

AMENDMENT NO. _____ Calendar No. _____

Purpose: To prohibit the Administrator of the Environmental Protection Agency from enforcing certain regulations.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

S. 2262

To promote energy savings in residential buildings and industry, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the beginning of title V, add the following:

2 **SEC. 5** _____. **REGIONAL HAZE PROGRAM.**

3 (a) **IN GENERAL.**—Notwithstanding any other provi-
 4 sion of law, the disapproval, in whole or in part, by the
 5 Administrator of the Environmental Protection Agency of
 6 a State regional haze implementation plan addressing any
 7 regional haze regulation of the Environmental Protection
 8 Agency (including the regulations described in sections
 9 51.308 and 51.309 of title 40, Code of Federal Regula-
 10 tions (or successor regulations)) shall not be valid if—

11 (1) the Administrator fails to demonstrate
 12 using the best available science that a Federal imple-

1 mentation plan governing a specific unit, when com-
2 pared to the State plan, results in at least a 1.0
3 deciview improvement over the State plan in any sin-
4 gle class I area (as classified under section 162 of
5 the Clean Air Act (42 U.S.C. 7472)); or

6 (2) implementation of the Federal implementa-
7 tion plan, when compared to the State plan, will re-
8 sult in an economic cost of greater than
9 \$100,000,000 in any fiscal year or \$300,000,000 in
10 the aggregate over the cost of the State plan.

11 (b) **RETROACTIVE APPLICATION.**—This section ap-
12 plies to any disapproval by the Administrator of the Envi-
13 ronmental Protection Agency of a State regional haze im-
14 plementation plan that occurs after January 1, 2010.