

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY MS. SCHAKOWSKY OF ILLINOIS~~

AMENDMENT No. 1

After section 1, insert the following section (and redesignate the subsequent sections, and conform internal cross-references, accordingly):

1 **SEC. 2. FINDING.**

2 The Congress finds that mercury released into the
3 ambient air from cement kilns addressed by the rules list-
4 ed in section 2(b) of this Act is a potent neurotoxin that
5 can damage the development of an infant's brain.



~~AMENDMENT TO H.R. 2681, AS REPORTED~~

~~OFFERED BY MS. MOORE OF WISCONSIN~~

AMENDMENT NO. 2

Add at the end of the bill the following:

1 **SEC. 6. DELAYED EFFECTIVE DATE.**

2 (a) IN GENERAL.—This Act shall not take effect
3 until the President certifies that implementation of this
4 Act—

5 (1) will not adversely affect public health in the
6 United States; and

7 (2) will not have a disproportionately negative
8 impact on subpopulations that are most at risk from
9 hazardous air pollutants, including communities with
10 a high proportion of minorities, low-income commu-
11 nities, pregnant women, and the elderly.

12 (b) DETERMINATION REQUIRED.—Not later than 90
13 days after the date of the enactment of this Act, the Presi-
14 dent shall publish in the Federal Register—

15 (1) the certification described in subsection (a);

16 or

17 (2) an explanation of why such certification is
18 not warranted.



Donna F. Edwards

~~AMENDMENT TO H.R. 2681, AS REPORTED~~

OFFERED BY: M s. Donna F. Edwards

AMENDMENT No. 3

After section 1, insert the following section (and re-designate the subsequent sections accordingly):

1 **SEC. 2. FINDING.**

2 The Congress finds that if the rules specified in sec-
3 tion 3(b) remain in effect, they will yield annual public
4 health benefits of \$6,700,000,000 to \$18,000,000,000,
5 while the costs of such rules are \$926,000,000 to
6 \$950,000,000.

Page 5, line 11, strike “section 2” and insert “section 3”.

Page 6, line 14, strike “section 2(a)(1)” and insert “section 3(a)(1)”.

Page 7, line 8, strike “section 2(a)” and insert “section 3(a)”.

Page 7, lines 9 and 10, strike “section 2(b)(2)” and insert “section 3(b)(2)”.

Page 8, line 3, strike “section 2(a)” and insert “section 3(a)”.

Page 8, line 14, strike "section 2(a)" and insert
"section 3(a)".



~~AMENDMENT TO H.R. 2681, AS REPORTED~~

OFFERED BY MS. JACKSON LEE OF TEXAS

AMENDMENT NO. 4

Page 5, lines 16 and 17, strike “not earlier than 5 years after the effective date of the regulation” and insert “not later than 3 years after the regulation is promulgated as final”.



Sheila Jackson Lee

William R. Keating

~~AMENDMENT TO H.R. 2681, AS REPORTED~~

OFFERED BY: MR. KEATING

AMENDMENT NO. 5

Page 5, beginning on line 13, strike paragraph (1) and insert the following paragraph (and redesignate the subsequent paragraph accordingly):

1 (1) shall establish a date for compliance with
2 standards and requirements under such regulation
3 in accordance with section 112(i)(3) of the Clean Air
4 Act (42 U.S.C. 7412(i)(3));

5 (2) may, if the Administrator determines there
6 is a compelling reason to extend the date for such
7 compliance, provide an extension, in addition to any
8 extension under section 112(i)(3)(B) of such Act (42
9 U.S.C. 7412(i)(3)(B)), extending the date for such
10 compliance up to one year, but in no case beyond the
11 date that is 5 years after the effective date of such
12 regulation; and



~~AMENDMENT TO H.R. 2681, AS REPORTED~~

OFFERED BY: Mr. Blumenauer

AMENDMENT NO. 6

After section 1, insert the following section (and re-designate the subsequent sections accordingly):

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) Section 112(e) of the Clean Air Act (42
4 U.S.C. 7412(e)) requires the rule specified in section
5 3(b)(1) to be promulgated no later than the year
6 2000, and section 112(i) of such Act (42 U.S.C.
7 7412(i)) requires emissions reductions mandated by
8 such rule to be achieved no later than 2003.

