

110TH CONGRESS  
1ST SESSION

# H. R. 4271

To amend the Clean Air Act to provide for a waiver of certain prohibitions and limitations on fuels and fuel additives, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

Mr. SHADEGG introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Clean Air Act to provide for a waiver of certain prohibitions and limitations on fuels and fuel additives, 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. CONSTITUTIONAL AUTHORITY.**

4       This Act is enacted pursuant to the authority of Con-  
5 gress to regulate commerce with foreign nations, and  
6 among the several States, and with the Indian Tribes pro-  
7 vided in article I, section 9, clause 3 of the United States  
8 Constitution.

1 **SEC. 2. WAIVER.**

2       Section 211(f)(2) of the Clean Air Act (42 U.S.C.  
3 7545(f)(2)) is amended to read as follows:

4           **“(4) WAIVER FOR FUEL OR FUEL ADDITIVES.—**

5               **“(A) IN GENERAL.—**The Administrator,  
6       upon application of any manufacturer of any  
7       fuel or fuel additive, may waive the prohibitions  
8       established under paragraph (1) or (3) or the  
9       limitation specified in paragraph (2), if the Ad-  
10      ministrator determines that the applicant has  
11      established that the fuel or fuel additive or a  
12      specified concentration of the fuel or fuel addi-  
13      tive, and the emission products of the fuel or  
14      fuel additive or specified concentration of the  
15      fuel or fuel additive, will not cause or contribute  
16      to a failure of any emission control device or  
17      system (over the useful life of the motor vehicle,  
18      motor vehicle engine, nonroad engine, or  
19      nonroad vehicle in which the device or system  
20      is used) to achieve compliance by the vehicle or  
21      engine with the emission standards with respect  
22      to which the vehicle or engine has been certified  
23      pursuant to sections 206 and 213(a).

24               **“(B) FINAL ACTION.—**The administrator  
25      shall take final action to grant or deny an ap-  
26      plication submitted under this paragraph, after

1           public notice and comment, not later than 270  
2           days after the receipt of the application.”.

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