

115TH CONGRESS
2D SESSION

H. R. 4992

To amend the Clean Air Act to direct permitting authorities to notify municipalities within 30 miles of a source of certain permit applications and proposed permits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2018

Ms. ESTY of Connecticut (for herself and Mr. LANCE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to direct permitting authorities to notify municipalities within 30 miles of a source of certain permit applications and proposed permits, and for other purposes.

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 “Notify Officials,
5 Towns, Individuals, and Cities of Electric Generating Fa-
6 cilities Act of 2017” or the “NOTICE Act of 2017”.

1 **SEC. 2. CLEAN AIR ACT AMENDMENT.**

2 (a) AMENDMENT.—Section 505(a)(2) of the Clean
3 Air Act (42 U.S.C. 7661d(a)(2)) is amended to read as
4 follows:

5 “(2) The permitting authority shall notify—

6 “(A) all States—

7 “(i) whose air quality may be affected and
8 that are contiguous to the State in which the
9 emission originates, or

10 “(ii) that are within 50 miles of the source,
11 and

12 “(B) all municipalities that are within 30 miles
13 of the source,

14 of each permit application (and any application for a per-
15 mit modification or renewal) or proposed permit forwarded
16 to the Administrator under this section, and shall provide
17 an opportunity for such States and municipalities to sub-
18 mit written recommendations respecting the issuance of
19 the permit and its terms and conditions. If any part of
20 those recommendations are not accepted by the permitting
21 authority, such authority shall notify the State or munic-
22 ipality submitting the recommendations and the Adminis-
23 trator in writing of its failure to accept those recommenda-
24 tions and the reasons therefor.”.

25 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

1 (1) The heading of section 505 of the Clean Air
2 Act (42 U.S.C. 7661d) is amended by striking “**NO-**
3 **TIFICATION TO ADMINISTRATOR AND CONTIG-**
4 **UOUS STATES**” and inserting “**NOTIFICATION TO**
5 **ADMINISTRATOR, CONTIGUOUS STATES, AND**
6 **CERTAIN MUNICIPALITIES**”.

7 (2) The item relating to section 505 in the table
8 of contents of title V of the Clean Air Act (42
9 U.S.C. 7661 et seq.) is amended to read as follows:

“Sec. 505. Notification to Administrator, contiguous States, and certain municipalities.”.

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