

106TH CONGRESS  
1ST SESSION

# H. R. 25

To reduce acid deposition under the Clean Air Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

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

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## A BILL

To reduce acid deposition under the Clean Air Act, 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 “Acid Deposition and  
5       Ozone Control Act”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds that—

8               (1) reductions of atmospheric nitrogen oxide  
9       and sulfur dioxide from utility plants, in addition to  
10      the reductions required under the Clean Air Act (42  
11      U.S.C. 7401 et seq.), are needed to reduce acid dep-

1       osition and its serious adverse effects on public  
2       health, natural resources, building structures, sen-  
3       sitive ecosystems, and visibility;

4               (2) nitrogen oxide and sulfur dioxide contribute  
5       to the development of fine particulates, suspected of  
6       causing human mortality and morbidity to a signifi-  
7       cant extent;

8               (3) regional nitrogen oxide reductions of 50  
9       percent in the Eastern United States, in addition to  
10      the reductions required under the Clean Air Act,  
11      may be necessary to protect sensitive watersheds  
12      from the effects of nitrogen deposition;

13              (4) without reductions in nitrogen oxide and  
14      sulfur dioxide, the number of acidic lakes in the Adi-  
15      rondacks in the State of New York is expected to in-  
16      crease by up to 40 percent by 2040; and

17              (5) nitrogen oxide is highly mobile and can lead  
18      to ozone formation hundreds of miles from the emit-  
19      ting source.

20      (b) PURPOSES.—The purposes of this Act are—

21              (1) to recognize the current scientific under-  
22      standing that emissions of nitrogen oxide and sulfur  
23      dioxide, and the acid deposition resulting from emis-  
24      sions of nitrogen oxide and sulfur dioxide, present a  
25      substantial human health and environmental risk;

1           (2) to require reductions in nitrogen oxide and  
2 sulfur dioxide emissions;

3           (3) to support the efforts of the Ozone Trans-  
4 port Assessment Group to reduce ozone pollution;

5           (4) to reduce utility emissions of nitrogen oxide  
6 by 70 percent from 1990 levels; and

7           (5) to reduce utility emissions of sulfur dioxide  
8 by 50 percent after the implementation of phase II  
9 sulfur dioxide requirements under section 405 of the  
10 Clean Air Act (42 U.S.C. 7651d).

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13           (1) ADMINISTRATOR.—The term “Adminis-  
14 trator” means the Administrator of the Environ-  
15 mental Protection Agency.

16           (2) AFFECTED FACILITY.—The term “affected  
17 facility” means a facility with 1 or more combustion  
18 units that serve at least 1 electricity generator with  
19 a capacity equal to or greater than 25 megawatts.

20           (3) NO<sub>x</sub> ALLOWANCE.—The term “NO<sub>x</sub> allow-  
21 ance” means a limited authorization under section  
22 4(3) to emit, in accordance with this Act, quantities  
23 of nitrogen oxide.

24           (4) MMBTU.—The term “mmBtu” means  
25 1,000,000 British thermal units.

1           (5) PROGRAM.—The term “Program” means  
2           the Nitrogen Oxide Allowance Program established  
3           under section 4.

4           (6) STATE.—The term “State” means the 48  
5           contiguous States and the District of Columbia.

6   **SEC. 4. NITROGEN OXIDE ALLOWANCE PROGRAM.**

7           (a) IN GENERAL.—

8           (1) ESTABLISHMENT.—Not later than 18  
9           months after the date of enactment of this Act, the  
10          Administrator shall establish a program to be known  
11          as the “Nitrogen Oxide Allowance Program”.

12          (2) SCOPE.—The Program shall be conducted  
13          in the 48 contiguous States and the District of Co-  
14          lumbia.

15          (3) NO<sub>x</sub> ALLOWANCES.—

16                (A) ALLOCATION.—The Administrator  
17                shall allocate under paragraph (4)—

18                      (i) for each of calendar years 2002  
19                      through 2004, 5,400,000 NO<sub>x</sub> allowances;  
20                      and

21                      (ii) for calendar year 2005 and each  
22                      calendar year thereafter, 3,000,000 NO<sub>x</sub>  
23                      allowances.

