

FEBRUARY 27, 2018

RULES COMMITTEE PRINT 115–62
TEXT OF H.R. 1917, BLOCKING REGULATORY IN-
TERFERENCE FROM CLOSING KILNS ACT OF
2017

**[Showing the text of H.R. 1917 and H.R. 453 as reported by
the Committee on Energy and Commerce.]**

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Blocking Regulatory
3 Interference from Closing Kilns Act of 2017”.

4 **SEC. 2. EXTENDING COMPLIANCE DATES (PENDING JUDI-**
5 **CIAL REVIEW) OF RULES ADDRESSING NA-**
6 **TIONAL EMISSION STANDARDS FOR HAZ-**
7 **ARDOUS AIR POLLUTANTS FOR BRICK AND**
8 **STRUCTURAL CLAY PRODUCTS MANUFAC-**
9 **TURING OR CLAY CERAMICS MANUFAC-**
10 **TURING.**

11 (a) EXTENSION OF COMPLIANCE DATES.—

12 (1) EXTENSION.—Each compliance date of any
13 final rule described in subsection (b) is deemed to be
14 extended by the time period equal to the time period
15 described in subsection (c).

16 (2) DEFINITION.—In this subsection, the term
17 “compliance date” means, with respect to any re-

1 requirement of a final rule described in subsection (b),
2 the date by which any State, local, or tribal govern-
3 ment or other person is first required to comply.

4 (b) FINAL RULES DESCRIBED.—A final rule de-
5 scribed in this subsection is any final rule to address na-
6 tional emission standards for hazardous air pollutants
7 (NESHAP) for brick and structural clay products manu-
8 facturing or clay ceramics manufacturing under section
9 112 of the Clean Air Act (42 U.S.C. 7412), including—

10 (1) the final rule entitled “NESHAP for Brick
11 and Structural Clay Products Manufacturing; and
12 NESHAP for Clay Ceramics Manufacturing” pub-
13 lished at 80 Fed. Reg. 65469 (October 26, 2015);

14 (2) the final rule entitled “NESHAP for Brick
15 and Structural Clay Products Manufacturing; and
16 NESHAP for Clay Ceramics Manufacturing: Correc-
17 tion” published at 80 Fed. Reg. 75817 (December
18 4, 2015); and

19 (3) any final rule that succeeds or amends the
20 rule described in paragraph (1) or (2).

21 (c) PERIOD DESCRIBED.—The time period described
22 in this subsection is the period of days that—

23 (1) begins on the date that is 60 days after the
24 day on which notice of promulgation of a final rule

1 described in subsection (b) appears in the Federal
2 Register; and

3 (2) ends on the date on which judgment be-
4 comes final, and no longer subject to further appeal
5 or review, in all actions (including actions that are
6 filed pursuant to section 307 of the Clean Air Act
7 (42 U.S.C. 7607))—

8 (A) that are filed during the 60 days de-
9 scribed in paragraph (1); and

10 (B) that seek review of any aspect of such
11 rule.

12 **SEC. 3. STEP 2 COMPLIANCE DATE FOR STANDARDS OF**
13 **PERFORMANCE FOR NEW RESIDENTIAL**
14 **WOOD HEATERS, NEW RESIDENTIAL**
15 **HYDRONIC HEATERS, AND FORCED-AIR FUR-**
16 **NACES.**

17 (a) IN GENERAL.—The Step 2 compliance date (as
18 such term is used in the final rule entitled “Standards
19 of Performance for New Residential Wood Heaters, New
20 Residential Hydronic Heaters and Forced-Air Furnaces”
21 published at 80 Fed. Reg. 13672 (March 16, 2015)) is
22 deemed to be May 15, 2023.

23 (b) CONFORMING CHANGES.—Not later than 60 days
24 after the date of enactment of this Act, the Administrator
25 of the Environmental Protection Agency shall make such

- 1 technical and conforming changes to rules and guidance
- 2 documents as may be necessary to implement subsection
- 3 (a).

