

112TH CONGRESS  
2D SESSION

# H. R. 4387

To allow for a reasonable compliance deadline for certain States subject to the Cross-State Air Pollution Rule.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2012

Mr. POMPEO (for himself, Ms. JENKINS, Mr. YODER, and Mr. HUELSKAMP) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To allow for a reasonable compliance deadline for certain States subject to the Cross-State Air Pollution Rule.

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. FINDING.**

4 Congress finds that an approximate 180-day period  
5 before which States and utilities are required to comply  
6 with certain new rules regarding maximum permissible  
7 emissions of ozone, sulfur dioxide, or nitrogen oxides  
8 under the Cross-State Air Pollution Rule is insufficient  
9 for those States and utilities to achieve that compliance.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-  
4 trator” means the Administrator of the Environ-  
5 mental Protection Agency.

6 (2) CLEAN AIR INTERSTATE RULE.—The term  
7 “Clean Air Interstate Rule” means the final rule  
8 promulgated by the Administrator entitled “Rule To  
9 Reduce Interstate Transport of Fine Particulate  
10 Matter and Ozone (Clean Air Interstate Rule); Revi-  
11 sions to Acid Rain Program; Revisions to the NOX  
12 SIP Call” (70 Fed. Reg. 25162 (May 12, 2005)).

13 (3) CROSS-STATE AIR POLLUTION RULE.—The  
14 term “Cross-State Air Pollution Rule” means the  
15 final rule promulgated by the Administrator entitled  
16 “Federal Implementation Plans: Interstate Trans-  
17 port of Fine Particulate Matter and Ozone and Cor-  
18 rection of SIP Approvals” (76 Fed. Reg. 48208 (Au-  
19 gust 8, 2011)) and revisions to that final rule enti-  
20 tled “Revisions to Federal Implementation Plans To  
21 Reduce Interstate Transport of Fine Particulate  
22 Matter and Ozone” (77 Fed. Reg. 10324 (February  
23 21, 2012)).

24 **SEC. 3. EXTENSION OF COMPLIANCE DEADLINE.**

25 Notwithstanding any other provision of law, a State  
26 that was not required to reduce emissions or levels of

1 ozone, sulfur dioxide, or nitrogen oxides under the Clean  
2 Air Interstate Rule shall not be required to comply with  
3 any requirement under the Cross-State Air Pollution Rule  
4 before January 1, 2017.

○