

Mr. LATTI has offered an amendment that strikes at the heart of the Clean Air Act by requiring the EPA to prioritize cost over public health when setting national air quality standards. These standards form the foundation of why we have been able to clean up air pollution, and Mr. LATTI wants to throw it out the window.

The Acting CHAIR. The time of the gentleman has expired.

Mr. RUSH. I urge my colleagues to oppose this bill.

Mr. KINZINGER of Illinois. Mr. Chairman, can I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 1 minute.

Mr. KINZINGER of Illinois. I yield the balance of my time to my good friend from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. I thank my colleague from Illinois for yielding to me.

The EPA is currently developing a tier 3 rulemaking that would further reduce sulfur levels in gasoline to an average of 10 parts per million, a 70 percent change from today's already low standards, while reducing the gasoline volatility.

□ 1010

The EPA is expected to issue a proposed rule by the end of this year. The problem we have is that in the Energy Independence and Security Act of 2007, section 209 required the EPA to conduct a study 18 months after the enactment to determine whether the renewable fuels required by the section would adversely impact air quality and not later than 3 years after that enactment. The problem is EPA has not finished that study we require them to conduct even before these new regulations. Now they're moving forward with a rule with a half-baked study, and that's why I support this amendment to the TRAIN Act, Mr. Chairman. This is not a delay amendment. This is just to make sure we don't get the cart in front of the horse, and we need to have that study finished before the EPA moves forward with that sulfur criteria.

That's why I support my colleague from Illinois' and my colleague from Texas' amendment, and I encourage my colleagues to support it.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. KINZINGER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. RUSH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

The Committee will rise informally.

The SPEAKER pro tempore (Mr. KINZINGER of Illinois) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title.

H.R. 2883. An act to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

The Committee resumed its sitting.

AMENDMENT NO. 6 OFFERED BY MR. DENT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-213.

Mr. DENT. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, after line 20, insert the following:

(I) "National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants", published at 75 Fed. Reg. 54970 (September 9, 2010).

The Acting CHAIR. Pursuant to House Resolution 406, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Thank you, Mr. Chairman.

This amendment simply adds the National Emission Standards for Hazardous Air Pollutants, NESHAP or Cement MACT, to the covered rules within H.R. 2401. Reasonable efforts to limit the emissions of hazardous pollutants by cement manufacturing facilities are most certainly appropriate, but EPA has failed to craft effective and efficient regulations.

These NESHAP standards will be very, very difficult and extremely costly for domestic cement manufacturers to meet, severely jeopardizing the ability of an essential American basic industry to remain competitive with foreign importers. Including NESHAP and H.R. 2401 will allow the loss of American jobs and the weakening of domestic manufacturers' global competitiveness to become key considerations during the completion of the rulemaking process.

We must understand the impacts of these rules on jobs and our manufacturing competitiveness. Here now are some simple, basic facts about the American cement industry, and I represent the largest cement-producing district in America. I'm cochair of the Cement Caucus along with cosponsor MIKE ROSS of Arkansas. This industry employs about 13,000 Americans. Four thousand of those jobs have been lost

since 2008. There are 97 cement plants in America producing today, and there's a presence in nearly every State as well, I might add. Cement is an absolutely essential basic industry in American manufacturing. It plays a major role in the development of our Nation's infrastructure.

I think we need to better understand some of this background, too, regarding these NESHAP rules.

NESHAP, of course, amends EPA's maximum achievable control technology, or MACT, and performance standards for cement kilns. And this is utilizing an unrealistic pollutant-by-pollutant approach for application of MACT. MACT requirements are designed to direct industries toward the pollution control technology used by the best performers in a certain industry sector. It cobbles together a range of different performance characteristics applicable to different pollutants without determining if it is feasible or even possible for any one kiln to comply with all of these standards.

The truth is there is not a single cement manufacturing plant in America that can comply with all of these standards simultaneously. The chemical composition, too, of key cement inputs, such as limestone, vary from region to region. Consequently, NESHAP will have disproportionate impacts on different manufacturing locations across the country simply based on the type of limestone being used in the process of manufacturing cement.

We should talk, too, about the impacts on the domestic cement industry: \$2.2 billion worth of compliance costs, and that's an EPA estimate; \$3.4 billion in compliance costs, and that's the industry estimate. So there's a lot of cost here. We're in the billions.

There are numerous plants. There are estimates that from 12 to 18 of these plants across the country may be idle or permanently shut down. And these are massive facilities with tremendous capital investment. And we believe that the national price for Portland cement may increase by 5.4 percent. Domestic production will fall by 11 percent. Thousands of high-quality jobs could or would be lost.

One major domestic cement producer has already publicly announced that, due to other regulatory uncertainties of this NESHAP and other pending regulations, it is halting construction of a new state-of-the-art cement kiln, suspending over \$350 million in new investment and the creation of over 1,500 construction jobs.

With respect to global emissions, what will this mean? The reduction of domestic production of cement will naturally lead to an increase in our Nation's reliance on foreign cement. And I can assure you those foreign producers are not going to be complying with the NESHAP rules. So this is going to shift overseas production and will likely increase global greenhouse emissions in two ways: