

## Calendar No. 86

112TH CONGRESS  
1ST SESSION**H. R. 2021**

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IN THE SENATE OF THE UNITED STATES

JUNE 23, 2011

Received; read the first time

JUNE 27, 2011

Read the second time and placed on the calendar

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**AN ACT**

To amend the Clean Air Act regarding air pollution from  
Outer Continental Shelf activities.

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 “Jobs and Energy Per-  
5 mitting Act of 2011”.

6 **SEC. 2. AIR QUALITY MEASUREMENT.**

7 Section 328(a)(1) of the Clean Air Act (42 U.S.C.  
8 7627(a)(1)) is amended by inserting before the period at  
9 the end of the second sentence the following: “, except that  
10 any air quality impact of any OCS source shall be meas-

1 ured or modeled, as appropriate, and determined solely  
2 with respect to the impacts in the corresponding onshore  
3 area”.

4 **SEC. 3. OCS SOURCE.**

5 Section 328(a)(4)(C) of the Clean Air Act (42 U.S.C.  
6 7627(a)(4)(C)) is amended in the matter following clause  
7 (iii) by striking “shall be considered direct emissions from  
8 the OCS source” and inserting “shall be considered direct  
9 emissions from the OCS source but shall not be subject  
10 to any emission control requirement applicable to the  
11 source under subpart 1 of part C of title I of this Act.  
12 For platform or drill ship exploration, an OCS source is  
13 established at the point in time when drilling commences  
14 at a location and ceases to exist when drilling activity ends  
15 at such location or is temporarily interrupted because the  
16 platform or drill ship relocates for weather or other rea-  
17 sons.”.

18 **SEC. 4. PERMITS.**

19 (a) PERMITS.—Section 328 of the Clean Air Act (42  
20 U.S.C. 7627) is amended by adding at the end thereof  
21 the following:

22 “(d) PERMIT APPLICATION.—In the case of a com-  
23 pleted application for a permit under this Act for platform  
24 or drill ship exploration for an OCS source—

1           “(1) final agency action (including any recon-  
2           sideration of the issuance or denial of such permit)  
3           shall be taken not later than 6 months after the date  
4           of filing such completed application;

5           “(2) the Environmental Appeals Board of the  
6           Environmental Protection Agency shall have no au-  
7           thority to consider any matter regarding the consid-  
8           eration, issuance, or denial of such permit;

9           “(3) no administrative stay of the effectiveness  
10          of such permit may extend beyond the date that is  
11          6 months after the date of filing such completed ap-  
12          plication;

13          “(4) such final agency action shall be consid-  
14          ered to be nationally applicable under section  
15          307(b); and

16          “(5) judicial review of such final agency action  
17          shall be available only in accordance with such sec-  
18          tion 307(b) without additional administrative review  
19          or adjudication.”.

20          (b) CONFORMING AMENDMENT.—Section 328(a)(4)  
21          of the Clean Air Act (42 U.S.C. 7627(a)(4)) is amended  
22          by striking “For purposes of subsections (a) and (b)” and  
23          inserting “For purposes of subsections (a), (b), and (d)”.

Passed the House of Representatives June 22, 2011.

Attest:

KAREN L. HAAS,

*Clerk.*

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