24                (B) USE.—Each NO<sub>x</sub> allowance shall au-  
25                thorize an affected facility to emit—

(i) 1 ton of nitrogen oxide during each of the months of October, November, December, January, February, March, and April of any year; or

(ii)  $\frac{1}{2}$  ton of nitrogen oxide during each of the months of May, June, July, August, and September of any year.

(4) ALLOCATION.—

(A) DEFINITION OF TOTAL ELECTRIC POWER.—In this paragraph, the term “total electric power” means all electric power generated by utility and nonutility generators for distribution, including electricity generated from solar, wind, hydro power, nuclear power, cogeneration facilities, and the combustion of fossil fuel.

(B) ALLOCATION OF ALLOWANCES.—The Administrator shall allocate annual NO<sub>x</sub> allowances to each of the States in proportion to the State’s share of the total electric power generated in all of the States.

(C) PUBLICATION.—The Administrator shall publish in the Federal Register a list of each State’s NO<sub>x</sub> allowance allocation—

1 (i) by December 1, 2000, for calendar  
2 years 2002 through 2004;

3 (ii) by December 1, 2002, for calendar  
4 years 2005 through 2007; and

5 (iii) by December 1 of each calendar  
6 year after 2002, for the calendar year that  
7 begins 61 months thereafter.

8 (5) INTRASTATE DISTRIBUTION.—

9 (A) IN GENERAL.—A State may submit to  
10 the Administrator a report detailing the dis-  
11 tribution of NO<sub>x</sub> allowances of the State to af-  
12 fected facilities in the State—

13 (i) not later than September 30,  
14 2001, for calendar years 2002 through  
15 2004;

16 (ii) not later than September 30,  
17 2003, for calendar years 2005 through  
18 2012; and

19 (iii) not later than September 30 of  
20 each calendar year after 2013, for the cal-  
21 endar year that begins 61 months there-  
22 after.

23 (B) ACTION BY THE ADMINISTRATOR.—If  
24 a State submits a report under subparagraph  
25 (A) not later than September 30 of the calendar

1 year specified in subparagraph (A), the Admin-  
2 istrator shall distribute the NO<sub>x</sub> allowances to  
3 affected facilities in the State as detailed in the  
4 report.

5 (C) LATE SUBMISSION OF REPORT.—A re-  
6 port submitted by a State after September 30  
7 of a specified year shall be of no effect.

8 (D) DISTRIBUTION IN ABSENCE OF A RE-  
9 PORT.—

10 (i) IN GENERAL.—Subject to sub-  
11 section (e), if a State does not submit a re-  
12 port under subparagraph (A) not later  
13 than September 30 of the calendar year  
14 specified in subparagraph (A), the Admin-  
15 istrator shall, not later than November 30  
16 of that calendar year, distribute the NO<sub>x</sub>  
17 allowances for the calendar years specified  
18 in subparagraph (A) to each affected facil-  
19 ity in the State in proportion to the af-  
20 fected facility's share of the total electric  
21 power generated in the State.

22 (ii) DETERMINATION OF FACILITY'S  
23 SHARE.—In determining an affected facili-  
24 ty's share of total electric power generated  
25 in a State, the Administrator shall con-

1           sider the net electric power generated by  
2           the facility and the State to be—

3                   (I) for calendar years 2002  
4                   through 2004, the average annual  
5                   amount of electric power generated,  
6                   by the facility and the State, respec-  
7                   tively, in calendar years 1997 through  
8                   1999;

9                   (II) for calendar years 2005  
10                  through 2012, the average annual  
11                  amount of electric power generated,  
12                  by the facility and the State, respec-  
13                  tively, in calendar years 1999 through  
14                  2001; and

15                  (III) for calendar year 2013 and  
16                  each calendar year thereafter, the  
17                  amount of electric power generated,  
18                  by the facility and the State, respec-  
19                  tively, in the calendar year 5 years  
20                  previous to the year for which the de-  
21                  termination is made.

22           (E) JUDICIAL REVIEW.—A distribution of  
23           NO<sub>x</sub> allowances by the Administrator under  
24           subparagraph (D) shall not be subject to judi-  
25           cial review.



1 (b) NO<sub>x</sub> ALLOWANCE TRANSFER SYSTEM.—

2 (1) IN GENERAL.—Not later than 18 months  
3 after the date of enactment of this Act, the Adminis-  
4 trator shall promulgate a NO<sub>x</sub> allowance system reg-  
5 ulation under which a NO<sub>x</sub> allowance allocated  
6 under this Act may be transferred among affected  
7 facilities and any other person.

