

Set Endorsement

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89th CONGRESS

1st SESSION

S. 306

(NOTE.—Fill in all blank lines except those provided for the date and number of bill.)

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IN THE SENATE OF THE UNITED STATES

JAN - 7 1965

Mr. Bartlett, Mr. Bible
Mr. Muskie (for himself, Mr. Bayh, Mr. Brewster, Mr. Clark, Mr. Douglas, Mr. Hartke, Mr. Gruening, Mr. Huchel, Mr. McGee, Mr. Inouye, Mr. Kennedy (Mass.), Mr. Long (Mo.), Mr. Mansfield, Mr. Metcalf, Mr. Nelson, Mr. Moss, Mr. Randolph, Mr. Ribicoff, Mr. Williams (N.J.),

introduced the following bill; which was read twice and referred to the Committee on Public Works

A BILL

To amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline powered or diesel powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Clean Air Act (which re-

lates to research, investigations and training) is amended $\frac{1}{2}$

(1) by striking out the word "and" at the end of paragraph (3) of subsection (a) thereof;

(2) by striking out the period at the end of paragraph (4) of subsection (a) thereof and inserting in lieu thereof "; and";

(3) by adding after paragraph (4) of subsection (2) thereof the following new paragraph (5):

"(5) conduct and accelerate research programs relating to the means of controlling hydrocarbon emissions resulting from the evaporation of gasoline in carburetors and fuel tanks, and the means of controlling emissions of oxides of nitrogen and aldehydes from gasoline powered or diesel powered vehicles. To carry out such research the Secretary shall consult with the technical committee established under section 6 of this Act and for research concerning diesel powered vehicles, he may add to such committee such representatives from the diesel powered vehicle industry as he deems appropriate."; and

① (4) by adding at the end thereof the following new sub-sections:

① "(d) The Secretary shall establish a Federal Air Pollution Control Laboratory within the Department of Health, Education and Welfare and shall staff and equip such laboratory as necessary to conduct such phases of the national research and development program for the prevention and control of air pollution as he deems appropriate.

"(e) The Secretary shall appoint a technical committee whose membership shall consist of representatives from the Department of Health, Education and Welfare, the Bureau of Mines of the Department of the Interior, the Federal Power Commission, and the coal, petroleum, and electric power industries, for the purpose of encouraging the development of improved low-cost techniques designed to reduce emissions of oxides of ^{sulfur} ~~sulphur~~ produced by the combustion of ^{sulfur} ~~sulphur~~-containing fuels. The Committee shall meet from time to time at the call of the Secretary to evaluate progress in the development of such techniques and to recommend additional research programs for the development of such techniques. One year after enactment of this section and semi-annually thereafter, the Secretary shall report to the Congress on the progress of the development of such techniques and his recommendations, if any, for additional legislation."

① Sec. 2. (a) Section 4 of the Clean Air Act (which relates to grants for support of air pollution control programs) is amended by redesignating subsection (c) as subsection (d) and by inserting immediately after subsection (b) the following subsection (c):

① "(c) The Secretary is authorized to make grants to municipalities in an amount up to two-thirds of the cost of the construction of facilities which are designed to eliminate air pollution resulting from the disposal of solid wastes. No grant shall be made under this subsection to any municipality that has not enacted an ordinance or other regulation prohibiting open burning of solid wastes and containing enforcement procedures insuring that disposal facilities

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will have a beneficial effect on reducing air pollution. No grant shall be made for any facility under this subsection until the applicant has made provision satisfactory to the Secretary to assure the proper and efficient operation and maintenance of the facility after completion of the construction thereof."

① (b) Subsection (d), as so redesignated, is amended to read as follows:

"(d) Not more than 12½ per centum of the grant funds available under subsection (a) of this section shall be expended in any one State, and no grant shall be made for any project, authorized under subsection (c) of this section, in an amount exceeding 5 per centum of the total authorized in any one fiscal year."

