

[DISCUSSION DRAFT]

112TH CONGRESS
1ST SESSION

H. R. _____

To amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Clean Air Act regarding air pollution from Outer Continental Shelf activities.

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. SHORT TITLE.**

4 This Act may be cited as the “Jobs and Energy Per-
5 mitting Act of 2011”.

6 **SEC. 2. AIR QUALITY MEASUREMENT.**

7 Section 328(a)(1) of the Clean Air Act (42 U.S.C.
8 7627(a)(1)) is amended by inserting before the period at
9 the end of the second sentence the following: “, except that

1 any air quality impact of any OCS source shall be meas-
2 ured and determined solely with respect to the impacts
3 at an onshore location in the corresponding onshore area”.

4 **SEC. 3. OCS SOURCE.**

5 Section 328(a)(4)(C) of the Clean Air Act (42 U.S.C.
6 7627(a)(4)(C)) is amended in the matter following clause
7 (iii) by striking “shall be considered direct emissions from
8 the OCS source” and inserting “shall be considered direct
9 emissions from the OCS source but shall not be subject
10 to any emission control requirement applicable to the
11 source under subpart 1 of part C of title I of this Act.
12 For platform and drill ship exploration, an OCS source
13 is established at the point in time when drilling activity
14 commences at a location and ceases to exist when drilling
15 activity ends at such location.”.

16 **SEC. 4. PERMIT APPLICATION.**

17 Section 328 of the Clean Air Act (42 U.S.C. 7627)
18 is amended by adding at the end thereof the following:

19 “(d) PERMIT APPLICATION.—In the case of a com-
20 pleted application for a permit under this Act for an OCS
21 source—

22 “(1) final agency action shall be taken not later
23 than 6 months after the date of filing such com-
24 pleted application;

1 “(2) such final agency action shall be consid-
2 ered to be nationally applicable under section
3 307(b); and

4 “(3) judicial review of such final agency action
5 shall be available only in accordance with such sec-
6 tion 307(b) without additional administrative review
7 or adjudication, except for a petition for reconsider-
8 ation filed by the applicant pursuant to section
9 307(d)(7)(B).”.