

110TH 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.

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## 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, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## 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,*

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

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

6 “(f) WAIVERS OF PREEMPTION.—

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

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

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

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

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