

106TH CONGRESS
1ST SESSION

H. R. 1705

To amend the Clean Air Act to waive the oxygen content requirement for reformulated gasoline and to phase-out the use of MTBE, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 1999

Mr. PALLONE introduced the following bill; which was referred to the
Committee on Commerce

A BILL

To amend the Clean Air Act to waive the oxygen content requirement for reformulated gasoline and to phase-out the use of MTBE, 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. WAIVER OF OXYGEN CONTENT REQUIREMENT**
4 **FOR CERTAIN REFORMULATED GASOLINE.**

5 Section 211(k)(2)(B) of the Clean Air Act (42 U.S.C.
6 7545(k)(2)(B)) is amended as follows:

7 (1) In the first sentence, by striking “The oxy-
8 gen” and inserting the following:

9 “(i) REQUIREMENT.—The oxygen”.

1 (2) In the second sentence—

2 (A) by striking “The Administrator” and
3 inserting the following:

4 “(ii) WAIVERS.—The Administrator”;

5 (B) by striking “area upon a” and insert-
6 ing the following: “area—

7 “(I) upon a”;

8 (C) by striking the period at the end and
9 inserting “; or”; and

10 (D) by adding at the end the following:

11 “(II) if the Administrator deter-
12 mines, by regulation, that reformu-
13 lated gasoline that contains less than
14 2.0 percent by weight oxygen and
15 meets all other requirements of this
16 subsection will achieve an equivalent
17 or greater reduction in total actual
18 emissions of ozone precursors, partic-
19 ulate matter, and potency-weighted
20 toxic air pollutants, respectively, than
21 that resulting from reformulated gaso-
22 line that contains at least 2.0 percent
23 by weight oxygen and meets all other
24 requirements of this subsection.”.

1 **SEC. 2. PHASE-OUT OF MTBE ADDITIVES.**

2 (a) AMENDMENT OF CLEAN AIR ACT.—Section
3 211(c) of the Clean Air Act (42 U.S.C. 7545(c)) is amend-
4 ed by adding at the end of paragraph (1) the following:
5 “The regulations under this paragraph shall prohibit the
6 use of methyl tertiary butyl ether (MTBE) as a fuel addi-
7 tive.”.

8 (b) REGULATIONS.—The Administrator of the Envi-
9 ronmental Protection Agency shall amend the regulations
10 under section 211(c)(1) of the Clean Air Act as promptly
11 as practicable after the date of enactment of this Act to
12 conform to the amendment made by this Act.

13 (c) EFFECTIVE DATE.—Subsection (a) shall take ef-
14 fect upon the expiration of the 3-year period beginning
15 on the date of the enactment of this Act unless the Sec-
16 retary of Energy determines at that time that there is an
17 inadequate supply or availability of gasoline or the Admin-
18 istrator of the Environmental Protection Agency deter-
19 mines that requirements of the Clean Air Act would not
20 be met.

21 **SEC. 3. NAS STUDY.**

22 The Administrator of the Environmental Protection
23 Agency shall enter into contracts or other appropriate ar-
24 rangements with the National Academy of Sciences to con-
25 duct a study of all oxygenates used as gasoline additives
26 and their combustion byproducts to determine the effects

1 of such additives and byproducts on public health and en-
2 vironment and the availability of alternatives. The results
3 of such study shall be made available to the public.

