

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO COMMITTEE PRINT FOR SUBTITLE A
OFFERED BY M . _____**

Strike all and insert the following:

1 **Subtitle A—Air Pollution**

2 **SEC. 30101. CLEAN HEAVY-DUTY VEHICLES.**

3 (a) APPROPRIATION.—

4 (1) IN GENERAL.—In addition to amounts oth-
5 erwise available, there is appropriated to the Admin-
6 istrator of the Environmental Protection Agency for
7 fiscal year 2022, out of any money in the Treasury
8 not otherwise appropriated, \$5,000,000,000, to re-
9 main available until expended (except that no funds
10 shall be disbursed after September 30, 2031), to
11 carry out section 132 of the Clean Air Act, as added
12 by subsection (b).

13 (2) RESERVATION.—Of the funds appropriated
14 by paragraph (1), the Administrator of the Environ-
15 mental Protection Agency shall reserve 3 percent for
16 administrative costs necessary to carry out section
17 132 of the Clean Air Act, as added by subsection
18 (b).

1 (b) AMENDMENT.—Part A of title I of the Clean Air
2 Act (42 U.S.C. 7401 et seq.) is amended by adding at
3 the end the following:

4 **“SEC. 132. CLEAN HEAVY-DUTY VEHICLES.**

5 “(a) PROGRAM.—Beginning not later than 180 days
6 after the date of enactment of this section, the Adminis-
7 trator shall implement a program to make awards of
8 grants and rebates to eligible recipients, and to make
9 awards of contracts to eligible contractors for providing
10 rebates, for up to 100 percent of costs for—

11 “(1) replacing eligible vehicles with zero-emis-
12 sion vehicles;

13 “(2) infrastructure needed to charge, fuel, or
14 maintain zero-emission vehicles;

15 “(3) workforce development and training to
16 support the maintenance, charging, fueling, and op-
17 eration of zero-emission vehicles; and

18 “(4) planning and technical activities to support
19 the adoption and deployment of zero-emission vehi-
20 cles.

21 “(b) APPLICATIONS.—To seek an award under this
22 section, an eligible recipient or eligible contractor shall
23 submit to the Administrator an application in such form
24 and manner as the Administrator shall prescribe.

1 “(c) ALLOCATION.—Of any amount appropriated to
2 carry out this section, no less than 40 percent shall be
3 used for awards to eligible recipients proposing to replace
4 eligible vehicles to serve one or more communities located
5 in an air quality area designated pursuant to section 107
6 as nonattainment for any air pollutant.

7 “(d) DEFINITIONS.—For purposes of this section:

8 “(1) ELIGIBLE CONTRACTOR.—The term ‘eligi-
9 ble contractor’ means a contractor that is a for-prof-
10 it or nonprofit entity that has the capacity—

11 “(A) to sell zero-emission vehicles, or
12 charging or other equipment needed to charge,
13 fuel, or maintain zero-emission vehicles, to indi-
14 viduals or entities that own an eligible vehicle;
15 or

16 “(B) to arrange financing for such a sale.

17 “(2) ELIGIBLE RECIPIENT.—The term ‘eligible
18 recipient’ means—

19 “(A) a State or local governmental entity;

20 “(B) an Indian Tribe (as defined in section
21 302);

22 “(C) a nonprofit school transportation as-
23 sociation; or

24 “(D) an eligible contractor.

1 “(3) **ELIGIBLE VEHICLE.**—The term ‘eligible
2 vehicle’ means a Class 6 or Class 7 heavy-duty vehi-
3 cle as defined in section 1037.801 of title 40, Code
4 of Federal Regulations (as in effect on the date of
5 enactment of this section).

6 “(4) **ZERO-EMISSION VEHICLE.**—The term
7 ‘zero-emission vehicle’ means a vehicle that has a
8 drivetrain that produces, under any possible oper-
9 ational mode or condition, zero exhaust emission
10 of—

11 “(A) any air pollutant that is listed pursu-
12 ant to section 108(a) (or any precursor to such
13 an air pollutant); and

14 “(B) any greenhouse gas.”.

