

**AMENDMENT TO H.R. 1338, AS REPORTED
OFFERED BY MR. BLUNT OF MISSOURI**

At the end of the bill insert the following:

1 **SEC. 11. BOUTIQUE FUELS.**

2 (a) TEMPORARY WAIVERS.—Section
3 211(c)(4)(C)(ii)(II) of the Clean Air Act (42
4 U.S.C.7545(c)(4)(C)(ii)(II)) is amended by inserting after
5 “equipment failure” the following: “, unexpected problems
6 with distribution or delivery equipment that is necessary
7 for transportation and delivery of fuel or fuel additives”.

8 (b) REDUCTION IN NUMBER OF BOUTIQUE FUELS.—
9 Section 211(c)(4)(C) of such Act (42 U.S.C.
10 7545(c)(4)(C)) is amended as follows:

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

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

15 (A) in subclause (I) by striking “approved
16 under this paragraph as of September 1, 2004,
17 in all State implementation plans” and by in-
18 serting in lieu there of “set forth on the list
19 published under subclause (II) (or on the re-

1 vised list referred to in subclause (III) if the list
2 has been revised)’’;

3 (B) by amending subclause (III) to read as
4 follows:

5 “(III) The Administrator shall, after notice
6 and opportunity for comment, remove a fuel
7 from the list published under subclause (II) if
8 the Administrator determines that such fuel has
9 ceased to be included in any State implementa-
10 tion plan or is identical to a Federal fuel con-
11 trol or prohibition promulgated and imple-
12 mented by the Administrator. The Adminis-
13 trator shall publish a revised list reflecting the
14 reduction in the number of fuels.’’;

15 (C) in subclause (IV) by striking “Sub-
16 clause (I)” and inserting “Neither subclause (I)
17 nor subclause (V)” and by striking “not” and
18 by striking “if such new fuel”; and

19 (D) by amending subclause (IV) to read as
20 follows:

21 “(IV) Subclause (I) shall not
22 limit the Administrator’s author-
23 ity to approve a control or prohi-
24 bition respecting any new fuel
25 under this paragraph in a State

1 implementation plan or revision
2 to a State implementation plan if
3 such new fuel completely replaces
4 a fuel on the list published under
5 subclause (II) (or the revised list
6 referred to in subclause (III) if
7 the list has been revised) and if
8 the Administrator, after consulta-
9 tion with the Secretary of En-
10 ergy, publishes in the Federal
11 Register after notice and com-
12 ment a finding that, in the Ad-
13 ministrator's judgment, such con-
14 trol or prohibition respecting
15 such new fuel will not cause fuel
16 supply or distribution interrup-
17 tions or have a significant ad-
18 verse impact on fuel producibility
19 in the affected area or contiguous
20 areas.”.

