

116TH CONGRESS
1ST SESSION

H. R. 2092

To direct the Administrator of the Environmental Protection Agency to set a health-protective numerical emission limitation for hydrogen cyanide under section 112 of the Clean Air Act (42 U.S.C. 7412), and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2019

Ms. DEGETTE introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Administrator of the Environmental Protection Agency to set a health-protective numerical emission limitation for hydrogen cyanide under section 112 of the Clean Air Act (42 U.S.C. 7412), 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 “Protecting Commu-
5 nities from Hydrogen Cyanide Act of 2019”.

1 **SEC. 2. PROTECTING PUBLIC HEALTH FROM HYDROGEN**
2 **CYANIDE POLLUTION.**

3 Section 112(n) of the Clean Air Act (42 U.S.C.
4 7412(n)) is amended by adding at the end the following:

5 “(8) HYDROGEN CYANIDE.—

6 “(A) NUMERICAL EMISSION LIMITATION.—

7 The Administrator shall, by regulation—

8 “(i) set a numerical emission limita-
9 tion for hydrogen cyanide from petroleum
10 refineries; and

11 “(ii) require—

12 “(I) real-time fence-line air moni-
13 toring of emissions of hydrogen cya-
14 nide at each petroleum refinery and
15 real-time online public reporting of
16 such monitoring;

17 “(II) a community release alert
18 system for residents exposed to emis-
19 sions of hydrogen cyanide from a pe-
20 troleum refinery; and

21 “(III) regular electronic report-
22 ing to the Administrator of all moni-
23 toring data related to emissions of hy-
24 drogen cyanide from each petroleum
25 refinery.

1 “(B) REQUIREMENTS.—In setting a nu-
2 merical emission limitation under subparagraph
3 (A), the Administrator shall—

4 “(i) require the maximum degree of
5 reduction in emissions that the Adminis-
6 trator determines is achievable, in accord-
7 ance with subsection (d);

8 “(ii) ensure an ample margin of safety
9 to protect public health and prevent an ad-
10 verse environmental effect;

11 “(iii) prevent adverse cumulative ef-
12 fects to fetal health, children’s health, and
13 the health of vulnerable subpopulations;

14 “(iv) consider the effects and risks of
15 exposure to hydrogen cyanide from mul-
16 tiple sources and in combination with expo-
17 sure to other pollutants; and

18 “(v) consider the best available
19 science, including as provided by the Na-
20 tional Academy of Sciences.

21 “(C) REGULATION.—

22 “(i) INITIAL REGULATION.—

23 “(I) DEADLINE.—The Adminis-
24 trator shall promulgate the initial reg-
25 ulation required under subparagraph

1 (A) not later than 2 years after the
2 date of enactment of this paragraph.

3 “(II) COMPLIANCE DATE.—The
4 compliance date for the initial regula-
5 tion required under subparagraph (A)
6 shall be not later than 3 years after
7 the date of enactment of this para-
8 graph.

9 “(ii) PUBLIC HEARINGS.—Before fi-
10 nalizing a regulation (or revision thereof)
11 required under subparagraph (A), the Ad-
12 ministrator shall hold at least 2 public
13 hearings in communities exposed to air
14 pollution from petroleum refineries.

15 “(D) SAVINGS CLAUSE.—Nothing in this
16 paragraph shall be interpreted to preclude or
17 deny the right of the Administrator or any
18 State or political subdivision thereof to adopt or
19 enforce emission standards, monitoring, or
20 other requirements that are more stringent
21 than the requirements herein.”.

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