8 (2) ESTABLISHMENT.—The regulation shall es-  
9 tablish the NO<sub>x</sub> allowance system under this section,  
10 including requirements for the allocation, transfer,  
11 and use of NO<sub>x</sub> allowances under this Act.

12 (3) USE OF NO<sub>x</sub> ALLOWANCES.—The regulation  
13 shall—

14 (A) prohibit the use (but not the transfer  
15 in accordance with paragraph (5)) of any NO<sub>x</sub>  
16 allowance before the calendar year for which  
17 the NO<sub>x</sub> allowance is allocated; and

18 (B) provide that the unused NO<sub>x</sub> allow-  
19 ances shall be carried forward and added to  
20 NO<sub>x</sub> allowances allocated for subsequent years.

21 (4) CERTIFICATION OF TRANSFER.—A transfer  
22 of a NO<sub>x</sub> allowance shall not be effective until a  
23 written certification of the transfer, signed by a re-  
24 sponsible official of the person making the transfer,  
25 is received and recorded by the Administrator.

1       (c) NO<sub>x</sub> ALLOWANCE TRACKING SYSTEM.—Not later  
2 than 18 months after the date of enactment of this Act,  
3 the Administrator shall promulgate regulations for  
4 issuing, recording, and tracking the use and transfer of  
5 NO<sub>x</sub> allowances that shall specify all necessary procedures  
6 and requirements for an orderly and competitive function-  
7 ing of the NO<sub>x</sub> allowance system.

8       (d) PERMIT REQUIREMENTS.—A NO<sub>x</sub> allowance allo-  
9 cation or transfer shall, on recordation by the Adminis-  
10 trator, be considered to be a part of each affected facility's  
11 operating permit requirements, without a requirement for  
12 any further permit review or revision.

13       (e) NEW SOURCE RESERVE.—

14           (1) IN GENERAL.—For a State for which the  
15 Administrator distributes NO<sub>x</sub> allowances under  
16 subsection (a)(5)(D), the Administrator shall place  
17 10 percent of the total annual NO<sub>x</sub> allowances of the  
18 State in a new source reserve to be distributed by  
19 the Administrator—

20                   (A) for calendar years 2002 through 2005,  
21           to sources that commence operation after 1998;

22                   (B) for calendar years 2006 through 2011,  
23           to sources that commence operation after 2000;  
24           and

1 (C) for calendar year 2012 and each cal-  
2 endar year thereafter, to sources that com-  
3 mence operation after the calendar year that is  
4 5 years previous to the year for which the dis-  
5 tribution is made.

6 (2) SHARE.—For a State for which the Admin-  
7 istrator distributes NO<sub>x</sub> allowances under subsection  
8 (a)(5)(D), the Administrator shall distribute to each  
9 new source a number of NO<sub>x</sub> allowances sufficient to  
10 allow emissions by the source at a rate equal to the  
11 lesser of the new source performance standard or  
12 the permitted level for the full nameplate capacity of  
13 the source, adjusted pro rata for the number of  
14 months of the year during which the source oper-  
15 ates.

16 (3) UNUSED NO<sub>x</sub> ALLOWANCES.—

17 (A) IN GENERAL.—During the period of  
18 calendar years 2000 through 2005, the Admin-  
19 istrator shall conduct auctions at which a NO<sub>x</sub>  
20 allowance remaining in the new source reserve  
21 that has not been distributed under paragraph  
22 (2) shall be offered for sale.

23 (B) OPEN AUCTIONS.—An auction under  
24 subparagraph (A) shall be open to any person.

25 (C) CONDUCT OF AUCTION.—

1 (i) METHOD OF BIDDING.—A person  
2 wishing to bid for a NO<sub>x</sub> allowance at an  
3 auction under subparagraph (A) shall sub-  
4 mit (by a date set by the Administrator) to  
5 the Administrator (on a sealed bid sched-  
6 ule provided by the Administrator) an offer  
7 to purchase a specified number of NO<sub>x</sub> al-  
8 lowances at a specified price.

