S. 77

To amend the Clean Air Act to reduce pollution and lower costs for building owners.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Clean Air Act to reduce pollution and lower costs for building owners.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pollution and Costs Reduction Act”.

SEC. 2. FINDINGS.

Congress finds that—

(1) actions taken to reduce emissions of air pol-
lutants, as defined in section 302 of the Clean Air
Act (42 U.S.C. 7602), will spur investments that
create new jobs and foster innovation and entrepreneurship in clean technology industries; and

(2) according to the Environmental Protection Agency—

(A) the average building wastes 30 percent of the energy consumed by the building because of inefficiency; and

(B) the operating costs of the nearly 5,000,000 buildings in the United States exceed $100,000,000,000 per year.

SEC. 3. BUILDING POLLUTION REDUCTION PROGRAM.

Section 105 of the Clean Air Act (42 U.S.C. 7405) is amended by adding at the end the following:

“(f) BUILDING POLLUTION REDUCTION PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) AIR POLLUTANT.—The term ‘air pollutant’ has the meaning given the term in section 302.

“(B) EMISSIONS.—The term ‘emissions’ means—

“(i) direct emissions of an air pollutant from sources that are owned or controlled by an owner of a building; and

“(ii) indirect emissions of an air pollutant resulting from the generation of
electricity, heat, or steam purchased by the
owner of a building.

“(2) PROGRAM.—The Administrator shall es-

tablish and carry out a program, to be known as the
‘Building Pollution Reduction Program’, to provide
assistance to owners of buildings in the United
States to reduce the emission of air pollutants and
building operating costs by—

“(A) constructing highly efficient buildings
in the United States; or

“(B) increasing the efficiency of and re-
ducing the emissions associated with existing
buildings in the United States.

“(3) REQUIREMENTS.—The Administrator shall
provide assistance under this section to owners of
buildings in the United States based on the extent
to which projects relating to the buildings of the
owners result in verifiable, additional, and enforce-
able reductions in emissions of air pollutants
through operational improvements such as—

“(A) improved energy efficiency;

“(B) increased water-use efficiency;

“(C) use of renewable energy sources; and

“(D) such additional measures, as deter-
mined by the Administrator, as will result in a
measurable decrease in emissions of air pollu-
tants.

“(4) PRIORITY.—In providing assistance under
this subsection, the Administrator shall give priority
to projects that—

“(A) achieve the following minimum scores
as evaluated by energy performance bench-
marking tools—

“(i) in new or renovated buildings
that demonstrate exemplary performance
by achieving—

“(I) a minimum score of 75 on
the benchmarking tool of the Energy
Star program established by section
324A of the Energy Policy and Con-
servation Act (42 U.S.C. 6294a); or

“(II) an equivalent score on an
established energy performance bench-
marking metric selected by the Ad-
ministrator, such as the metric used
for the National Building Rating Pro-
gram of the Department of Energy;
and

“(ii) in retrofitted existing buildings
that demonstrate—
“(I) substantial improvement in
the score or rating on the benchmarking tool described in clause (i) by
a minimum of 30 points; or

“(II) an equivalent improvement
using an established performance
benchmarking metric selected by the
Administrator;

“(B) are completed by building owners
with a proven track record of reducing pollution
through the measures described in paragraph
(3); and

“(C) result in measurable pollution reduction
benefits not encompassed within the
metrics of the Energy Star program described
in subparagraph (A)(i)(I).

“(5) AUTHORIZATION OF APPROPRIATIONS.—
There are authorized to be appropriated to the Ad-
ministrator to carry out this section such sums as
are necessary for each of fiscal years 2012 through
2016.”.