

117TH CONGRESS
2D SESSION

H. R. 8395

To amend the Clean Air Act to allow the Administrator of the Environmental Protection Agency, in identifying the best system of emission reduction for purposes of a standard of performance, to include measures that apply beyond an individual stationary source or category of stationary sources.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2022

Ms. OCASIO-CORTEZ introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to allow the Administrator of the Environmental Protection Agency, in identifying the best system of emission reduction for purposes of a standard of performance, to include measures that apply beyond an individual stationary source or category of stationary sources.

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 “EPA Regulatory Au-
5 thority Act of 2022”.

1 **SEC. 2. INCLUSION OF CONTROL MEASURES BEYOND AN**
2 **INDIVIDUAL SOURCE OR CATEGORY OF**
3 **SOURCES IN IDENTIFYING THE BEST SYSTEM**
4 **OF EMISSION REDUCTION.**

5 (a) IN GENERAL.—Section 111(a)(1) of the Clean
6 Air Act (42 U.S.C. 7411(a)(1)) is amended by adding at
7 the end the following: “For purposes of identifying the
8 best system of emission reduction, a system of emission
9 reduction may include measures that apply beyond an in-
10 dividual stationary source or category of stationary
11 sources, including measures that would reduce emissions
12 by altering the relative market share of such sources or
13 categories.”.

14 (b) DETERMINATIONS AUTHORIZED BY SECTION
15 111.—

16 (1) DEEMED AUTHORIZATION.—Each deter-
17 mination of the Environmental Protection Agency in
18 the Clean Power Plan with respect to a best system
19 of emission reduction for purposes of section 111 of
20 the Clean Air Act (42 U.S.C. 7411) is deemed to be
21 authorized by such section 111, as amended by sub-
22 section (a).

23 (2) CLEAN POWER PLAN DEFINED.—In this
24 subsection, the term “Clean Power Plan” means the
25 final rule titled “Carbon Pollution Emission Guide-
26 lines for Existing Stationary Sources: Electric Util-

1 ity Generating Units” published in the Federal Reg-
2 ister by the Environmental Protection Agency on
3 October 23, 2015 (80 Fed. Pub. 64662 et seq.).

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