9 (ii) SALE BASED ON BID PRICE.—A  
10 NO<sub>x</sub> allowance auctioned under subpara-  
11 graph (A) shall be sold on the basis of bid  
12 price, starting with the highest priced bid  
13 and continuing until all NO<sub>x</sub> allowances  
14 for sale at the auction have been sold.

15 (iii) NO MINIMUM PRICE.—A mini-  
16 mum price shall not be set for the pur-  
17 chase of a NO<sub>x</sub> allowance auctioned under  
18 subparagraph (A).

19 (iv) REGULATIONS.—The Adminis-  
20 trator, in consultation with the Secretary  
21 of the Treasury, shall promulgate a regula-  
22 tion to carry out this paragraph.

23 (D) USE OF NO<sub>x</sub> ALLOWANCES.—A NO<sub>x</sub>  
24 allowance purchased at an auction under sub-  
25 paragraph (A) may be used for any purpose

1 and at any time after the auction that is per-  
2 mitted for use of a NO<sub>x</sub> allowance under this  
3 Act.

4 (E) PROCEEDS OF AUCTION.—The pro-  
5 ceeds from an auction under this paragraph  
6 shall be distributed to the owner of an affected  
7 source in proportion to the number of allow-  
8 ances that the owner would have received but  
9 for this subsection.

10 (f) NATURE OF NO<sub>x</sub> ALLOWANCES.—

11 (1) NOT A PROPERTY RIGHT.—A NO<sub>x</sub> allow-  
12 ance shall not be considered to be a property right.

13 (2) LIMITATION OF NO<sub>x</sub> ALLOWANCES.—Not-  
14 withstanding any other provision of law, the Admin-  
15 istrator may terminate or limit a NO<sub>x</sub> allowance.

16 (g) PROHIBITIONS.—

17 (1) IN GENERAL.—After January 1, 2000, it  
18 shall be unlawful—

19 (A) for the owner or operator of an af-  
20 fected facility to operate the affected facility in  
21 such a manner that the affected facility emits  
22 nitrogen oxides in excess of the amount per-  
23 mitted by the quantity of NO<sub>x</sub> allowances held  
24 by the designated representative of the affected  
25 facility; or

1 (B) for any person to hold, use, or transfer  
2 a NO<sub>x</sub> allowance allocated under this Act, ex-  
3 cept as provided under this Act.

4 (2) OTHER EMISSION LIMITATIONS.—Section  
5 407 of the Clean Air Act (42 U.S.C. 7651f) is re-  
6 pealed.

7 (3) TIME OF USE.—A NO<sub>x</sub> allowance may not  
8 be used before the calendar year for which the NO<sub>x</sub>  
9 allowance is allocated.

10 (4) PERMITTING, MONITORING, AND ENFORCE-  
11 MENT.—Nothing in this section affects—

12 (A) the permitting, monitoring, and en-  
13 forcement obligations of the Administrator  
14 under the Clean Air Act (42 U.S.C. 7401 et  
15 seq.); or

16 (B) the requirements and liabilities of an  
17 affected facility under that Act.

18 (h) SAVINGS PROVISIONS.—Nothing in this section—

19 (1) affects the application of, or compliance  
20 with, the Clean Air Act (42 U.S.C. 7401 et seq.) for  
21 an affected facility, including the provisions related  
22 to applicable national ambient air quality standards  
23 and State implementation plans;

1           (2) requires a change in, affects, or limits any  
2       State law regulating electric utility rates or charges,  
3       including prudency review under State law;

4           (3) affects the application of the Federal Power  
5       Act (16 U.S.C. 791a et seq.) or the authority of the  
6       Federal Energy Regulatory Commission under that  
7       Act; or

8           (4) interferes with or impairs any program for  
9       competitive bidding for power supply in a State in  
10      which the Program is established.

11 **SEC. 5. INDUSTRIAL SOURCE MONITORING.**

12       Section 412(a) of the Clean Air Act (42 U.S.C.  
13   7651k(a)) is amended in the first sentence by inserting  
14   “, or of any industrial facility with a capacity of 100 or  
15   more mmBtu’s per hour,” after “The owner and operator  
16   of any source subject to this title”.

17 **SEC. 6. EXCESS EMISSIONS PENALTY.**

18       (a) IN GENERAL.—

19           (1) LIABILITY.—The owner or operator of an  
20      affected facility that emits nitrogen oxides in any  
21      calendar year in excess of the NO<sub>x</sub> allowances the  
22      owner or operator holds for use for the facility for  
23      that year shall be liable for the payment of an excess  
24      emissions penalty.

