AMENDMENT TO H.R. 4795, AS REPORTED
OFFERED BY MR. McNERNEY OF CALIFORNIA

In section 3(b), strike “If the Administrator fails” and insert

(1) STANDARD NOT APPLICABLE.—Except as provided in paragraph (2), if the Administrator fails

At the end of section 3(b), add the following:

(2) STANDARD APPLICABLE.—Paragraph (1) shall not apply with respect to review and disposition of a preconstruction permit application by a Federal, State, local, or tribal permitting authority if such authority determines that application of such paragraph is likely to—

(A) increase air pollution that harms human health and the environment;

(B) slow issuance of final preconstruction permits;

(C) increase regulatory uncertainty;

(D) foster additional litigation;

(E) shift the burden of pollution control from new sources to existing sources of pollution, including small businesses; or
(F) increase the overall cost of achieving the new or revised national ambient air quality standard in the applicable area.