9 (2) Section 129 of the Clean Air Act (42 U.S.C.
10 7429) requires the rule specified in section
11 3(b)(2)(A) to be promulgated no later than the year
12 1994, and section 112(f) of such Act (42 U.S.C.
13 7412(f)) requires emissions reductions mandated by
14 such rule to be achieved no later than 1999.

Page 5, line 11, strike "section 2" and insert "section 3".

Page 6, line 14, strike "section 2(a)(1)" and insert "section 3(a)(1)".

Page 7, line 8, strike “section 2(a)” and insert “section 3(a)”.

Page 7, lines 9 and 10, strike “section 2(b)(2)” and insert “section 3(b)(2)”.

Page 8, line 3, strike “section 2(a)” and insert “section 3(a)”.

Page 8, line 14, strike “section 2(a)” and insert “section 3(a)”.



Boyz J. Rush

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY MR. RUSH OF ILLINOIS~~

AMENDMENT No. 7

At the end of section 5, add the following:

1 (c) RULE OF CONSTRUCTION.—This section is in-
2 tended to supplement the provisions of, and shall not be
3 construed to supersede any requirement, limitation, or
4 other provision of, sections 112 and 129 of the Clean Air
5 Act (42 U.S.C. 7412, 7429).



Mike Quigley

~~AMENDMENT TO H.R. 2681, AS REPORTED~~

~~OFFERED BY MR. QUIGLEY OF ILLINOIS~~

AMENDMENT NO. 8

At the end of the bill, add the following section:

- 1 **SEC. 6. PROTECTION FROM AVOIDABLE CASES OF CANCER.**
- 2 Notwithstanding any other provision of this Act, the
- 3 Administrator shall not delay actions pursuant to the rules
- 4 identified in section 2(b) of this Act to reduce emissions
- 5 from any cement kiln if such emissions are increasing the
- 6 risk of cancer.



Henry C. Waxman

~~AMENDMENT TO H.R. 2681, AS REPORTED~~

OFFERED BY: M.R. WAXMAN

AMENDMENT NO. 9

At the end of the bill, add the following section:

1 **SEC. 6. DETERMINATION; AUTHORIZATION.**

2 Not later 10 days after the date of enactment of this
3 Act, the Director of the Office of Management and Budg-
4 et, in consultation with the Chief Financial Officer of the
5 Environmental Protection Agency, the Comptroller Gen-
6 eral of the United States, and the Director of the Congres-
7 sional Budget Office, shall make a determination regard-
8 ing whether this Act authorizes the appropriation of funds
9 to implement this Act and, if so, whether this Act reduces
10 an existing authorization of appropriations by an offset-
11 ting amount. The provisions of this Act shall cease to be
12 effective if it is determined that this Act authorizes the
13 appropriation of funds without an offsetting reduction in
14 an existing authorization of appropriations.



Henry A. Waxman

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY MR. WAXMAN OF CALIFORNIA~~

AMENDMENT NO. 10

At the end of the bill, add the following section:

- 1 **SEC. 6. COMPLIANCE WITH CUT-GO.**
- 2 If this Act authorizes the appropriation of funds to
- 3 implement this Act and does not reduce an existing au-
- 4 thorization of appropriations to offset that amount, then
- 5 the provisions of this Act shall cease to be effective.



Henry G. Waxman

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY: MR. WAXMAN OF CALIFORNIA~~

AMENDMENT NO. 11

At the end of the bill, add the following section:

1 SEC. 6. PROTECTION FOR INFANTS AND CHILDREN.

2 Notwithstanding any other provision of this Act, the
3 Administrator shall not delay actions pursuant to the rules
4 identified in section 2(b) of this Act to reduce emissions
5 from any cement kiln if such emissions are harming brain
6 development or causing learning disabilities in infants or
7 children.



