

111TH CONGRESS  
1ST SESSION

# H. R. 1760

To mitigate the effects of black carbon emissions in the United States and throughout the world.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2009

Mr. INSLEE (for himself, Mr. WELCH, and Mr. HONDA) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Foreign Affairs and Science and Technology, 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 mitigate the effects of black carbon emissions in the United States and throughout the world.

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 “Black Carbon Emis-  
5 sions Reduction Act of 2009”.

### 6 **SEC. 2. BLACK CARBON.**

7 (a) FINDINGS.—The Congress finds the following:

1           (1) Black carbon is a particulate pollutant that  
2           contributes significantly to warming of the Earth's  
3           climate system by absorbing radiation, converting it  
4           into heat, and releasing heat energy into the atmos-  
5           phere. The atmospheric residence of black carbon is  
6           usually less than 2 weeks, making this pollutant an  
7           important candidate for policy action to immediately  
8           mitigate global warming, including the threat of ab-  
9           rupt climate change.

10          (2) Black carbon has a particularly detrimental  
11          impact on snow and ice-covered surfaces, such as the  
12          Arctic and the Tibetan Plateau, by reducing surface  
13          reflectivity and accelerating melting.

14          (3) Black carbon is a component of particulate  
15          matter regulated under the Clean Air Act, however  
16          it is not explicitly regulated as a global warming  
17          agent under United States law or by the United Na-  
18          tions Framework Convention on Climate Change or  
19          other international instruments.

20          (4) Through existing clean air programs, the  
21          United States has substantially reduced black car-  
22          bon emissions, but more can be done.

23          (5) Internationally, governments should help  
24          spur technological innovation and energy technology  
25          deployment in countries where major black carbon

1 emissions still occur through industrial activities, ve-  
2 hicle emissions, agriculture and forestry practices,  
3 and residential cooking and heating.

4 (6) Human exposure to black carbon is a seri-  
5 ous threat to public health in both developed and de-  
6 veloping countries. Actions to reduce exposure to  
7 black carbon will produce immediate and significant  
8 public health benefits.

9 (7) Taking immediate cost-effective and techno-  
10 logically feasible action to significantly reduce black  
11 carbon emissions will help protect the Arctic and  
12 other areas that are imminently threatened by  
13 warming.

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

15 (1) to immediately take action to reduce black  
16 carbon emissions;

17 (2) to identify cost-effective ways to achieve ad-  
18 ditional reductions of domestic and international  
19 black carbon emissions;

20 (3) to achieve the public health and environ-  
21 mental benefits of reduced black carbon emissions,  
22 including contributing to a reduction in the rate of  
23 global warming; and

1           (4) to take action to protect areas particularly  
2       affected by black carbon emissions, such as the Arc-  
3       tic.

4       (c) DEFINITIONS.—As used in this Act:

5           (1) The term “Administrator” means the Ad-  
6       ministrator of the Environmental Protection Agency.

7           (2) The term “black carbon” means the light-  
8       absorbing component of carbonaceous aerosols.

9       (d) BLACK CARBON ABATEMENT REPORT.—Not  
10   later than one year after the date of enactment of this  
11   Act, the Administrator shall, in consultation with other  
12   appropriate Federal agencies, submit to Congress a report  
13   regarding black carbon emissions. The report shall include  
14   the following:

15           (1) A summary of the current research that  
16       identifies—

17                (A) an inventory of the major sources of  
18       black carbon emissions in the United States  
19       and throughout the world, including—

20                   (i) an estimate of the quantity of cur-  
21       rent and projected future emissions; and

22                   (ii) the net climate forcing of the  
23       emissions from such sources, including  
24       consideration of co-emissions of other pol-  
25       lutants;

1 (B) effective and cost-effective control  
2 technologies, operations, and strategies for ad-  
3 ditional domestic and international black carbon  
4 emissions reductions, such as diesel retrofit  
5 technologies on existing on-road and off-road  
6 engines and programs to address residential  
7 cookstoves, forest burning, and other agri-  
8 culture-based burning;

9 (C) potential metrics quantifying the cli-  
10 matic effects of black carbon emissions, includ-  
11 ing its radiative forcing and warming effects,  
12 that may be used to compare the climate bene-  
13 fits of different mitigation strategies, including  
14 an assessment of the uncertainty in such  
15 metrics; and

16 (D) the public health and environmental  
17 benefits associated with additional controls for  
18 black carbon emissions.