1           (2) CALCULATION.—The excess emissions pen-  
2           alty shall be calculated by multiplying \$6,000 by the  
3           quantity that is equal to—

4                   (A) the quantity of NO<sub>x</sub> allowances that  
5                   would authorize the nitrogen oxides emitted by  
6                   the facility for the calendar year; minus

7                   (B) the quantity of NO<sub>x</sub> allowances that  
8                   the owner or operator holds for use for the fa-  
9                   cility for that year.

10          (3) OVERLAPPING PENALTIES.—A penalty  
11          under this section shall not diminish the liability of  
12          the owner or operator of an affected facility for any  
13          fine, penalty, or assessment against the owner or op-  
14          erator for the same violation under any other provi-  
15          sion of law.

16          (b) EXCESS EMISSIONS OFFSET.—

17                (1) IN GENERAL.—The owner or operator of an  
18                affected facility that emits nitrogen oxide during a  
19                calendar year in excess of the NO<sub>x</sub> allowances held  
20                for the facility for the calendar year shall offset in  
21                the following calendar year a quantity of NO<sub>x</sub> allow-  
22                ances equal to the number of NO<sub>x</sub> allowances that  
23                would authorize the excess nitrogen oxides emitted.

24                (2) PROPOSED PLAN.—Not later than 60 days  
25                after the end of the year in which excess emissions



1 occur, the owner or operator of an affected facility  
2 shall submit to the Administrator and the State in  
3 which the affected facility is located a proposed plan  
4 to achieve the offset required under paragraph (1).

5 (3) CONDITION OF PERMIT.—On approval of  
6 the proposed plan by the Administrator, as submit-  
7 ted, or as modified or conditioned by the Adminis-  
8 trator, the plan shall be considered a condition of  
9 the operating permit for the affected facility without  
10 further review or revision of the permit.

11 (c) PENALTY ADJUSTMENT.—The Administrator  
12 shall annually adjust the amount of the penalty specified  
13 in subsection (a) to reflect changes in the Consumer Price  
14 Index for all urban consumers published by the Bureau  
15 of Labor Statistics.

16 **SEC. 7. SULFUR DIOXIDE ALLOWANCE PROGRAM REVI-**  
17 **SIONS.**

18 Section 402 of the Clean Air Act (42 U.S.C. 7651a)  
19 is amended by striking paragraph (3) and inserting the  
20 following:

21 “(3) ALLOWANCE.—The term ‘allowance’  
22 means an authorization, allocated to an affected unit  
23 by the Administrator under this title, to emit, during  
24 or after a specified calendar year—

1                   “(A) in the case of allowances allocated for  
2                   calendar years 1997 through 2004, 1 ton of  
3                   sulfur dioxide; and

4                   “(B) in the case of allowances allocated for  
5                   calendar year 2005 and each calendar year  
6                   thereafter, ½ ton of sulfur dioxide.”.

7 **SEC. 8. REGIONAL ECOSYSTEMS.**

8           (a) REPORT.—

9                   (1) IN GENERAL.—Not later than December 31,  
10                  2004, the Administrator shall submit to Congress a  
11                  report identifying objectives for scientifically credible  
12                  environmental indicators, as determined by the Ad-  
13                  ministrator, that are sufficient to protect sensitive  
14                  ecosystems of the Adirondack Mountains, mid-Appa-  
15                  lachian Mountains, Rocky Mountains, and Southern  
16                  Blue Ridge Mountains and water bodies of the Great  
17                  Lakes, Lake Champlain, Long Island Sound, and  
18                  the Chesapeake Bay.

19                  (2) ACID NEUTRALIZING CAPACITY.—The re-  
20                  port under paragraph (1) shall—

21                         (A) include acid neutralizing capacity as  
22                         an indicator; and

23                         (B) identify as an objective under para-  
24                         graph (1) the objective of increasing the propor-  
25                         tion of water bodies in sensitive receptor areas

1 with an acid neutralizing capacity greater than  
2 zero from the proportion identified in surveys  
3 begun in 1984.

