To amend the Clean Air Act to allow the Administrator of the Environmental Protection Agency, in identifying the best system of emission reduction for purposes of a standard of performance, to include measures that apply beyond an individual stationary source or category of stationary sources.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2022

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

A BILL

To amend the Clean Air Act to allow the Administrator of the Environmental Protection Agency, in identifying the best system of emission reduction for purposes of a standard of performance, to include measures that apply beyond an individual stationary source or category of stationary sources.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “EPA Regulatory Authority Act of 2022”.
SEC. 2. INCLUSION OF CONTROL MEASURES BEYOND AN
INDIVIDUAL SOURCE OR CATEGORY OF
SOURCES IN IDENTIFYING THE BEST SYSTEM
OF EMISSION REDUCTION.

(a) In general.—Section 111(a)(1) of the Clean
Air Act (42 U.S.C. 7411(a)(1)) is amended by adding at
the end the following: “For purposes of identifying the
best system of emission reduction, a system of emission
reduction may include measures that apply beyond an in-
dividual stationary source or category of stationary
sources, including measures that would reduce emissions
by altering the relative market share of such sources or
categories.”.

(b) Determinations Authorized by Section
111.—

(1) Deemed authorization.—Each deter-
mination of the Environmental Protection Agency in
the Clean Power Plan with respect to a best system
of emission reduction for purposes of section 111 of
the Clean Air Act (42 U.S.C. 7411) is deemed to be
authorized by such section 111, as amended by sub-
section (a).

(2) Clean power plan defined.—In this
subsection, the term “Clean Power Plan” means the
final rule titled “Carbon Pollution Emission Guide-
lines for Existing Stationary Sources: Electric Utili-
ity Generating Units” published in the Federal Register by the Environmental Protection Agency on October 23, 2015 (80 Fed. Pub. 64662 et seq.).