~~AMENDMENT TO H.R. 2681, AS REPORTED~~

~~OFFERED BY, MR. ELLISON OF MINNESOTA~~

AMENDMENT No. 12

Page 5, line 22, strike "non-air quality".

Kath Elin

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY MR. ELLISON OF MINNESOTA~~

AMENDMENT NO. 13

Strike section 5.



Keith Ellison

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY MR. ELLISON OF MINNESOTA~~

AMENDMENT NO. 14

Page 5, after line 8, insert the following subsection:

1 (c) NOTICE IN FEDERAL REGISTER.—Not later than
2 60 days after the date of enactment of this Act, the Ad-
3 ministrator shall publish a notice in the Federal Register
4 estimating the public health impact of delaying regulation
5 for the Portland cement manufacturing industry and Port-
6 land cement plants until the compliance date of the rules
7 required by subsection (a) instead of the compliance date
8 of the rules made ineffective by subsection (b).



Keith Elmi



~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY, MS. HAHN OF CALIFORNIA~~

AMENDMENT No. 15

At the end of section 2, add the following:

1 (c) TEN METROPOLITAN AREAS OF THE UNITED
2 STATES WITH THE WORST AIR QUALITY.—

3 (1) STAY OF EARLIER RULES INAPPLICABLE.—

4 Insofar as the rules listed in subsection (b) apply to
5 sources of air pollution in any of the 10 metropoli-
6 tan areas of the United States with the worst air
7 quality, such rules shall, notwithstanding subsection
8 (b), continue to be effective.

9 (2) NEW STANDARDS INAPPLICABLE IF LESS
10 PROTECTIVE OF PUBLIC HEALTH AND THE ENVI-
11 RONMENT.—With respect to sources of air pollution
12 in any of the 10 metropolitan areas of the United
13 States with the worst air quality, the provisions of
14 the regulations promulgated under subsection (a)—

15 (A) shall apply to such sources, and shall
16 replace the rules listed in subsection (b), to the
17 extent such provisions are equally or more pro-
18 tective of public health and the environment
19 than the corresponding provisions of the rules
20 listed in subsection (b); and

1 (B) shall not apply to such sources, and
2 shall not replace the rules listed in subsection
3 (b), to the extent such provisions are less pro-
4 tective of public health and the environment
5 than the corresponding provisions of the rules
6 listed in subsection (b).

7 (3) DEFINITIONS.—In this subsection:

8 (A) The term “metropolitan area”—

9 (i) for purposes of subparagraph
10 (B)(i), means the metropolitan statistical
11 area or consolidated metropolitan statis-
12 tical area (as established by the Bureau of
13 the Census) most closely corresponding to
14 the city or group of cities ranked among
15 the cities with the worst year-round par-
16 ticle pollution in the “State of the Air
17 2011” report of the American Lung Asso-
18 ciation; and

19 (ii) for purposes of subparagraph
20 (B)(ii), means a metropolitan statistical
21 area or consolidated metropolitan statis-
22 tical area (as established by the Bureau of
23 the Census).

1 (B) The term “10 metropolitan areas of
2 the United States with the worst air quality”
3 means—
4 (i) during the 5-year period beginning
5 on the date of the enactment of this Act,
6 the 10 metropolitan areas listed in the
7 “State of the Air 2011” report of the
8 American Lung Association as having the
9 worst year-round particle pollution; and
10 (ii) during each successive 5-year pe-
11 riod, the 10 metropolitan areas determined
12 by the Administrator of the Environmental
13 Protection Agency to have the highest
14 year-round levels of particulate matter in
15 the air.



