

## HR 2681

Cement Sector Regulatory Relief Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Environmental Protection

**Introduced:** Jul 28, 2011

**Current Status:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 192.

**Latest Action:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 192. (Oct 12, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/2681>

### Sponsor

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**Name:** Rep. Sullivan, John [R-OK-1]

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

**Cosponsors** (41 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Altmire, Jason [D-PA-4]	D · PA		Jul 28, 2011
Rep. Barton, Joe [R-TX-6]	R · TX		Jul 28, 2011
Rep. Boren, Dan [D-OK-2]	D · OK		Jul 28, 2011
Rep. Carter, John R. [R-TX-31]	R · TX		Jul 28, 2011
Rep. Dent, Charles W. [R-PA-15]	R · PA		Jul 28, 2011
Rep. Kinzinger, Adam [R-IL-11]	R · IL		Jul 28, 2011
Rep. Latta, Robert E. [R-OH-5]	R · OH		Jul 28, 2011
Rep. Ross, Mike [D-AR-4]	D · AR		Jul 28, 2011
Rep. Walden, Greg [R-OR-2]	R · OR		Jul 28, 2011
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Aug 1, 2011
Rep. Bachus, Spencer [R-AL-6]	R · AL		Sep 7, 2011
Rep. Holden, Tim [D-PA-17]	D · PA		Sep 7, 2011
Rep. Kissell, Larry [D-NC-8]	D · NC		Sep 7, 2011
Rep. Rivera, David [R-FL-25]	R · FL		Sep 7, 2011
Rep. West, Allen B. [R-FL-22]	R · FL		Sep 7, 2011
Rep. Diaz-Balart, Mario [R-FL-21]	R · FL		Sep 8, 2011
Rep. Gosar, Paul A. [R-AZ-1]	R · AZ		Sep 8, 2011
Rep. McKinley, David B. [R-WV-1]	R · WV		Sep 8, 2011
Rep. Posey, Bill [R-FL-15]	R · FL		Sep 8, 2011
Rep. Bucshon, Larry [R-IN-8]	R · IN		Sep 12, 2011
Rep. Coble, Howard [R-NC-6]	R · NC		Sep 12, 2011
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Sep 12, 2011
Rep. Nunnelee, Alan [R-MS-1]	R · MS		Sep 12, 2011
Rep. Terry, Lee [R-NE-2]	R · NE		Sep 12, 2011
Rep. Benishek, Dan [R-MI-1]	R · MI		Sep 14, 2011
Rep. Jenkins, Lynn [R-KS-2]	R · KS		Sep 14, 2011
Rep. Rooney, Thomas J. [R-FL-16]	R · FL		Sep 14, 2011
Rep. Womack, Steve [R-AR-3]	R · AR		Sep 14, 2011
Rep. Woodall, Rob [R-GA-7]	R · GA		Sep 14, 2011
Rep. Critz, Mark S. [D-PA-12]	D · PA		Sep 15, 2011
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Sep 15, 2011
Rep. Pompeo, Mike [R-KS-4]	R · KS		Sep 15, 2011
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Sep 15, 2011
Rep. Southerland, Steve II [R-FL-2]	R · FL		Sep 15, 2011
Rep. Austria, Steve [R-OH-7]	R · OH		Sep 20, 2011
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Sep 20, 2011
Rep. Guthrie, Brett [R-KY-2]	R · KY		Sep 21, 2011
Rep. Chabot, Steve [R-OH-1]	R · OH		Sep 22, 2011
Rep. Davis, Geoff [R-KY-4]	R · KY		Sep 22, 2011
Rep. Hartzler, Vicky [R-MO-4]	R · MO		Sep 22, 2011
Rep. Smith, Adrian [R-NE-3]	R · NE		Sep 22, 2011

## Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Aug 5, 2011

## Subjects & Policy Tags

### Policy Area:

Environmental Protection

## Related Bills

Bill	Relationship	Last Action
112 S 1971	Related bill	Dec 8, 2011: Read twice and referred to the Committee on Environment and Public Works.
112 S 1786	Related bill	Nov 3, 2011: Motion to proceed to consideration of measure under the order of 11/2/2011, not having achieved 60 votes in the affirmative, was rejected in Senate by Yea-Nay Vote. 47 - 53. Record Vote Number: 196. (consideration: CR S7113)
112 HR 2250	Related bill	Oct 18, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 201.
112 HRES 419	Related bill	Oct 4, 2011: Motion to reconsider laid on the table Agreed to without objection.
112 S 1610	Related bill	Sep 22, 2011: Read twice and referred to the Committee on Environment and Public Works.

**(This measure has not been amended since it was reported to the House on September 26, 2011. The summary of that version is repeated here.)**

Cement Sector Regulatory Relief Act of 2011 - Provides that the following rules shall have no force or effect and shall be treated as though they had never taken effect: (1) National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants; and (2) the Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units, and Identification of Non-Hazardous Secondary Materials That are Solid Waste, insofar as such rules are applicable to the Portland cement manufacturing industry and Portland cement plants.

Requires the Administrator of the Environmental Protection Agency (EPA), in place of such rules, to promulgate and finalize on the date that is 15 months after the date of the enactment of this Act regulations for the Portland cement manufacturing industry and Portland cement plants 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 Clean Air Act; and (2) identify non-hazardous secondary materials that, when used as fuels or ingredients in combustion units of such industry and plants, 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 a date for compliance with standards and requirements under such regulations, which shall be no earlier than five years after such regulation's effective date 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.

Treats the date on which the Administrator proposes such a regulation establishing an emission standard as the proposal date for purposes of applying the definition of a "new source" to hazardous air pollutants requirements or of a "new solid waste incineration unit" to solid waste combustion requirements under the Clean Air Act.

Requires the Administrator, in promulgating such regulations, to: (1) adopt the definitions of "commercial and industrial solid waste incineration unit," "commercial and industrial waste," and "contained gaseous material" in the rule entitled Standards for Performance of New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; (2) identify non-hazardous secondary material to be solid waste only if the material meets such definitions; (3) ensure that emissions standards for existing and new sources can be met under actual operating conditions consistently and concurrently with emission standards for all other air pollutants regulated by the rule for the source category, taking into account variability in actual source performance, source design, fuels, inputs, controls, ability to measure the pollutant emissions, and operating conditions; and (4) impose the least burdensome regulatory alternative.

## Actions Timeline

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- **Oct 12, 2011:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 192.
- **Oct 11, 2011:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Oct 6, 2011:** Considered as unfinished business. (consideration: CR H6638-6643)
- **Oct 6, 2011:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Oct 6, 2011:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was on adoption of amendments which had been debated earlier and on which further proceedings were postponed.
- **Oct 6, 2011:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2681.
- **Oct 6, 2011:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text of committee amendment in the nature of a substitute: CR 10/5/2011 H6581)
- **Oct 6, 2011:** The previous question was ordered pursuant to the rule. (consideration: CR H6640)
- **Oct 6, 2011:** Mrs. Capps moved to recommit with instructions to Energy and Commerce. (consideration: CR H6641; text: CR H6641)
- **Oct 6, 2011:** DEBATE - The House proceeded with 10 minutes of debate on the Capps motion to recommit with instructions. The instructions in the motion seek to report the same to the House with an amendment to protect infants, children, and pregnant women from toxic and cancer-causing air pollutants, by requiring the EPA Administrator to not delay action to reduce air pollution from cement kilns that are within 5 miles of any school, day care center, playground or hospital with a maternity ward or neo-natal unit. Any facility that will have regulation of its air pollutant emissions delayed by this bill is required to notify affected communities no later than 90 days after the date of enactment.
- **Oct 6, 2011:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H6642)
- **Oct 6, 2011:** On motion to recommit with instructions Failed by recorded vote: 176 - 247 (Roll no. 763).
- **Oct 6, 2011:** Passed/agreed to in House: On passage Passed by recorded vote: 262 - 161 (Roll no. 764).
- **Oct 6, 2011:** On passage Passed by recorded vote: 262 - 161 (Roll no. 764).
- **Oct 6, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 5, 2011:** Considered under the provisions of rule H. Res. 419. (consideration: CR H6573-6617)
- **Oct 5, 2011:** Rule provides for consideration of H.R. 2681 and H.R. 2250 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated October 4, 2011, or earlier and except pro forma amendments for the purpose of debate.
- **Oct 5, 2011:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 419 and Rule XVIII.
- **Oct 5, 2011:** The Speaker designated the Honorable Steve Womack to act as Chairman of the Committee.
- **Oct 5, 2011:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2681.
- **Oct 5, 2011:** COMMITTEE OF THE WHOLE- AMENDMENT DEBATE - The Committee of the Whole will proceed with debate on offered amendments under the 5 minute rule.
- **Oct 5, 2011:** DEBATE - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Waxman amendment No. 11.
- **Oct 5, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Waxman amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Waxman demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011:** DEBATE - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Rush amendment No. 7.
- **Oct 5, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Rush amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Rush demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.

**Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Capps amendment No. 17.

- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Capps amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the ayes had prevailed. Mr. Whitfield demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Schakowsky amendment No. 1
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Schakowsky amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Waxman demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Waxman amendment No. 9.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Waxman amendment No. 16.
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Waxman amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Waxman demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Pallone amendment No. 21.
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Pallone amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Pallone demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Jackson Lee(TX) amendment No. 4.
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Jackson Lee (TX) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Ms. Jackson Lee(TX) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Quigley amendment No. 8.
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Quigley amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Quigley demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Connolly amendment No. 18.
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Connolly amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Connolly demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Welch amendment No. 20.
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Welch amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the ayes had prevailed. Mr. Whitfield demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011: DEBATE** - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Moore amendment No. 2.
- **Oct 5, 2011: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Moore amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Ms. Moore demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time

to be announced.

- **Oct 5, 2011:** DEBATE - Pursuant to the provisions of H.Res. 419, the Committee of the Whole proceeded with debate on the Ellison amendment No. 14.
- **Oct 5, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Ellison amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Ellison demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011:** DEBATE - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Cohen amendment No. 23.
- **Oct 5, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Cohen amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Cohen demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011:** DEBATE - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Keating amendment No. 5.
- **Oct 5, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Keating amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Mr. Keating demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011:** DEBATE - Pursuant to the provisions of H. Res. 419, the Committee of the Whole proceeded with debate on the Edwards amendment No. 3.
- **Oct 5, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Edwards amendment, the Chair put the question on adoption of the amendment and by voice vote, announced the noes had prevailed. Ms. Edwards demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until a time to be announced.
- **Oct 5, 2011:** Mr. Whitfield moved that the Committee now rise.
- **Oct 5, 2011:** On motion that the Committee now rise Agreed to by voice vote.
- **Oct 5, 2011:** Committee of the Whole House on the state of the Union rises leaving H.R. 2681 as unfinished business.
- **Oct 3, 2011:** Rules Committee Resolution H. Res. 419 Reported to House. Rule provides for consideration of H.R. 2681 and H.R. 2250 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated October 4, 2011, or earlier and except pro forma amendments for the purpose of debate.
- **Sep 26, 2011:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 112-227.
- **Sep 26, 2011:** Placed on the Union Calendar, Calendar No. 148.
- **Sep 21, 2011:** Committee Consideration and Mark-up Session Held.
- **Sep 21, 2011:** Ordered to be Reported (Amended) by the Yeas and Nays: 33 - 12.
- **Sep 20, 2011:** Committee Consideration and Mark-up Session Held.
- **Aug 5, 2011:** Referred to the Subcommittee on Energy and Power.
- **Jul 28, 2011:** Introduced in House
- **Jul 28, 2011:** Referred to the House Committee on Energy and Commerce.