

AMENDMENT NO. _____ Calendar No. _____

Purpose: To add a provision relating to new source review.

IN THE SENATE OF THE UNITED STATES—108th Cong., 1st Sess.

S. 14

To enhance the energy security of the United States, 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 Mr. EDWARDS

Viz:

1 At the end, add the following:

2 **TITLE _____—MISCELLANEOUS**

3 **SEC. ____ . NEW SOURCE REVIEW.**

4 (a) IN GENERAL.—The Administrator of the Envi-
5 ronmental Protection Agency shall not require that any
6 applicable implementation plan under the Clean Air Act
7 (42 U.S.C. 7401 et seq.) be revised or adopted to comply
8 with any part of the final rules relating to prevention of
9 significant deterioration and nonattainment new source
10 review published at 67 Fed. Reg. 80186 (December 31,

1 2002) and 68 Fed. Reg. 11316 (March 10, 2003), unless
2 the Administrator demonstrates that no major emitting
3 facility or major stationary source in the State would be
4 permitted to increase the quantity of any air pollutant
5 emitted under the final rules without the increase being
6 considered to be a modification (as defined section 111(a)
7 of the Clean Air Act (42 U.S.C. 7411(a)), if the increase
8 would have been considered to be such a modification
9 under the rules in effect and applicable to that State be-
10 fore December 31, 2002.

11 (b) EFFECT OF SECTION.—Nothing in this section
12 affects the retention of State authority under section 116
13 of the Clean Air Act (42 U.S.C. 7416).