

112TH CONGRESS
1ST SESSION

H. R. 3689

To authorize the Administrator of the Environmental Protection Agency to waive any emission standard or other requirement under section 112 of the Clean Air Act (42 U.S.C. 7412) applicable to the control of asbestos emissions in the demolition or renovation of a condemned building for which there is a reasonable expectation of structural failure.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2011

Mr. OWENS introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To authorize the Administrator of the Environmental Protection Agency to waive any emission standard or other requirement under section 112 of the Clean Air Act (42 U.S.C. 7412) applicable to the control of asbestos emissions in the demolition or renovation of a condemned building for which there is a reasonable expectation of structural failure.

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 “Common Sense Waiver
5 Act of 2011”.

1 **SEC. 2. WAIVER FROM ASBESTOS NESHAP REQUIREMENTS**
2 **FOR DEMOLITION OR RENOVATION OF CON-**
3 **DEMNED BUILDINGS.**

4 (a) **WAIVER.**—At the request of a State or local gov-
5 ernment, the Administrator of the Environmental Protec-
6 tion Agency (in this section referred to as the “Adminis-
7 trator”) may waive any emission standard or other re-
8 quirement under section 112 of the Clean Air Act (42
9 U.S.C. 7412) applicable to the control of asbestos emis-
10 sions in the demolition or renovation of a building.

11 (b) **STANDARD FOR APPROVAL.**—The Administrator
12 may approve a request for a waiver under subsection (a)
13 only if the request demonstrates that—

14 (1) the building has been condemned; and

15 (2) there is a reasonable expectation of the
16 building’s structural failure.

17 (c) **TIME PERIOD FOR APPROVAL OR DISAPPROVAL**
18 **OF REQUEST FOR WAIVER.**—The Administrator shall ap-
19 prove or disapprove a request for a waiver under sub-
20 section (a) within 90 days after the date on which the re-
21 quest is received by the Administrator. If the Adminis-
22 trator fails to approve or disapprove such a request by
23 the end of such 90-day period, the request is deemed to
24 be approved.

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