4 (3) UPDATED REPORT.—Not later than Decem-  
5 ber 31, 2008, the Administrator shall submit to  
6 Congress a report updating the report under para-  
7 graph (1) and assessing the status and trends of  
8 various environmental indicators for the regional  
9 ecosystems referred to in paragraph (1).

10 (4) REPORTS UNDER THE NATIONAL ACID PRE-  
11 CIPITATION ASSESSMENT PROGRAM.—The reports  
12 under this subsection shall be subject to the require-  
13 ments applicable to a report under section  
14 103(j)(3)(E) of the Clean Air Act (42 U.S.C.  
15 7403(j)(3)(E)).

16 (b) REGULATIONS.—

17 (1) DETERMINATION.—Not later than Decem-  
18 ber 31, 2008, the Administrator shall determine  
19 whether emissions reductions under section 4 are  
20 sufficient to ensure achievement of the objectives  
21 stated in subsection (a)(1).

22 (2) PROMULGATION.—If the Administrator de-  
23 termines under paragraph (1) that emissions reduc-  
24 tions under section 4 are not sufficient to ensure  
25 achievement of the objectives identified in subsection

1 (a)(1), the Administrator shall promulgate, not later  
2 than 2 years after making the finding, such regula-  
3 tions, including modification of nitrogen oxide and  
4 sulfur dioxide allowance allocations or any such  
5 measure, as the Administrator determines are nec-  
6 essary to protect the sensitive ecosystems described  
7 in subsection (a)(1).

8 **SEC. 9. GENERAL COMPLIANCE WITH OTHER PROVISIONS.**

9 Except as expressly provided in this Act, compliance  
10 with this Act shall not exempt or exclude the owner or  
11 operator of an affected facility from compliance with any  
12 other law.

13 **SEC. 10. MERCURY EMISSION STUDY AND CONTROL.**

14 (a) STUDY AND REPORT.—The Administrator  
15 shall—

16 (1) study the practicality of monitoring mercury  
17 emissions from all combustion units that have a ca-  
18 pacity equal to or greater than 250 mmBtu's per  
19 hour; and

20 (2) not later than 2 years after the date of en-  
21 actment of this Act, submit to Congress a report on  
22 the results of the study.

23 (b) REGULATIONS CONCERNING MONITORING.—Not  
24 later than 1 year after the date of submission of the report  
25 under subsection (a), the Administrator shall promulgate

1 a regulation requiring the reporting of mercury emissions  
2 from units that have a capacity equal to or greater than  
3 250 mmBtu's per hour.

4 (c) EMISSION CONTROLS.—

5 (1) IN GENERAL.—Not later than 1 year after  
6 the commencement of monitoring activities under  
7 subsection (b), the Administrator shall promulgate a  
8 regulation controlling electric utility and industrial  
9 source emissions of mercury.

10 (2) FACTORS.—The regulation shall take into  
11 account technological feasibility, cost, and the pro-  
12 jected reduction in levels of mercury emissions that  
13 will result from implementation of this Act.

14 **SEC. 11. DEPOSITION RESEARCH BY THE ENVIRONMENTAL**  
15 **PROTECTION AGENCY.**

16 (a) IN GENERAL.—The Administrator shall establish  
17 a competitive grant program to fund research related to  
18 the effects of nitrogen deposition on sensitive watersheds  
19 and coastal estuaries in the Eastern United States.

20 (b) CHEMISTRY OF LAKES AND STREAMS.—

21 (1) INITIAL REPORT.—Not later than Septem-  
22 ber 30, 2001, the Administrator shall submit to the  
23 Committee on Environment and Public Works of the  
24 Senate and the Committee on Resources of the  
25 House of Representatives a report on the health and

1 chemistry of lakes and streams of the Adirondacks  
2 that were subjects of the report transmitted under  
3 section 404 of Public Law 101–549 (commonly  
4 known as the “Clean Air Act Amendments of  
5 1990”) (104 Stat. 2632).

6 (2) FOLLOWING REPORT.—Not later than 2  
7 years after the date of the report under paragraph  
8 (1), the Administrator shall submit a report updat-  
9 ing the information contained in the initial report.

10 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
11 are authorized to be appropriated—

12 (1) to carry out subsection (a), \$1,000,000 for  
13 each of fiscal years 2000 through 2005; and

14 (2) to carry out subsection (b), \$1,000,000 for  
15 each of fiscal years 2000, 2001, 2007, and 2008.

○