—*

7 “(A) *was submitted before January 31,*
8 *2006; and*

9 “(B) *is pending as of the date of enactment*
10 *of this subsection.*

11 “(2) *SUBSEQUENT REQUESTS.*—*With respect to*
12 *a request for a waiver of preemption under subsection*
13 *(b) that is submitted by a State after the date of en-*
14 *actment of this subsection, not later than 180 days*
15 *after the date on which the Administrator receives the*
16 *request, the Administrator shall issue a decision on*
17 *whether to grant the waiver.”.*

Calendar No. 320

110TH CONGRESS
1ST Session
S. 1785

A BILL

To amend the Clean Air Act to establish deadlines by which the Administrator of the Environmental Protection Agency shall issue a decision on whether to grant certain waivers of preemption under that Act.

August 2, 2007

Reported with an amendment