15 **SEC. 30102. GRANTS TO REDUCE AIR POLLUTION AT PORTS.**

16 Part A of title I of the Clean Air Act (42 U.S.C. 7401
17 et seq.), as amended, is further amended by adding at the
18 end the following:

19 **“SEC. 133. GRANTS TO REDUCE AIR POLLUTION AT PORTS.**

20 “(a) **IN GENERAL.**—In addition to amounts other-
21 wise available, there is appropriated to the Administrator
22 for fiscal year 2022, out of any money in the Treasury
23 not otherwise appropriated, \$3,500,000,000, to remain
24 available until expended (except that no funds shall be dis-

1 bursed after September 30, 2031), to award rebates and
2 grants to eligible recipients on a competitive basis to—

3 “(1) purchase or install zero-emissions port
4 equipment and technology for use at, or to directly
5 serve, one or more ports;

6 “(2) conduct any relevant planning or permit-
7 ting in connection with such zero-emissions port
8 equipment and technology; and

9 “(3) develop qualified climate action plans.

10 “(b) RESERVATION.—Of the funds made available by
11 this section, \$875,000,000 shall be reserved for awards
12 to eligible recipients to carry out activities with respect
13 to ports located in nonattainment areas for any air pollut-
14 ant.

15 “(c) LIMITATION.—Funds awarded under this sec-
16 tion shall not be used—

17 “(1) to purchase fully automated cargo-han-
18 dling equipment or terminal infrastructure that is
19 designed for fully automated cargo-handling equip-
20 ment; or

21 “(2) by any recipient or sub-recipient to per-
22 form construction, alteration, installation, or repair
23 work that is not located at, or does not directly
24 serve, the one or more ports involved.

1 “(d) ADMINISTRATION OF FUNDS.—Of the funds
2 made available by this section, the Administrator shall re-
3 serve 2 percent for administrative costs necessary to carry
4 out this section.

5 “(e) DEFINITIONS.—For purposes of this section:

6 “(1) ELIGIBLE RECIPIENT.—The term ‘eligible
7 recipient’ means—

8 “(A) a port authority;

9 “(B) a State, regional, local, or Tribal
10 agency that has jurisdiction over a port author-
11 ity or a port;

12 “(C) an air pollution control agency; or

13 “(D) a private entity (including any non-
14 profit organization) that—

15 “(i) applies for a grant under this sec-
16 tion in partnership with an entity de-
17 scribed in subparagraphs (A), (B), or (C);
18 and

19 “(ii) owns, operates, or uses the facili-
20 ties, cargo-handling equipment, transpor-
21 tation equipment, or related technology of
22 a port.

23 “(2) QUALIFIED CLIMATE ACTION PLAN.—The
24 term ‘qualified climate action plan’ means a detailed
25 and strategic plan that—

1 “(A) establishes goals, implementation
2 strategies, and accounting and inventory prac-
3 tices (including practices used to measure
4 progress towards stated goals) to reduce emis-
5 sions at one or more ports of—

6 “(i) greenhouse gases;

7 “(ii) any air pollutant that is listed
8 pursuant to section 108(a) (or any pre-
9 cursor to such an air pollutant); and

10 “(iii) hazardous air pollutants; and

11 “(B) includes a strategy to collaborate
12 with, communicate with, and address potential
13 effects on stakeholders that may be affected by
14 implementation of such plan, including low-in-
15 come and disadvantaged near-port communities.

16 “(3) ZERO-EMISSIONS PORT EQUIPMENT AND
17 TECHNOLOGY.—The term ‘zero-emissions port
18 equipment and technology’ means any equipment or
19 technology that—

20 “(A) produces zero emissions of any air
21 pollutant that is listed pursuant to section
22 108(a) (or any precursor to such an air pollut-
23 ant) and any greenhouse gas other than water
24 vapor; or

1 “(B) captures 100 percent of such emis-
2 sions produced by an ocean-going vessel at
3 berth.”.

