

112TH CONGRESS
1ST SESSION

S. 511

To amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 8, 2011

Mr. BLUNT (for himself, Mr. KIRK, Mr. WICKER, Mr. CORKER, Mr. COBURN, Mr. LEE, Mr. SESSIONS, Mr. MCCONNELL, Mr. THUNE, Mr. CORNYN, Mr. HATCH, Mr. ENSIGN, Mr. DEMINT, Mr. TOOMEY, Mr. KYL, Mr. MCCAIN, Mr. ALEXANDER, Mr. HOEVEN, Mr. JOHNSON of Wisconsin, Mr. COATS, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. RUBIO, Mr. ISAKSON, Mr. JOHANNES, Mr. CRAPO, Mr. ROBERTS, Mr. LUGAR, Mr. COCHRAN, Mr. BARRASSO, Mr. GRASSLEY, Mr. PORTMAN, Ms. MURKOWSKI, Mr. RISCH, Ms. AYOTTE, Mr. BROWN of Massachusetts, Mr. SHELBY, and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Clean Air Act to provide for a reduction in the number of boutique fuels, 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 “Boutique Fuel Reduc-
5 tion Act of 2011”.

1 **SEC. 2. REDUCTION IN NUMBER OF BOUTIQUE FUELS.**

2 Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C.
3 7545(c)(4)(C)) is amended—

4 (1) in clause (ii)(II), by inserting “an unex-
5 pected problem with distribution or delivery equip-
6 ment that is necessary for the transportation or de-
7 livery of fuel or fuel additives,” after “equipment
8 failure,”;

9 (2) by redesignating the second clause (v) (re-
10 lating to the authority of the Administrator to ap-
11 prove certain State implementation plans) as clause
12 (vi); and

13 (3) in clause (vi) (as redesignated by paragraph
14 (2))—

15 (A) in subclause (I), by striking “fuels ap-
16 proved under” and all that follows through the
17 end of the subclause and inserting “fuels in-
18 cluded on the list published under subclause
19 (II) (including any revisions to the list under
20 subclause (III)).”;

21 (B) by striking subclause (III) and insert-
22 ing the following:

23 “(III) REMOVAL OF FUELS FROM
24 LIST.—

25 “(aa) IN GENERAL.—The
26 Administrator, after providing

1 notice and an opportunity for
2 comment, shall remove a fuel
3 from the list published under
4 subclause (II) if the Adminis-
5 trator determines that the fuel
6 has ceased to be included in any
7 State implementation plan or is
8 identical to a Federal fuel control
9 or prohibition established and en-
10 forced the Administrator.

11 “(bb) PUBLICATION OF RE-
12 VISED LIST.—On removing a fuel
13 from the list under item (aa), the
14 Administrator shall publish a re-
15 vised list that reflects that re-
16 moval.”; and

17 (C) by striking subclause (IV) and insert-
18 ing the following:

19 “(IV) NO LIMITATION ON AU-
20 THORITY.—Nothing in subclause (I)
21 or (V) limits the authority of the Ad-
22 ministrator to approve a control or
23 prohibition relating to any new fuel
24 under this paragraph in a State im-

1 plementation plan (or a revision to
2 such a plan), if—

3 “(aa) the new fuel com-
4 pletely replaces a fuel on the list
5 published under subclause (II)
6 (including any revisions to the
7 list under subclause (III)); and

8 “(bb) the Administrator, in
9 consultation with the Secretary
10 of Energy, publishes in the Fed-
11 eral Register, after providing no-
12 tice and an opportunity for public
13 comment, a determination that
14 the control or prohibition will not
15 cause any fuel supply or distribu-
16 tion interruption or have any sig-
17 nificant adverse impact on fuel
18 producibility in the affected area
19 or any contiguous area.”.

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