① Sec. 3. Section 6 of the ^{Clean Air} Act (which relates to automotive vehicle and fuel pollution) is amended by adding at the end thereof the following new subsections:

"(c) (1) The Secretary shall prescribe and publish in the Federal Register, standards for the allowable emissions of pollutants from gasoline powered vehicles, and the effective date for such standards.

Ⓢ "(2) In prescribing standards for gasoline powered vehicles under this subsection the Secretary shall require (i) that within six months after enactment of this subsection all ^{new} gasoline powered vehicles be equipped with blowby systems with emissions from crankcases limited to 0.15 percent of supplied fuel under cyclic operating conditions and (ii) that after November 1, 1966, the allowable exhaust emissions from ^{new} gasoline powered vehicles shall be not more than 275 parts per million of hydrocarbons and not more than 1.5 per centum by volume of carbon monoxide measured by a nondispersive *infrared* spectrometer under metropolitan area cyclic type operating conditions with results normalized to 15 divided by percent carbon dioxide plus percent carbon monoxide plus 6 times percent hydrocarbons.

(measured by a nondispersive infrared spectrometer calibrated with hexane)

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Ⓢ "(3) The Secretary shall establish criteria for allowable emissions from diesel powered vehicles manufactured and introduced into interstate commerce or imported into the United States. Upon the establishment of such criteria the Secretary shall make his recommendations for additional legislation, if necessary, to regulate the discharge of pollutants from diesel powered vehicles.

"(4) The manufacture for distribution in commerce of any gasoline powered vehicle or the importation into the United States of any gasoline powered vehicle, after the effective date of any standards prescribed by the Secretary in accordance with this subsection, which does not meet such standards, is unlawful.

"Whoever violates the provisions of this subsection or the regulations prescribed pursuant to this subsection shall be fined not more than \$1,000 or imprisoned not more than six months, or both.

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P "(d) The Secretary and the Secretary of the Treasury shall jointly promulgate rules and regulations that prohibit the importation of any gasoline powered vehicles which fail to meet the standards prescribed in paragraphs (1) and (2) of subsection (c) of this section.

"(e) It is the policy of the United States to insure the proper inspection and maintenance of the devices and other means required to control the emission of air pollutants from gasoline powered vehicles within the standards prescribed by the Secretary under this section. The Secretary is authorized to enter into agreements with, and to make grants to, ~~appropriate State agencies designated by the Governors~~
~~State highway departments or air pollution control agencies~~ (including such supplemental agreements as may be necessary) to carry out the policy of this section. For the purpose of this subsection an interstate air pollution control agency may qualify if one State having jurisdiction of such agency enters an agreement authorized by this subsection. The sums appropriated to carry out this subsection shall be allotted by the Secretary to

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States entering into agreements in the proportion that the number of gasoline powered vehicles registered in such year in each such State bears to the total such number in all such States for such year.

"(f) All action taken under this section for the adoption of standards and the promulgation of rules and regulations shall be taken in conformity with the provisions of the Administrative Procedure Act."

① Sec. 4. Section 9 of the Clean Air Act (which relates to definitions) is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following subsection (g):

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① "(g) The term 'commerce' means (1) commerce between any place in a State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or possession of the United States or any place outside thereof, and (2) commerce wholly within the District of Columbia or any such territory or possession."

Sec. 5. (a) Section 13 of the Clean Air Act (which relates to appropriations) is amended by adding at the end thereof the following new subsections:

① "(c) There are hereby authorized to be appropriated to carry out subsection 4 (c) of this Act for the fiscal year ending June 30, 1966, and for each of the next two succeeding fiscal years the sum of \$100,000,000 per fiscal year for the purpose of making grants under this subsection. Sums so appropriated shall remain available until expended.

"(d) There are hereby authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1966, for the establishment of inspection programs under subsection 6 (e) of this Act."

(b) Subsection (b) of section 13 is amended by inserting immediately after the word "Act" the following: ", exclusive of subsection (c) of section 4 and subsection (e) of section 6,".

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