

108TH CONGRESS
1ST SESSION

H. R. 3419

To require the Administrator of the Environmental Protection Agency to conduct a feasibility study for applying airport bubbles as a method of identifying, assessing, and reducing the adverse environmental impacts of airport ground and flight operations and improving the overall quality of the environment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2003

Mr. ROTHMAN introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Administrator of the Environmental Protection Agency to conduct a feasibility study for applying airport bubbles as a method of identifying, assessing, and reducing the adverse environmental impacts of airport ground and flight operations and improving the overall quality of the environment, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Right to Know About
3 Airport Pollution Act of 2003”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—Congress finds that—

6 (1) the serious ground level ozone, noise, water
7 pollution, and solid waste disposal problems attend-
8 ant to airport operations require a thorough evalua-
9 tion of all significant sources of pollution;

10 (2) the Clean Air Act (42 U.S.C. 7401 et
11 seq.)—

12 (A) requires each State to reduce emis-
13 sions contributing to ground level ozone prob-
14 lems and maintain those reductions; and

15 (B) requires the Administrator of the En-
16 vironmental Protection Agency to study, in ad-
17 dition to other sources, the effects of sporadic,
18 extreme noise (such as jet noise near airports)
19 on public health and welfare;

20 (3) the Federal Water Pollution Control Act
21 (33 U.S.C. 1251 et seq.) establishes a regulatory
22 and enforcement program for discharges of wastes
23 into waters;

24 (4) the Safe Drinking Water Act (42 U.S.C.
25 300f et seq.) establishes primary drinking water
26 standards and a ground water control program;

1 (5) the Solid Waste Disposal Act (42 U.S.C.
2 6901 et seq.) regulates management and disposal of
3 solid and hazardous waste;

4 (6) a study of air pollution problems in Cali-
5 fornia—

6 (A) has determined that airports are sig-
7 nificant sources of air pollution; and

8 (B) has led to the creation of an airport
9 bubble concept; and

10 (7) the airport bubble concept is an approach
11 that—

12 (A) treats an airport and the area within
13 a specific radius around the airport as a single
14 source of pollution that emits a range of pollut-
15 ants, including air, noise, water, and solid
16 waste; and

17 (B) seeks, by implementation of specific
18 programs or regulations, to reduce the pollution
19 from each source within the bubble and thereby
20 reduce the overall pollution in that area.

21 (b) PURPOSE.—The purpose of this Act is to require
22 the Administrator to conduct—

23 (1) a feasibility study for applying airport bub-
24 bles to airports as a method of assessing and reduc-
25 ing, where appropriate, air, noise, water, and solid

1 waste pollution in and around the airports and im-
 2 proving overall environmental quality; and

3 (2) a study of air pollutant emission standards
 4 established by the Environmental Protection Agency
 5 for airplane engines to determine whether it is fea-
 6 sible and desirable to strengthen the standards.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) ADMINISTRATOR.—The term “Adminis-
 10 trator” means the Administrator of the Environ-
 11 mental Protection Agency.

12 (2) AIRPORT BUBBLE.—The term “airport bub-
 13 ble” means an area—

14 (A) in and around an airport (or other fa-
 15 cility using aircraft) within which sources of
 16 pollution and levels of pollution from those
 17 sources are to be identified and reduced; and

18 (B) containing a variety of types of air,
 19 noise, water, and solid waste sources of pollu-
 20 tion in which the aggregate of each type of pol-
 21 lutant from the respective sources is regulated
 22 as if the various sources were a single source.

23 **SEC. 4. STUDY OF USING AIRPORT BUBBLES.**

24 (a) IN GENERAL.—The Administrator shall conduct
 25 a study to determine the feasibility of regulating air, noise,

1 water, and solid waste pollution from all sources in and
2 around airports using airport bubbles.

3 (b) WORKING GROUP.—In conducting the study, the
4 Administrator shall establish and consult with a working
5 group comprised of—

6 (1) the Administrator of the Federal Aviation
7 Administration (or a designee);

8 (2) the Secretary of Defense (or a designee);

9 (3) the Secretary of Transportation (or a des-
10 igned);

11 (4) a representative of air quality districts;

12 (5) a representative of environmental research
13 groups;

14 (6) a representative of State Audubon Societies;

15 (7) a representative of the Sierra Club;

16 (8) a representative of the Nature Conservancy;

17 (9) a representative of port authorities of
18 States;

19 (10) an airport manager;

20 (11) a representative of commanding officers of
21 military air bases and stations;

22 (12) a representative of the bus lines that serve
23 airports who is familiar with the emissions testing
24 and repair records of those buses, the schedules of

1 those lines, and any problems with delays in service
2 caused by traffic congestion;

3 (13) a representative of the taxis and lim-
4 ousines that serve airports who is familiar with the
5 emissions testing and repair records of the taxis and
6 limousines and the volume of business generated by
7 the taxis and limousines;

8 (14) a representative of local law enforcement
9 agencies or other entities responsible for traffic con-
10 ditions in and around airports;

11 (15) a representative of the Air Transport As-
12 sociation;

13 (16) a representative of the Airports Council
14 International-North America;

15 (17) a representative of environmental special-
16 ists from airport authorities; and

17 (18) a representative from an aviation union
18 representing ground crews.

