

110TH CONGRESS
1ST SESSION

H. R. 2493

To amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2007

Mr. BLUNT (for himself, Mr. KIRK, Mr. RYAN of Wisconsin, Mr. CANTOR, Mr. PUTNAM, Mr. HASTERT, Mr. MCCOTTER, Mr. UPTON, Mr. FRANKS of Arizona, Mr. CONAWAY, Mr. PETRI, Mr. HENSARLING, Mr. SHIMKUS, Mr. MCHENRY, Mr. AKIN, Mrs. CUBIN, Mr. SENSENBRENNER, Mr. McCAUL of Texas, and Mr. PETERSON of Pennsylvania) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Clean Air Act to provide for a reduction in the number of boutique fuels, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Boutique Fuel Reduc-
5 tion Act of 2007”.

6 **SEC. 2. TEMPORARY WAIVERS.**

7 Section 211(c)(4)(C)(ii)(II) of the Clean Air Act (42
8 U.S.C.7545(c)(4)(C)(ii)(II)) is amended by inserting after

1 “equipment failure” the following: “, unexpected problems
2 with distribution or delivery equipment that is necessary
3 for transportation and delivery of fuel or fuel additives”.

4 **SEC. 3. REDUCTION IN NUMBER OF BOUTIQUE FUELS.**

5 Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C.
6 7545(c)(4)(C)) is amended as follows:

7 (1) By redesignating the clause (v) added by
8 section 1541(b) of the Energy Policy Act of 2005
9 (Public Law 109–58; 119 Stat. 1106) as clause (vi).

10 (2) In clause (vi) (as so redesignated)—

11 (A) in subclause (I) by striking “approved
12 under this paragraph as of September 1, 2004,
13 in all State implementation plans” and by in-
14 serting in lieu there of “set forth on the list
15 published under subclause (II) (or on the re-
16 vised list referred to in subclause (III) if the list
17 has been revised)”;

18 (B) by amending subclause (III) to read as
19 follows:

20 “(III) The Administrator shall, after notice
21 and opportunity for comment, remove a fuel
22 from the list published under subclause (II) if
23 the Administrator determines that such fuel has
24 ceased to be included in any State implementa-
25 tion plan or is identical to a Federal fuel con-

1 trol or prohibition promulgated and imple-
2 mented by the Administrator. The Adminis-
3 trator shall publish a revised list reflecting the
4 reduction in the number of fuels.”;

5 (C) in subclause (IV) by striking “Sub-
6 clause (I)” and inserting “Neither subclause (I)
7 nor subclause (V)” and by striking “not” and
8 by striking “if such new fuel”; and

9 (D) by amending subclause (IV) to read as
10 follows:

11 “(IV) Subclause (I) shall not
12 limit the Administrator’s author-
13 ity to approve a control or prohi-
14 bition respecting any new fuel
15 under this paragraph in a State
16 implementation plan or revision
17 to a State implementation plan if
18 such new fuel completely replaces
19 a fuel on the list published under
20 subclause (II) (or the revised list
21 referred to in subclause (III) if
22 the list has been revised) and if
23 the Administrator, after consulta-
24 tion with the Secretary of En-
25 ergy, publishes in the Federal

1 Register after notice and com-
2 ment a finding that, in the Ad-
3 ministrator's judgment, such con-
4 trol or prohibition respecting
5 such new fuel will not cause fuel
6 supply or distribution interrup-
7 tions or have a significant ad-
8 verse impact on fuel producibility
9 in the affected area or contiguous
10 areas.”.

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