Edward J. Markey

~~AMENDMENT TO H.R. 2681, AS REPORTED~~

OFFERED BY: Mr. Markey

AMENDMENT NO. 16

After section 1, insert the following section (and re-designate the subsequent sections accordingly):

1 **SEC. 2. FINDING.**

2 The Congress finds that if the rules specified in sec-
3 tion 3(b) remain in effect, they are expected to reduce the
4 amount of mercury that deposits to land and water by up
5 to—

6 (1) 30 percent in some areas of the western
7 United States; and

8 (2) 17 percent in some areas of the eastern
9 United States.

Page 5, line 11, strike “section 2” and insert “sec-
tion 3”.

Page 6, line 14, strike “section 2(a)(1)” and insert
“section 3(a)(1)”.

Page 7, line 8, strike “section 2(a)” and insert “sec-
tion 3(a)”.

Page 7, lines 9 and 10, strike “section 2(b)(2)” and
insert “section 3(b)(2)”.

Page 8, line 3, strike “section 2(a)” and insert “section 3(a)”.

Page 8, line 14, strike “section 2(a)” and insert “section 3(a)”.



Lisa Capps CA-23
10-4-11

~~AMENDMENT TO H.R. 2681, AS REPORTED~~

OFFERED BY: Mrs. Capps

AMENDMENT NO. 17

After section 1, insert the following section (and re-designate the subsequent sections, and conform internal cross-references, accordingly):

1 **SEC. 2. FINDING.**

2 The Congress finds that according to the Environ-
3 mental Protection Agency, if the rules specified in section
4 3(b) are in effect, then for every dollar in costs, the rules
5 will provide at least \$7 to \$19 in health benefits, due to
6 the avoidance each year of—

- 7 (1) 960 to 2,500 premature deaths;
- 8 (2) 1,500 nonfatal heart attacks;
- 9 (3) 1,000 emergency room visits;
- 10 (4) 17,000 cases of aggravated asthma; and
- 11 (5) 130,000 days of missed work.





~~AMENDMENT TO H.R. 2681, AS REPORTED~~
OFFERED BY MR. CONNOLLY OF VIRGINIA

AMENDMENT NO. 18

At the end of the bill, add the following section:

1 **SEC. 6. PROTECTION FROM RESPIRATORY AND CARDIO-**
2 **VASCULAR ILLNESS AND DEATH.**

3 Notwithstanding any other provision of this Act, the
4 Administrator shall not delay actions pursuant to the rules
5 identified in section 2(b) of this Act to reduce emissions
6 from any cement kiln if such emissions are causing res-
7 piratory and cardiovascular illnesses and deaths, including
8 cases of heart attacks, asthma attacks, and bronchitis.



~~AMENDMENT TO H.R. 2681, AS REPORTED~~
OFFERED BY MR. CONNOLLY OF VIRGINIA

AMENDMENT NO. 19

At the end of the bill, add the following section:

1 **SEC. 6. PROTECTION FROM RESPIRATORY AND CARDIO-**
2 **VASCULAR ILLNESS AND DEATH.**

3 Notwithstanding any other provision of this Act, the
4 Administrator shall not delay actions pursuant to the rules
5 identified in section 2(b) of this Act to reduce emissions
6 from any cement kiln if such emissions are causing res-
7 piratory and cardiovascular illnesses and deaths, including
8 cases of heart attacks, asthma attacks, and bronchitis, in
9 communities with air pollution levels that exceed the
10 health-based air quality standards.

Polawelch

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
~~OFFERED BY, MR. WELCH OF VERMONT~~

AMENDMENT No. 20

After section 1, insert the following section (and re-designate the subsequent sections, and conform internal cross-references, accordingly):

1 **SEC. 2. FINDING.**

2 The Congress finds that the American people are ex-
3 posed to mercury from industrial sources addressed by the
4 rules listed in section 2(b) of this Act through the con-
5 sumption of fish containing mercury and every State in
6 the Nation has issued at least one mercury advisory for
7 fish consumption.