4 **SEC. 30103. GREENHOUSE GAS REDUCTION FUND.**

5 Part A of title I of the Clean Air Act (42 U.S.C. 7401
6 et seq.), as amended, is further amended by adding at the
7 end the following:

8 **“SEC. 134. GREENHOUSE GAS REDUCTION FUND.**

9 “(a) APPROPRIATION.—In addition to amounts oth-
10 erwise available, there is appropriated for fiscal year 2022,
11 out of any money in the Treasury not otherwise appro-
12 priated—

13 “(1) \$7,495,000,000 to the Administrator, to
14 remain available until expended (except that no
15 funds shall be disbursed after September 30, 2026),
16 to make grants, on a competitive basis and not later
17 than 180 calendar days after the date of enactment
18 of this section, to States, units of local government,
19 the District of Columbia, territories of the United
20 States, Tribal governments, and eligible recipients
21 for the purposes of providing financial and technical
22 assistance to enable low-income and disadvantaged
23 communities to deploy zero-emission technologies, in-
24 cluding distributed zero-emission technologies on
25 residential rooftops, and to carry out other green-

1 house gas emission reduction activities, as deter-
2 mined appropriate by the Administrator in accord-
3 ance with this section;

4 “(2) \$19,995,000,000 to the Administrator, to
5 remain available until expended (except that no
6 funds shall be disbursed after September 30, 2026),
7 to make grants, on a competitive basis and not later
8 than 180 calendar days after the date of enactment
9 of this section, to eligible recipients, of which
10 \$8,000,000,000 shall be used to provide financial as-
11 sistance in low-income and disadvantaged commu-
12 nities; and

13 “(3) \$10,000,000 to the Administrator, to re-
14 main available until expended (except that no funds
15 shall be disbursed after September 30, 2031), for
16 the administrative costs necessary to carry out ac-
17 tivities under this section.

18 “(b) USE OF FUNDS.—An eligible recipient that re-
19 ceives a grant pursuant to subsection (a) shall operate in
20 accordance with the following:

21 “(1) DIRECT INVESTMENT.—An eligible recipi-
22 ent shall—

23 “(A) use a broad range of finance and in-
24 vestment tools to provide financial assistance to
25 qualified projects at the national, regional,

1 State, and local levels, including, as applicable,
2 through both concessionary and market rate fi-
3 nancing;

4 “(B) prioritize investment in qualified
5 projects that would otherwise lack access to fi-
6 nancing;

7 “(C) retain, manage, recycle, and monetize
8 all repayments and other revenue received from
9 fees, interest, repaid loans, and all other types
10 of financial assistance provided using grant
11 funds under this section to ensure continued
12 operability; and

13 “(D) meet any requirements set forth by
14 the Administrator to ensure accountability and
15 proper management of funds appropriated by
16 this section.

17 “(2) INDIRECT INVESTMENT.—An eligible re-
18 cipient shall provide financial and technical assist-
19 ance to establish new or support existing public,
20 quasi-public, or nonprofit entities that provide finan-
21 cial assistance to qualified projects at the State,
22 local, territorial, or Tribal level or in the District of
23 Columbia, including community- and low-income-fo-
24 cused lenders and capital providers.

25 “(c) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE RECIPIENT.—The term ‘eligible
2 recipient’ means a nonprofit organization that—

3 “(A) is designed to provide capital, includ-
4 ing by leveraging private capital, and other
5 forms of financial assistance for the rapid de-
6 ployment of low- and zero-emission products,
7 technologies, and activities;

8 “(B) does not take deposits, other than
9 from repayments and other revenue received
10 from financial assistance provided using grant
11 funds under this section;

12 “(C) is funded by public or charitable con-
13 tributions; and

14 “(D) invests in or finances projects alone
15 or in conjunction with other investors.

16 “(2) QUALIFIED PROJECT.—The term ‘qualified
17 project’ includes any low- or zero-emission project,
18 technology, or activity that—

19 “(A) reduces or avoids greenhouse gas
20 emissions and other forms of air pollution in
21 partnership with, and by leveraging investment
22 from, the private sector; or

23 “(B) assists communities in the efforts of
24 those communities to reduce or avoid green-

1 house gas emissions and other forms of air pol-
2 lution.

