

105TH CONGRESS
1ST SESSION

H. R. 1984

To provide for a four-year moratorium on the establishment of new standards for ozone and fine particulate matter under the Clean Air Act, pending further implementation of the Clean Air Act Amendments of 1990, additional review and air quality monitoring under that Act.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1997

Mr. KLINK (for himself, Mr. BOUCHER, and Mr. UPTON) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide for a four-year moratorium on the establishment of new standards for ozone and fine particulate matter under the Clean Air Act, pending further implementation of the Clean Air Act Amendments of 1990, additional review and air quality monitoring under that Act.

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. FINDINGS.**

4 Congress finds that—

5 (1) the Clean Air Act Amendments of 1990 set
6 forth a number of measures or programs that ad-

1 dress ozone and particulate matter pollution and
2 their precursors;

3 (2) most of these measures or programs are
4 continuing or have yet to be implemented;

5 (3) the United States has made significant
6 progress on reducing atmospheric levels of ozone and
7 particulate matter since passage of the Clean Air
8 Act Amendments of 1990 and will continue to make
9 significant progress on reducing atmospheric levels
10 of ozone and particulate matter through continued
11 implementation of that Act for the next 5 years;

12 (4) changing the current national ambient air
13 quality standard for ozone, which is explicitly incor-
14 porated into subpart D of part I of the Clean Air
15 Act, could nullify many of the ozone provisions in
16 the Clean Air Act Amendments of 1990 and lead to
17 disruptions and delays in the reduction of ozone and
18 its precursors;

19 (5) both the Environmental Protection Agency
20 and the Clean Air Scientific Advisory Committee
21 have recommended that additional research be con-
22 ducted to determine any adverse health effects of
23 fine particles including the biological mechanism for
24 adverse health effects, toxicity and dose response

1 levels, and specification of the size and type of par-
2 ticle that might have adverse health effects; and

3 (6) there is a lack of atmospheric data regard-
4 ing fine particle levels in the United States and this
5 atmospheric monitoring data is necessary both to
6 further understanding of any adverse health effects
7 of fine particles and to provide a basis for designat-
8 ing areas under title I of the Clean Air Act.

9 **SEC. 2. MORATORIUM ON NEW STANDARDS AND REVIEW**
10 **OF CRITERIA.**

11 (a) MORATORIUM.—During the 4-year period after
12 the enactment of this Act, the Administrator of the Envi-
13 ronmental Protection Agency shall not promulgate any
14 new or revised national ambient air quality standards
15 under the Clean Air Act for ozone or fine particulate mat-
16 ter. Not later than 5 years after the date of the enactment
17 of this Act, the Administrator of the Environmental Pro-
18 tection Agency shall (1) complete a thorough review of the
19 air quality criteria published under section 108 of the
20 Clean Air Act for ozone and fine particulate matter and
21 a thorough review of the standards in effect under such
22 Act for ozone and particulate matter, and (2) determine,
23 in accordance with section 108 and 109 of such Act,
24 whether to retain such standards, whether to make revi-

1 sions in such criteria and standards, and whether to pro-
2 mulgate new standards.

3 (b) SPECIAL PROVISIONS RELATING TO PARTICU-
4 LATE MATTER.—In reviewing the air quality criteria for
5 particulate matter as provided in subsection (a), the Ad-
6 ministrator of the Environmental Protection Agency, in
7 consultation with the independent scientific review com-
8 mittee appointed under section 109(d)(2)(A) of the Clean
9 Air Act, shall—

10 (1) evaluate any adverse health effects of expo-
11 sure to airborne particulate matter;

12 (2) determine the amount and size of particles
13 inhaled and retained in the lungs; and

14 (3) investigate the biological mechanisms by
15 which particulate matter (based on its size, con-
16 centrations, and type) in ambient air may induce ad-
17 verse health effects.

18 (c) MONITORING.—For purposes of subsection (b),
19 the Administrator of the Environmental Protection Agen-
20 cy is authorized to require State implementation plans to
21 require ambient air quality monitoring for fine particulate
22 matter pursuant to section 110(a)(2)(B) of the Clean Air
23 Act, and the Administrator shall make grants to the
24 States to carry out such monitoring.

1 (d) AUTHORIZATION.—There are authorized to be ap-
2 propriated not more than \$75,000,000 for each of the fis-
3 cal years 1998 through 2002 to carry out this Act.

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