

115TH CONGRESS
1ST SESSION

S. 452

To amend the Clean Air Act to delay the enforcement and implementation of the 2015 national ambient air quality standards for ozone.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2017

Mr. FLAKE (for himself, Mr. MCCAIN, Mr. WICKER, Mrs. CAPITO, and Mr. COTTON) 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 delay the enforcement and implementation of the 2015 national ambient air quality standards for ozone.

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 “Ozone Regulatory
5 Delay and Extension of Assessment Length Act of 2017”
6 or the “ORDEAL Act of 2017”.

7 **SEC. 2. NATIONAL AMBIENT AIR QUALITY STANDARDS.**

8 Section 109(d) of the Clean Air Act (42 U.S.C.
9 7409(d)) is amended—

1 (1) in paragraph (1)—

2 (A) in the first sentence, by striking
3 “(d)(1) Not later than December 31, 1980, and
4 at five-year intervals” and inserting the fol-
5 lowing:

6 “(d) REVIEW AND REVISION OF CRITERIA AND
7 STANDARDS; INDEPENDENT SCIENTIFIC REVIEW COM-
8 MITTEE; APPOINTMENT; ADVISORY FUNCTIONS.—

9 “(1) REVIEW AND REVISION OF CRITERIA AND
10 STANDARDS.—

11 “(A) IN GENERAL.—Not later than De-
12 cember 31, 1980, and at 10-year intervals”;

13 (B) in the second sentence, by striking
14 “The Administrator” and inserting the fol-
15 lowing:

16 “(B) EARLY AND FREQUENT REVIEW AND
17 REVISION.—Except with respect to any national
18 ambient air quality standard promulgated
19 under this section for ozone concentrations, the
20 Administrator”; and

21 (C) by adding at the end the following:

22 “(C) 2015 NATIONAL AMBIENT AIR QUAL-
23 ITY STANDARDS FOR OZONE CONCENTRA-
24 TIONS.—

“(i) IN GENERAL.—The Administrator shall delay the enforcement and implementation of the final rule entitled ‘National Ambient Air Quality Standards for Ozone’ (80 Fed. Reg. 65292 (October 26, 2015)) until January 1, 2025.

“(ii) NEW RULEMAKING.—Not earlier than January 1, 2025, the Administrator shall initiate a new rulemaking to promulgate new national ambient air quality standards for ozone concentrations.”; and

(2) in paragraph (2)(B)—

(A) by striking “(B) Not later than January 1, 1980, and at five-year intervals” and inserting the following:

“(B) REVIEW.—

“(i) IN GENERAL.—Except as provided in clause (ii), not later than January 1, 1980, and at 10-year intervals”; and

(B) by adding at the end the following:

“(ii) NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE CONCENTRATIONS.—Not earlier than January 1, 2025, and at 10-year intervals thereafter, the committee referred to in subparagraph (A)

1 shall, with respect to national ambient air
2 quality standards for ozone concentra-
3 tions—

4 “(I) complete a review of any
5 standard promulgated under this sec-
6 tion; and

7 “(II) recommend to the Adminis-
8 trator any new standard and any revi-
9 sion to the standards described in
10 subclause (I) as may be appropriate
11 under section 108 and subsection
12 (b).”.

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