Frank Pallone

~~AMENDMENT TO H.R. 2681, AS REPORTED~~
OFFERED BY Mr. *Pallone*

AMENDMENT No. *21*

After section 1, insert the following section (and re-designate the subsequent sections, and conform internal cross-references, accordingly):

1 SEC. 2. FINDING.

2 The Congress finds that Federal departments and
3 agencies should support efforts to achieve the science-
4 based, 10-year national objectives for improving the health
5 of all Americans through reduced exposure to mercury
6 that are established in Healthy People 2020 and were de-
7 veloped under the leadership of the National Institutes of
8 Health and the Centers for Disease Control and Preven-
9 tion during two presidential administrations.

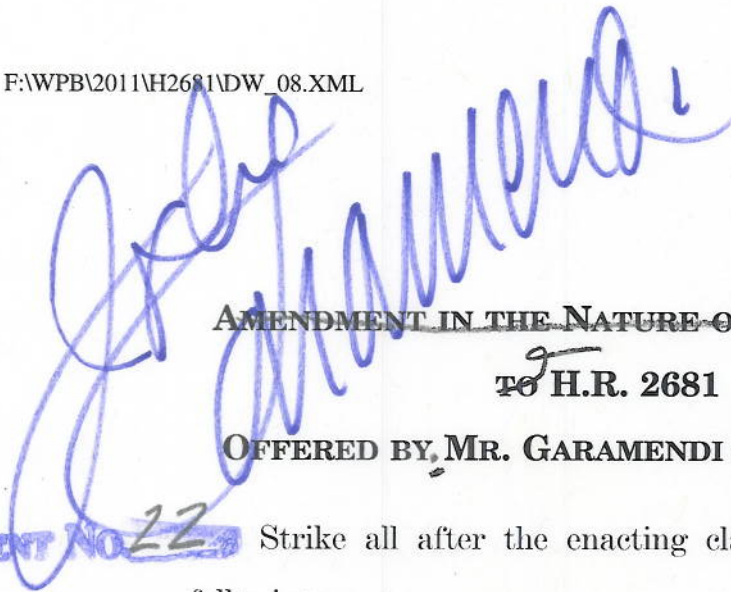
At the end of the bill, add the following section:

10 SEC. 7. REDUCING BLOOD-MERCURY CONCENTRATIONS.

11 The provisions of this Act shall cease to be effective,
12 and the rules specified in section 3(b) shall be revived and
13 restored, if the Administrator finds, in consultation with
14 the directors of the National Institutes of Health and the
15 Centers for Disease Control and Prevention, that by allow-
16 ing continued uncontrolled emissions of mercury from ce-

1 ment kilns this Act threatens to impede efforts to achieve
2 the science-based, 10-year national objective for reducing
3 mercury concentrations in children's blood that is estab-
4 lished in Healthy People 2020.





~~AMENDMENT IN THE NATURE OF A SUBSTITUTE~~

~~TO~~ H.R. 2681

~~OFFERED BY MR. GARAMENDI OF CALIFORNIA~~

~~AMENDMENT NO. 22~~

Strike all after the enacting clause and insert the following:

1 SECTION 1. SENSE OF CONGRESS ON GROWTH IN CEMENT
2 INDUSTRY.

3 Given that the United States cement industry must
4 comply with United States labor and air pollution stand-
5 ards and faces strong competition from foreign countries
6 with weak labor and air pollution emissions requirements,
7 it is the sense of the Congress that Federal departments
8 and agencies should strictly enforce the Buy American re-
9 quirements in Federal law applicable to the manufacture
10 of cement in the United States.

☒

H.R. 2681
OFFERED BY: MR. COHEN
AMENDMENT NO. 23:

Page 6, line 11, strike
“and” after the semicolon.

Page 6, line 12, strike “impacts.” and insert
“impacts; and”.

Page 6, after line 12, insert the following
subparagraph:

(F) potential reductions in the number of
illness-related absences from work due to
respiratory or other illnesses.