

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.

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## 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

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## 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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