

## S 3573

Empower States Act of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Environmental Protection

**Introduced:** Sep 19, 2012

**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. (Sep 19, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/3573>

### Sponsor

**Name:** Sen. Hoeven, John [R-ND]

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

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Murkowski, Lisa [R-AK]	R · AK		Sep 19, 2012
Sen. McConnell, Mitch [R-KY]	R · KY		Nov 13, 2012
Sen. Portman, Rob [R-OH]	R · OH		Nov 13, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Sep 19, 2012

### Subjects & Policy Tags

#### Policy Area:

Environmental Protection

### Related Bills

*No related bills are listed.*

Empower States Act of 2012 - Amends the Safe Drinking Water Act, with respect to enforcement of drinking water regulations, to prohibit the Administrator of the Environmental Protection Agency (EPA) from taking any enforcement action against a state with primary enforcement responsibility for public water systems or a company or individual within the state, unless: (1) the Administrator determines that there is an imminent and substantial danger to the public health or environment, and (2) the state failed to take corrective action.

Prohibits the Administrator from amending or revoking any program of a state with partial or total primary enforcement responsibility unless the Administrator determines, by clear and convincing evidence, that the program fails to effectively protect drinking water in the state.

Requires the head of a federal department or agency, before issuing or promulgating any guideline or regulation relating to oil and gas exploration and production on federal, state, tribal, or fee land pursuant to federal law or executive order, to seek comments from and consult with the head of each affected state, state agency, and Indian tribe at a location within their jurisdiction.

Requires federal departments and agencies to develop Statements of Energy and Economic Impact that detail and analyze: (1) adverse effects of an action on energy supply, distribution, or use; and (2) impact on the domestic economy if the action is taken.

Prohibits imposition of any new or modified oil and gas regulation unless the head of the applicable department or agency determines: (1) that the rule is necessary to prevent immediate harm to human health or the environment, and (2) by clear and convincing evidence that the state or tribe does not have an existing reasonable alternative to the proposed regulation.

Requires any regulation promulgated after enactment of this Act that requires disclosure of hydraulic fracturing chemicals to refer to the database managed by the Ground Water Protection Council and the Interstate Oil and Gas Compact Commission.

Sets forth procedures for judicial review of such regulations.

### **Actions Timeline**

---

- **Sep 19, 2012:** Introduced in Senate
- **Sep 19, 2012:** Read twice and referred to the Committee on Environment and Public Works.