3 “(3) ZERO-EMISSION TECHNOLOGY.—The term
4 ‘zero-emission technology’ means any technology
5 that produces zero emissions of—

6 “(A) any air pollutant that is listed pursu-
7 ant to section 108(a) (or any precursor to such
8 an air pollutant); and

9 “(B) any greenhouse gas.”.

10 **SEC. 30104. COLLABORATIVE COMMUNITY WILDFIRE AIR**
11 **GRANTS.**

12 (a) IN GENERAL.—In addition to amounts otherwise
13 available, there is appropriated to the Administrator of the
14 Environmental Protection Agency for fiscal year 2022, out
15 of any money in the Treasury not otherwise appropriated,
16 \$150,000,000, to remain available until expended (except
17 that no funds shall be disbursed after September 30,
18 2031), for grants authorized under section 103 of the
19 Clean Air Act (42 U.S.C. 7403) to assist eligible entities
20 in developing and implementing collaborative community
21 plans to prepare for smoke from wildfires, reduce risks
22 of smoke exposure due to wildfires, and mitigate the
23 health and environmental effects of smoke from wildfires.

24 (b) TECHNICAL ASSISTANCE.—The Administrator of
25 the Environmental Protection Agency may use amounts

1 made available under subsection (a) to provide technical
2 assistance to any eligible entity in—

3 (1) submitting an application for a grant to be
4 made pursuant to this section; or

5 (2) carrying out a project using a grant made
6 pursuant to this section.

7 (c) ADMINISTRATIVE COSTS.—Of the amounts made
8 available under subsection (a), the Administrator of the
9 Environmental Protection Agency shall reserve 7.5 per-
10 cent for administrative costs to carry out this section.

11 (d) ELIGIBLE ENTITIES.—In this section, the term
12 “eligible entity” means a State, a territory, a unit of local
13 government (including any special district, such as an air
14 quality management district), or an Indian Tribe.

15 **SEC. 30105. DIESEL EMISSIONS REDUCTIONS.**

16 (a) IN GENERAL.—In addition to amounts otherwise
17 available, there is appropriated to the Administrator of the
18 Environmental Protection Agency for fiscal year 2022, out
19 of any money in the Treasury not otherwise appropriated,
20 \$170,000,000, to remain available until expended (except
21 that no funds shall be disbursed after September 30,
22 2031), to address diesel emissions, of which—

23 (1) \$100,000,000 shall be for grants, rebates,
24 loans, and other Environmental Protection Agency
25 activities under subtitle G of title VII of the Energy

1 Policy Act of 2005 (42 U.S.C. 16131 through
2 16137) to identify and reduce diesel emissions re-
3 sulting from goods movement facilities, and vehicles
4 servicing goods movement facilities, in low-income
5 and disadvantaged communities to address the
6 health impacts of such emissions on such commu-
7 nities;

8 (2) \$50,000,000 shall be for grants, rebates,
9 loans, and other Environmental Protection Agency
10 activities under subtitle G of title VII of the Energy
11 Policy Act of 2005; and

12 (3) \$20,000,000 shall be for grants, rebates,
13 loans, and other Environmental Protection Agency
14 activities under subtitle G of title VII of the Energy
15 Policy Act of 2005 to identify and reduce diesel
16 emissions in low-income and disadvantaged commu-
17 nities to address the health impacts of such emis-
18 sions on such communities.

19 (b) ADMINISTRATIVE COSTS.—The Administrator of
20 the Environmental Protection Agency shall reserve 5 per-
21 cent of the amounts made available under subsection (a)
22 for the administrative costs necessary to carry out activi-
23 ties pursuant to such subsection.

