

112TH CONGRESS
1ST SESSION

H. R. 1412

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2011

Mr. TERRY (for himself, Mr. JONES, Mr. LATTA, Mrs. MYRICK, Mr. COLE, Mr. GALLEGLY, Mr. BARTLETT, Mr. AKIN, Mr. GRAVES of Missouri, and Mr. AUSTIN SCOTT of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

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 “Gas Accessibility and
5 Stabilization Act of 2011” or the “GAS Act of 2011”.

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

7 Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C.
8 7545(c)(4)(C)) is amended—

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

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

10 (3) in clause (vi) (as redesignated by paragraph
11 (2))—

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

18 (B) by striking subclause (III) and insert-
19 ing the following:

20 “(III)(aa) The Administrator, after providing notice
21 and an opportunity for comment, shall remove a fuel from
22 the list published under subclause (II) if the Adminis-
23 trator determines that the fuel has ceased to be included
24 in any State implementation plan or is identical to a Fed-
25 eral fuel formulation implemented by the Administrator.

1 “(bb) On removing a fuel from the list under item
2 (aa), the Administrator shall publish a revised list that
3 reflects that removal.”; and

4 (C) by striking subclause (IV) and insert-
5 ing the following:

6 “(IV) Nothing in subclause (I) or (V) limits the au-
7 thority of the Administrator to approve a control or prohi-
8 bition relating to any new fuel under this paragraph in
9 a State implementation plan (or a revision to such a plan),
10 if—

11 “(aa) the new fuel completely replaces a fuel on
12 the list published under subclause (II) (including
13 any revisions to the list under subclause (III)); and

14 “(bb) the Administrator, in consultation with
15 the Secretary of Energy, publishes in the Federal
16 Register, after providing notice and an opportunity
17 for public comment, a determination that the control
18 or prohibition will not cause any fuel supply or dis-
19 tribution interruption or have any significant ad-
20 verse impact on fuel producibility in the affected
21 area or any contiguous area.”.

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