19 (c) REQUIRED ELEMENTS.—In conducting the study,
20 the Administrator shall—

21 (1) collect, analyze, and consider information on
22 the variety of stationary and mobile sources of air,
23 noise, water, and solid waste pollution within airport
24 bubbles around airports in the United States, includ-
25 ing—

1 (A) aircraft, vehicles, and equipment that
2 service aircraft (including main and auxiliary
3 engines); and

4 (B) buses, taxis, and limousines that serve
5 airports;

6 (2) study a statistically significant number of
7 airports serving commercial aviation in a manner de-
8 signed to obtain a representative sampling of such
9 airports;

10 (3) consider all relevant information that is
11 available, including State implementation plans
12 under the Clean Air Act (42 U.S.C. 7401 et seq.)
13 and airport master plans;

14 (4) consider the air quality implications of air-
15 port and ground and in-flight aircraft operations,
16 such as routing and delays;

17 (5) assess the role of airports in interstate and
18 international travel and commerce and the environ-
19 mental and economic impact of regulating airports
20 as significant sources of air, noise, water, and solid
21 waste pollution;

22 (6) propose boundaries of the areas to be in-
23 cluded within airport bubbles;

24 (7) propose a definition of air pollutant emis-
25 sions for airport bubbles that includes hydrocarbons,

1 volatile organic compounds, and other ozone precursors targeted for reduction under Federal air pollution law;

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4 (8) develop an inventory of each source of air, noise, water, and solid waste pollution to be regulated within airport bubbles and the level of reduction for each source;

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8 (9) list and evaluate programs that might be implemented to reduce air, noise, water, and solid waste pollution within airport bubbles and the environmental and economic impact of each of the programs, including any changes to Federal or State law (including regulations) that would be required for implementation of each of the programs;

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15 (10) evaluate the feasibility of regulating air, noise, water, and solid waste pollutants in and around airports using airport bubbles and make recommendations regarding which programs should be included in an effective implementation of airport bubble methodology; and

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21 (11) address the issues of air and noise pollution source identification and regulation that are unique to military air bases and stations.

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24 (d) REPORT.—Not later than 3 years after the date
25 of enactment of this Act, the Administration shall submit

1 to Congress a report describing the results and rec-
2 ommendations of the study required by this section.

3 **SEC. 5. STUDY OF EMISSION STANDARDS FOR AIRPLANE**
4 **ENGINES.**

5 (a) IN GENERAL.—The Administrator shall conduct
6 a study of air pollutant emission standards established by
7 the Environmental Protection Agency for airplane engines
8 to determine whether it is feasible and desirable to
9 strengthen the standards.

10 (b) REPORT.—Not later than 2 years after the date
11 of enactment of this Act, the Administrator shall submit
12 to Congress a report describing the results and rec-
13 ommendations of the study required by this section.

14 **SEC. 6. PROGRESS REPORTS.**

15 Not later than 1 year after the enactment of this Act,
16 and every year thereafter, the Administrator shall submit
17 to the appropriate congressional committees a report
18 which details the progress being made by the agency in
19 complying with section 4 and section 5 of this Act.

20 **SEC. 7. REPORTING OF TOXIC CHEMICAL RELEASES.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of enactment of this Act, the Administrator shall pro-
23 mulgate regulations requiring each airport that regularly
24 serves commercial or military jet aircraft to report, under
25 section 313 of the Emergency Planning and Community

1 Right-To-Know Act of 1986 (42 U.S.C. 11023) and sec-
2 tion 6607 of the Pollution Prevention Act of 1990 (42
3 U.S.C. 13106), releases and other waste management ac-
4 tivities associated with the manufacturing, processing, or
5 other use of toxic chemicals listed under section 313 of
6 the Emergency Planning and Community Right-To-Know
7 Act of 1986 (42 U.S.C. 11023), including toxic chemicals
8 manufactured, processed, or otherwise used—

9 (1) during operation and maintenance of air-
10 craft and other motor vehicles at the airport; and

11 (2) in the course of other airport and airline ac-
12 tivities.

13 (b) TREATMENT AS A FACILITY.—For the purpose
14 of subsection (a), an airport shall be considered to be a
15 facility as defined in section 329 of the Emergency Plan-
16 ning and Community Right-To-Know Act of 1986 (42
17 U.S.C. 11049).

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