1 **SEC. 30106. FUNDING TO ADDRESS AIR POLLUTION.**

2 (a) IN GENERAL.—In addition to amounts otherwise
3 available, there is appropriated to the Administrator of the
4 Environmental Protection Agency for fiscal year 2022, out
5 of any money in the Treasury not otherwise appropriated,
6 \$320,000,000, to remain available until expended (except
7 that no funds shall be disbursed after September 30,
8 2031), to address air pollution, of which—

9 (1) \$265,000,000 shall be for grants and other
10 activities authorized under sections 102, 103, and
11 105 of the Clean Air Act (42 U.S.C. 7402, 7403,
12 and 7405), of which—

13 (A) \$122,000,000 shall be to deploy, inte-
14 grate, support, and maintain fenceline moni-
15 toring and screening air monitoring, including
16 national air toxics trend stations and other air
17 toxics and community monitoring;

18 (B) \$75,000,000 shall be to expand the
19 national ambient air quality monitoring network
20 with new multipollutant monitoring stations
21 and to replace, repair, operate, and maintain
22 existing monitors;

23 (C) \$3,000,000 shall be to deploy, inte-
24 grate, and operate air quality sensors in low-in-
25 come and disadvantaged communities; and

1 (D) \$15,000,000 shall be for testing and
2 other agency activities to address emissions
3 from wood heaters; and

4 (E) \$50,000,000 shall be for monitoring
5 emissions of methane;

6 (2) \$50,000,000 shall be to carry out, with re-
7 spect to greenhouse gases, sections 111, 115, 169,
8 177, 202, 211, 213, 231, and 612, and other sec-
9 tions of the Clean Air Act (42 U.S.C. 7411, 7415,
10 7479, 7507, 7521, 7545, 7547, 7571, 7671k, and
11 others); and

12 (3) \$5,000,000 shall be to provide grants to
13 States to adopt and implement greenhouse gas and
14 zero-emission standards for mobile sources pursuant
15 to section 177 of the Clean Air Act (42 U.S.C.
16 7507).

17 (b) ADMINISTRATION OF FUNDS.—Of the funds
18 made available pursuant to subsection (a)(1), the Admin-
19 istrator of the Environmental Protection Agency shall re-
20 serve 5 percent for activities funded pursuant to such sub-
21 section other than grants.

22 **SEC. 30107. FUNDING TO ADDRESS AIR POLLUTION AT**
23 **SCHOOLS.**

24 In addition to amounts otherwise available, there is
25 appropriated to the Administrator of the Environmental

1 Protection Agency for fiscal year 2022, out of any money
2 in the Treasury not otherwise appropriated, \$50,000,000,
3 to remain available until expended, for grants, rebates,
4 contracts, and other activities to monitor and reduce air
5 pollution and greenhouse gas emissions at schools in low-
6 income and disadvantaged communities under subsections
7 (a) through (c) of section 103 of the Clean Air Act (42
8 U.S.C. 7403) and section 105 of that Act (42 U.S.C.
9 7405), of which the Administrator shall reserve not less
10 than 25 percent for technical assistance to such schools—

11 (1) to address environmental issues;

12 (2) to develop school environmental quality
13 plans that include standards for school building, de-
14 sign, construction, and renovation; and

15 (3) to identify and mitigate ongoing air pollu-
16 tion hazards.

17 **SEC. 30108. LOW EMISSIONS ELECTRICITY PROGRAM.**

18 Part A of title I of the Clean Air Act (42 U.S.C. 7401
19 et seq.), as amended, is further amended by adding at the
20 end the following:

21 **“SEC. 135. LOW EMISSIONS ELECTRICITY PROGRAM.**

22 “(a) APPROPRIATIONS.—In addition to amounts oth-
23 erwise available, there is appropriated to the Adminis-
24 trator for fiscal year 2022, out of any money in the Treas-
25 ury not otherwise appropriated, \$100,000,000, to remain

1 available until expended (except that no funds shall be dis-
2 bursed after September 30, 2031), to carry out this sec-
3 tion.

4 “(b) USE OF FUNDS.—Of the amounts made avail-
5 able by subsection (a), the Administrator shall use—

6 “(1) not less than \$10,000,000 for consumer-
7 related education and partnerships with respect to
8 reductions in greenhouse gas emissions that result
9 from domestic electricity generation and use;

10 “(2) not less than \$10,000,000 for education,
11 technical assistance, and partnerships within low-in-
12 come and disadvantaged communities with respect to
13 reductions in greenhouse gas emissions that result
14 from domestic electricity generation and use;

