

106TH CONGRESS
1ST SESSION

H. R. 2900

To reduce emissions from electric powerplants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 1999

Mr. WAXMAN (for himself, Mr. BOEHLERT, Mr. OLVER, Ms. DELAURO, Mr. HINCHEY, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mr. FARR of California, Mr. VENTO, Mr. KENNEDY of Rhode Island, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. JACKSON of Illinois, Mr. MORAN of Virginia, Mr. LANTOS, and Mr. KUCINICH) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To reduce emissions from electric powerplants, 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 “Clean Smokestacks
5 Act of 1999”.

6 **SEC. 2. REDUCING EMISSIONS FROM POWERPLANTS.**

7 Part A of title I of the Clean Air Act (42 U.S.C. 7401
8 et seq.) is amended by adding at the end the following
9 section:

1 “REDUCING EMISSIONS FROM POWERPLANTS

2 “SEC. 132. (a) EMISSION REDUCTION OBJEC-
3 TIVES.—The emissions reduction objectives of this section
4 are to—

5 “(1) reduce aggregate sulfur dioxide emissions
6 from powerplants from 1997 levels by 75 percent by
7 January 1, 2005;

8 “(2) reduce aggregate emissions of nitrogen ox-
9 ides from powerplants from 1997 levels by 75 per-
10 cent by January 1, 2005;

11 “(3) reduce aggregate carbon dioxide emissions
12 from powerplants by January 1, 2005, to the level
13 of carbon dioxide emissions from powerplants in
14 1990; and

15 “(4) reduce aggregate mercury emissions from
16 powerplants from 1997 levels by 90 percent by Jan-
17 uary 1, 2005.

18 “(b) AGENCY ACTION.—Not later than 2 years after
19 the enactment of this section, the Administrator shall pro-
20 mulgate regulations to achieve the emissions reduction ob-
21 jectives specified in subsection (a). Such regulations shall
22 achieve the objectives in a manner that the Administrator
23 determines will allocate required emission reductions equi-
24 tably, taking into account emission reductions achieved
25 prior to enactment of this section and other relevant fac-

1 tors, and may include market-oriented mechanisms where
2 appropriate, such as emission trading mechanisms. Such
3 regulations shall prevent localized adverse effects on public
4 health and the environment and shall prohibit emission
5 trading in mercury.

6 “(c) ADDITIONAL REDUCTIONS.—The Administrator
7 may require additional reductions in emissions from pow-
8 erplants in the regulations under subsection (b) if the Ad-
9 ministrator determines that the emissions levels necessary
10 to achieve the objectives specified in subsection (a) would
11 not be reasonably anticipated to protect public health or
12 welfare.

13 “(d) MODERNIZATION OF OUTDATED POWER-
14 PLANTS.—(1) On the later of the date that is 30 years
15 after the powerplant commenced operation or 5 years after
16 the enactment of this section, every outdated powerplant
17 shall comply with the most recent new source performance
18 standards promulgated under section 111, and with the
19 requirements under subparts C and D of this Act, applica-
20 ble to modified sources.

21 “(2) The requirements of this subsection shall be in
22 addition to the requirements of regulations issued under
23 subsection (b).

1 “(e) OTHER REQUIREMENTS.—This section shall not
2 affect the application of any other requirements of this
3 Act.

4 “(f) DEFINITION OF POWERPLANT.—For purposes of
5 this section—

6 “(1) The term ‘powerplant’ means an electric
7 generation facility with a nameplate capacity of 15
8 megawatts or greater that uses a combustion device
9 to generate electricity for sale.

10 “(2) The term ‘outdated powerplant’ means a
11 powerplant that has been in operation for 30 years
12 or more. Any period during which a powerplant is
13 out of service shall not be taken into account for
14 purposes of calculating the 30-year period.”.

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