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Comprehensive Assessment of Regulations on the Economy Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Dec 8, 2011

Current Status: Read twice and referred to the Committee on Environment and Public Works.

Latest Action: Read twice and referred to the Committee on Environment and Public Works. (Dec 8, 2011)

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Sponsor

Name: Sen. Inhofe, James M. [R-OK]

Party: Republican • **State:** OK • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Johanns, Mike [R-NE]	R · NE		Dec 8, 2011
Sen. Thune, John [R-SD]	R · SD		Feb 16, 2012

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Dec 8, 2011

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
112 S 1751	Related bill	Oct 20, 2011: Read twice and referred to the Committee on Environment and Public Works.
112 HR 2250	Related bill	Oct 18, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 201.
112 HR 2273	Related bill	Oct 18, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 202.
112 HR 2681	Related bill	Oct 12, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 192.
112 S 1610	Related bill	Sep 22, 2011: Read twice and referred to the Committee on Environment and Public Works.
112 HR 2891	Related bill	Sep 20, 2011: Referred to the Subcommittee on Energy and Power.
112 S 1392	Related bill	Jul 20, 2011: Read twice and referred to the Committee on Environment and Public Works.
112 S 609	Related bill	Mar 17, 2011: Read twice and referred to the Committee on Environment and Public Works.

Comprehensive Assessment of Regulations on the Economy Act of 2011 - Establishes within the Department of Commerce the Cumulative Regulatory Assessment Committee (CRAC) to assess and report on the cumulative energy and economic impacts of federal regulatory mandates that: (1) are promulgated or issued (or are expected to be initiated) by the Administrator of the Environmental Protection Agency (EPA) or a state or local government from January 1, 2010, to January 1, 2020; (2) apply to one or more impacted unit; and (3) implement any provision or requirement relating to environmental regulations expected to have a significant impact on the electric power sector, the petroleum refining sector, the petrochemical production sector, pipeline facilities regulated by the Department of Transportation (DOT) or EPA, exploration, production, or transportation of oil and natural gas, or any other manufacturing sector.

Defines an "impacted unit" as any: (1) electric generating unit that sells electricity into the grid; (2) industrial, commercial, or institutional boiler or process heater; (3) petroleum refining facility that produces gasoline, heating oil, diesel fuel, jet fuel, kerosene, or petrochemical feedstocks; (4) petrochemical facility; (5) hydrocarbon exploration, extraction, manufacturing, production, or transportation facility; or (6) biofuel facility.

Nullifies the rule entitled "Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals." Requires the Administrator, in place of such rule, to continue to implement the Clean Air Interstate Rule (CAIR).

Prohibits the Administrator from issuing any proposed or final rule under the Clean Air Act (CAA) relating to the national ambient air quality standards for ozone or particulate matter (including any modification of CAIR) until three years after CRAC submits its report. Requires the Administrator to: (1) base such a rule on actual monitored (and not modeled) data, (2) allow the trading of emission allowances among entities covered by the rule irrespective of the states in which such entities are located, and (3) require state implementation of the standards established by such final rule no earlier than three years after its publication.

Nullifies the proposed rule entitled "National Emission Standards for Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial- Institutional, and Small Industrial-Commercial-Institutional Steam Generating Units" and any final rule based on such proposed rule that is issued prior to this Act's enactment. Requires the Administrator, at least a year after the issuance of such report, to promulgate in place of such rule regulations establishing: (1) national emission standards for coal-and oil-fired electric utility steam generating units with respect to each hazardous air pollutant; and (2) standards of performance for fossil-fuel-fired electric utility, industrial-commercial-institutional, and small industrial-commercial-institutional steam generating units. Requires the Administrator to require compliance with such regulations no earlier than five years after their effective date. Requires the Administrator to impose the least burdensome of emission standards from among the range of regulatory alternatives authorized under the CAA.

Nullifies the: (1) National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants; (2) Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; (3) Identification of Non-Hazardous Secondary Materials That are Solid Waste; (4) National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; (5) National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers; (6) Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; and (7) Identification of Non-Hazardous Secondary Materials

That Are Solid Waste.

Requires the Administrator, in place of such rules, to promulgate within 15 months, or on such later date as may be determined by the Administrator, regulations for entities subject to such rules, that: (1) establish maximum achievable control technology standards, performance standards, and other requirements for hazardous air pollutants or solid waste combustion under the CAA; and (2) identify non-hazardous secondary materials that, when used as fuels or ingredients in combustion units of such entities, are solid waste under the Solid Waste Disposal Act for purposes of determining the extent to which such combustion units are required to meet emission standards for such pollutants under such Act. Requires the Administrator to establish compliance dates not earlier than five years after the effective date of such regulation for such standards and requirements after considering compliance costs, non-air quality health and environmental impacts and energy requirements, the feasibility of implementation, the availability of equipment, suppliers, and labor, and potential net employment impacts.

Coal Residuals Reuse and Management Act - Amends the Solid Waste Disposal Act to authorize states to adopt and implement coal combustion residuals permit programs. Requires states that decide to implement such a program to maintain either an approved municipal solid waste program for the control of hazardous disposal or an authorized state hazardous waste program. Requires: (1) the requirements of such programs to be no less stringent than the requirements of criteria promulgated for municipal solid waste landfill under such Act; (2) landfills, surface impoundments, or other land-based units that may receive coal combustion residuals (structures) to be designed, constructed, and maintained to provide for containment of the maximum volumes of coal combustion residuals appropriate for the structure; and (3) such programs to apply such requirements to surface impoundments.

Authorizes: (1) state agency heads to require action to correct structure deficiencies according to a schedule for structures that are classified as posing a high hazard potential pursuant to the guidelines published by the Federal Emergency Management Agency (FEMA), entitled "Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams"; (2) state agency heads to require that such a structure close if such deficiency is not corrected according to such schedule; and (3) states to address wind dispersal of dust from coal combustion residuals by requiring dust control measures.

Prohibits: (1) the Administrator from applying such programs to the utilization, placement, and storage of coal combustion residuals at surface mining and reclamation operations; and (2) this Act from being construed to alter the EPA's regulatory determination, entitled "Notice of Regulatory Determination on Wastes from the Combustion of Fossil Fuels," that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under such Act.

Environmental Impact of Thermal Discharges Act of 2011 - Amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to require: (1) standards of performance applicable to a point source to require that the location, design, construction, and capacity of a cooling water intake structure that commences construction after January 17, 2002, reflect the best technology available for reducing adverse environmental impact; and (2) effluent limitation standards to require that the location, design, construction, and capacity of a cooling water intake structure that commenced construction on or before such date reflect the best technology available for reducing such impact.

Authorizes owners or operators of such structures to use restoration measures in lieu of modifying such structures if the measures achieve substantially the same environmental benefits as the best technology available.

Actions Timeline

- **Dec 8, 2011:** Introduced in Senate
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