

115TH CONGRESS
1ST SESSION

H. R. 3128

To amend section 111 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2017

Mr. GRIFFITH (for himself, Mr. MCKINLEY, and Mr. JENKINS of West Virginia) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend section 111 of the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification, 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. CLARIFICATION OF DEFINITION OF A MODI-**
4 **FICATION.**

5 Paragraph (4) of section 111(a) of the Clean Air Act
6 (42 U.S.C. 7411(a)) is amended by adding at the end the
7 following: “For purposes of the preceding sentence, a
8 physical change in, or change in the method of operation

1 of, a stationary source increases the amount of any air
2 pollutant emitted by such source only if the maximum
3 achievable hourly emissions rate of such source after the
4 change will be higher than—

5 “(A) the maximum achievable hourly emis-
6 sions rate of such source as it was originally de-
7 signed; and

8 “(B) the maximum hourly emissions rate
9 of such source that was actually achieved dur-
10 ing the 10-year period preceding such change.”.

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