19 (2) Recommendations regarding—

20 (A) development of additional emissions  
21 monitoring techniques and capabilities, mod-  
22 eling, and other black carbon-related areas of  
23 study;

24 (B) areas of focus for additional study of  
25 technologies, operations, and strategies with the

1           greatest potential to reduce emissions of black  
2           carbon; and

3           (C) actions, in addition to those identified  
4           by the Administrator pursuant to subsections  
5           (e) and (f), the Federal Government may take  
6           to encourage or require reductions in black car-  
7           bon emissions.

8           (e) DOMESTIC BLACK CARBON MITIGATION.—Not  
9           later than one year after the date of enactment of this  
10          Act, the Administrator, taking into consideration the pub-  
11          lic health and environmental impacts of black carbon emis-  
12          sions, including the effects on global warming, the Arctic,  
13          and other snow and ice-covered surfaces, shall propose  
14          regulations under the existing authorities of the Clean Air  
15          Act to reduce emissions of black carbon or propose a find-  
16          ing that existing regulations promulgated pursuant to  
17          such Act adequately regulate black carbon emissions. Not  
18          later than two years after the date of enactment of this  
19          Act, the Administrator shall promulgate final regulations  
20          under the existing authorities of the Clean Air Act or fi-  
21          nalize the proposed finding.

22          (f) INTERNATIONAL BLACK CARBON MITIGATION.—  
23                  (1) REPORT.—Not later than one year after the  
24          date of enactment of this section, the Administrator,  
25          in coordination with the Secretary of State and

1 other appropriate Federal agencies, shall transmit a  
2 report to Congress on the amount, type, and direc-  
3 tion of all present United States financial, technical,  
4 and related assistance to foreign countries to reduce,  
5 mitigate, and otherwise abate black carbon emis-  
6 sions.

7 (2) OTHER OPPORTUNITIES.—The report re-  
8 quired under paragraph (1) shall also identify oppor-  
9 tunities and recommendations, including action  
10 under existing authorities, to achieve significant  
11 black carbon emission reductions in foreign countries  
12 through technical assistance or other approaches  
13 to—

14 (A) promote sustainable solutions to bring  
15 clean, efficient, safe, and affordable stoves,  
16 fuels, or both stoves and fuels to residents of  
17 developing countries that are reliant on solid  
18 fuels such as wood, dung, charcoal, coal, or  
19 crop residues for home cooking and heating, so  
20 as to help reduce the public health, environ-  
21 mental, and economic impacts of black carbon  
22 emissions from these sources by—

23 (i) identifying key regions for large-  
24 scale demonstration efforts, and key part-  
25 ners in each such region; and

1                   (ii) developing for each such region a  
2                   large-scale implementation strategy with a  
3                   goal of collectively reaching 20,000,000  
4                   homes over 5 years with interventions that  
5                   will—

6                               (I) increase stove efficiency by  
7                               over 50 percent (or such other goal as  
8                               determined by the Administrator);

9                               (II) reduce emissions of black  
10                              carbon by over 60 percent (or such  
11                              other goal as determined by the Ad-  
12                              ministrator); and

13                             (III) reduce the incidence of se-  
14                             vere pneumonia in children under 5  
15                             years old by over 30 percent (or such  
16                             other goal as determined by the Ad-  
17                             ministrator);

18                            (B) make technological improvements to  
19                            diesel engines and provide greater access to  
20                            fuels that emit less or no black carbon;

21                            (C) reduce unnecessary agricultural or  
22                            other biomass burning where feasible alter-  
23                            natives exist;



1                   (D) reduce unnecessary fossil fuel burning  
2                   that produces black carbon where feasible alter-  
3                   natives exist;

4                   (E) reduce other sources of black carbon  
5                   emissions; and

6                   (F) improve capacity to achieve greater  
7                   compliance with existing laws to address black  
8                   carbon emissions.

9           (g) AUTHORIZATION OF APPROPRIATIONS.—There  
10   are authorized to be appropriated such sums as are nec-  
11   essary to carry out this Act.

○