

112TH CONGRESS
1ST SESSION

S. 1702

To provide that the rules of the Environmental Protection Agency entitled “National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines” have no force or effect with respect to existing stationary compression and spark ignition reciprocating internal combustion engines operated by certain persons and entities for the purpose of generating electricity or operating a water pump.

IN THE SENATE OF THE UNITED STATES

OCTOBER 13, 2011

Mr. MORAN (for himself and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To provide that the rules of the Environmental Protection Agency entitled “National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines” have no force or effect with respect to existing stationary compression and spark ignition reciprocating internal combustion engines operated by certain persons and entities for the purpose of generating electricity or operating a water pump.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXISTING STATIONARY COMPRESSION IGNI-**
2 **TION RECIPROCATING INTERNAL COMBUS-**
3 **TION ENGINES.**

4 The final rule published by the Environmental Pro-
5 tection Agency on March 3, 2010, entitled “National
6 Emission Standards for Hazardous Air Pollutants for Re-
7 ciprocating Internal Combustion Engines” (75 Fed. Reg.
8 9648), and any subsequent regulation that is substantially
9 the same shall have no force or effect with respect to exist-
10 ing stationary compression ignition reciprocating internal
11 combustion engines (as that term is used in the rule) oper-
12 ated for the purpose of generating electricity or operating
13 a water pump by—

14 (1) a State or local government, political sub-
15 division, or agency;

16 (2) a public or cooperative utility; or

17 (3) persons or entities engaged in the produc-
18 tion of agricultural commodities, including livestock.

19 **SEC. 2. EXISTING STATIONARY SPARK IGNITION RECIPRO-**
20 **CATING INTERNAL COMBUSTION ENGINES.**

21 The final rule published by the Environmental Pro-
22 tection Agency on August 20, 2010, entitled “National
23 Emission Standards for Hazardous Air Pollutants for Re-
24 ciprocating Internal Combustion Engines” (75 Fed. Reg.
25 51570), the direct final action published by the Environ-
26 mental Protection Agency on March 9, 2011, entitled

1 “National Emission Standards for Hazardous Air Pollut-
2 ants for Reciprocating Internal Combustion Engines” (76
3 Fed. Reg. 12863), and any subsequent regulation that is
4 substantially the same shall have no force or effect with
5 respect to existing stationary spark ignition reciprocating
6 internal combustion engines (as that term is used in the
7 rules) operated for the purpose of generating electricity
8 or operating a water pump—

9 (1) by a State or local government, political
10 subdivision, or agency;

11 (2) a public or cooperative utility; or

12 (3) persons or entities engaged in the produc-
13 tion of agricultural commodities, including livestock.

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