

Congress To Take Up Clean Air Legislation

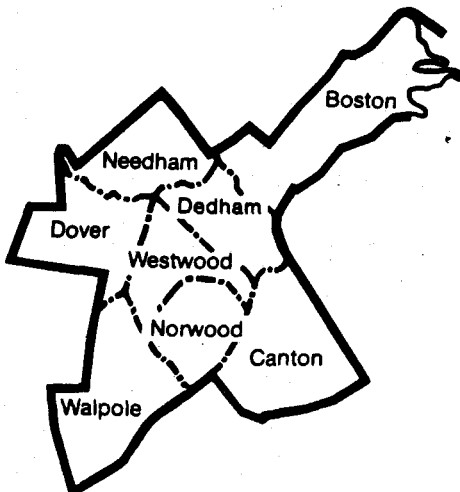
The Congress will soon be taking up the Clean Air Act for reauthorization during the upcoming months. As the time for consideration comes closer, two major proposals have evolved as the cornerstones of the debate: H.R. 5555, introduced by Rep. Waxman of California, which is strongly supported by environmental, consumer and health organizations; and H.R. 5252, introduced by Rep. Luken of Ohio, is strongly supported by industry (particularly the automobile industry) and the Reagan Administration.

As the debate heightens, we must take special precautions that we do not retreat on the substantial improvement which we have made in our air quality over the last decade. Any amendment to this very successful legislation must clearly demonstrate that both the change is needed and workable and that the public health will not suffer as a result. It is also important that whatever legislation is finally enacted, it must include tough controls on the prevention of acid rain in the North East.

In order to help you further understand and follow this debate, I have included this short table which highlights the general direction that each of these pieces of legislation takes:

H.R. 5555 (Waxman)		H.R. 5252 (Luken)	
AUTOMOBILES:	Would make few changes to present law, and would put into law tough requirements included in EPA regulations now under review.	AUTOMOBILES:	Would double the statutory standard met for many 1981 cars for carbon monoxide (from 3.4 to 7.0 grams per mile) and nitrogen oxide (from 1.0 to 2.0 gpm). EPA could further relax this standard after 1986. Would also change the standards from individual cars meeting requirements to average fleet requirement. Would remove some consumer protection requirements regarding emission controls.
PREVENTION OF SIGNIFICANT DETERIORATION:	Would reduce some of the complexity in gaining PSD permits by applying requirements only to emission increases of 100 tons per year or more. The program would not be changed as it affects National Parks and wilderness but the complicated increment system would be repealed.	PREVENTION OF SIGNIFICANT DETERIORATION:	Would remove all requirements except those protecting National Parks and wilderness areas. Would also allow new pollution sources locating in clean air areas to use national minimum control requirements instead of updated best available technology.
NON-ATTAINMENT:	The 1982 deadlines would be extended on an as-needed basis for up to three years for sulfur dioxide, five years for nitrogen oxide, and the current five years for carbon monoxide and ozone. Areas not attaining the latter two standards would be required to have automobile inspection and maintenance programs.	NON-ATTAINMENT:	Would allow deadlines for health standards to go from 1982 and 1987 to as late as 1993. Would allow all but the most polluted cities to drop automobile/maintenance programs.
SANCTIONS:	The ban on construction of new industrial facilities in areas not meeting national air standards could be lifted by EPA if the new facility would replace an older, dirtier source.	SANCTIONS:	Eliminates, for all practical purposes, all funding and moratorium on new sources sanctions.
STATE PLANS:	EPA approval of revisions would be required within four months of a state's submittal.	STATE PLANS:	Similar to H.R. 5555, except would make approval automatic unless vetoed by EPA within four months.
ACID RAIN:	Would establish a 31 state acid rain mitigation region where sulfur dioxide emissions would have to be reduced by 10 million tons in the coming decade.	ACID RAIN:	No provision.
HAZARDOUS POLLUTANTS:	Would require EPA to list as hazardous 37 pollutants now being evaluated by EPA, unless the Administrator finds that a pollutant is not hazardous.	HAZARDOUS POLLUTANTS:	No provision.

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