

106TH CONGRESS
1ST SESSION

H. R. 3449

To amend the Clean Air Act to provide for a State waiver of the requirements concerning the oxygen content of gasoline.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1999

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

A BILL

To amend the Clean Air Act to provide for a State waiver of the requirements concerning the oxygen content of gasoline.

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. STATE WAIVER OF OXYGEN REQUIREMENTS.**

4 Section 211 of the Clean Air Act (42 U.S.C. 7545)
5 is amended by adding the following new subsection at the
6 end:

7 “(p) WAIVER OF OXYGEN REQUIREMENTS.—

8 “(1) IN GENERAL.—Upon the petition of any
9 State referred to in section 184(a), the Adminis-
10 trator shall waive or reduce (in accordance with the

1 State petition) any oxygen content requirement in
2 effect under subsection (k) for that State.

3 “(2) ACTION BY ENVIRONMENTAL PROTECTION
4 AGENCY.—Not later than 180 days after the date of
5 receipt of a petition submitted under paragraph (1),
6 the Administrator shall grant the petition. If, by the
7 date that is 180 days after the date of receipt of a
8 petition submitted under paragraph (1), the Admin-
9 istrator has not granted the petition, the petition
10 shall be deemed to be granted.

11 “(3) FEDERAL CONTROL OF FUEL
12 OXYGENATES.—The regulations under this section
13 shall be revised by January 1, 2001, to provide a
14 schedule for the reduction of the use of methyl ter-
15 tiary butyl ether (MTBE) in reformulated gasoline
16 (as defined in subsection (k)), introduced into com-
17 merce in any State for which a waiver or reduction
18 is in effect and referred to in section 184(a). By
19 January 1, 2005, the maximum content of MTBE
20 by volume for all gasoline shall be no more than 5
21 percent. Reductions below this amount, or on a
22 schedule different than that set out by regulation,
23 may only be authorized upon petition to the Admin-
24 istrator by a State for which a waiver or reduction
25 is in effect under this subsection, and only upon a

1 finding that further reduction of MTBE use is nec-
2 essary to protect human health or the environment.

3 “(4) AIR TOXIC EMISSION CONTROL ENHANCE-
4 MENT REQUIREMENT.—No manufacturer or proc-
5 essor of any fuel or fuel additive may sell, or offer
6 for sale, or introduce into commerce any reformu-
7 lated gasoline (as defined in subsection (k)) for re-
8 sale in any State for which a waiver or reduction is
9 in effect under this subsection unless the reduction
10 of aggregate emissions of toxic air pollutants from
11 baseline vehicles when using baseline gasoline shall
12 annually average at least 27 percent.

13 “(5) ASSURANCE OF ADEQUATE FUEL SUP-
14 PLY.—Any regulation for modification of fuel prop-
15 erties in this subsection shall be consistent with rea-
16 sonable schedules for necessary refinery investment
17 projects and appropriate fuel distribution system
18 modifications to assure adequate supply for the
19 States defined in section 184(a).”.

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