

110TH CONGRESS
2^D SESSION

S. 2146

AN ACT

To authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects, 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,*

1 **SECTION 1. EPA AUTHORITY TO ACCEPT DIESEL EMIS-**
2 **SIONS REDUCTION SUPPLEMENTAL ENVI-**
3 **RONMENTAL PROJECTS.**

4 The Administrator of the Environmental Protection
5 Agency (hereinafter, the “Agency”) may accept (notwith-
6 standing sections 3302 and 1301 of title 31, United States
7 Code) diesel emissions reduction Supplemental Environ-
8 mental Projects if the projects, as part of a settlement
9 of any alleged violations of environmental law—

- 10 (1) protect human health or the environment;
- 11 (2) are related to the underlying alleged viola-
- 12 tions;
- 13 (3) do not constitute activities that the defend-
- 14 ant would otherwise be legally required to perform;
- 15 and
- 16 (4) do not provide funds for the staff of the
- 17 Agency or for contractors to carry out the Agency’s
- 18 internal operations.

Passed the Senate February 29, 2008.

Attest:

Secretary.

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