15 “(3) not less than \$10,000,000 for industry-re-
16 lated outreach and technical assistance, including
17 through partnerships, with respect to reductions in
18 greenhouse gas emissions that result from domestic
19 electricity generation and use;

20 “(4) not less than \$10,000,000 for outreach
21 and technical assistance to State and local govern-
22 ments, including through partnerships, with respect
23 to reductions in greenhouse gas emissions that result
24 from domestic electricity generation and use;

1 “(5) not less than \$1,000,000 to assess, not
2 later than the date that is 1 year after the date of
3 enactment of this section, the reductions in green-
4 house gas emissions that result from changes in do-
5 mestic electricity generation and use that are antici-
6 pated to occur on an annual basis through fiscal
7 year 2031; and

8 “(6) not less than \$20,000,000 to carry out
9 this section to ensure that the anticipated reductions
10 in greenhouse gas emissions from domestic elec-
11 tricity generation and use as assessed under para-
12 graph (5) are achieved through use of the authori-
13 ties of this Act, including through the establishment
14 of requirements under this Act.”.

15 **SEC. 30109. FUNDING FOR SECTION 211 OF THE CLEAN AIR**
16 **ACT.**

17 In addition to amounts otherwise available, there is
18 appropriated to the Administrator of the Environmental
19 Protection Agency for fiscal year 2022, out of any money
20 in the Treasury not otherwise appropriated, \$15,000,000,
21 to remain available until expended, to carry out section
22 211 of the Clean Air Act (42 U.S.C. 7545), of which—
23 (1) not less than \$5,000,000 shall be for the
24 development and establishment of tests and proto-
25 cols regarding the environmental and public health

1 effects of a fuel or fuel additive; internal and extra-
2 mural data collection and analyses to regularly up-
3 date applicable regulations, guidance, and proce-
4 dures for determining lifecycle greenhouse gas emis-
5 sions of a fuel; and the review, analysis and evalua-
6 tion of the impacts of all transportation fuels, in-
7 cluding fuel lifecycle implications, on the general
8 public and on low-income and disadvantaged commu-
9 nities; and

10 (2) not less than \$5,000,000 shall be for new
11 grants to industry and other related activities to
12 support investments in advanced biofuels.

13 **SEC. 30110. FUNDING FOR IMPLEMENTATION OF THE**
14 **AMERICAN INNOVATION AND MANUFAC-**
15 **TURING ACT.**

16 (a) IN GENERAL.—In addition to amounts otherwise
17 available, there is appropriated to the Administrator of the
18 Environmental Protection Agency for fiscal year 2022, out
19 of any money in the Treasury not otherwise appropriated,
20 \$42,000,000, to remain available until September 30,
21 2026, to carry out section 103 of division S of Public Law
22 116–260, of which—

23 (1) \$3,500,000 shall be to deploy new imple-
24 mentation and compliance tools; and

1 (2) \$15,000,000 shall be for competitive grants
2 for reclaim and innovative destruction technologies.

3 (b) ADMINISTRATION OF FUNDS.—Of the funds
4 made available pursuant to subsection (a)(2), the Admin-
5 istrator of the Environmental Protection Agency shall re-
6 serve 5 percent for administrative costs of carrying out
7 such section 103.

8 **SEC. 30111. FUNDING FOR ENFORCEMENT TECHNOLOGY**
9 **AND PUBLIC INFORMATION.**

10 In addition to amounts otherwise available, there is
11 appropriated to the Administrator of the Environmental
12 Protection Agency for fiscal year 2022, out of any money
13 in the Treasury not otherwise appropriated, \$50,000,000,
14 to remain available until expended (except that no funds
15 shall be disbursed after September 30, 2031), to address
16 air pollution, of which—

17 (1) \$37,000,000 shall be to update Integrated
18 Compliance Information System of the Environ-
19 mental Protection Agency and any associated sys-
20 tems, necessary information technology infrastruc-
21 ture, or public access software tools to ensure access
22 to compliance data and related information;

23 (2) \$7,000,000 shall be for grants to States, In-
24 dian Tribes, and air pollution control agencies (as
25 such terms are defined in section 302 of the Clean

1 Air Act (42 U.S.C. 7602)) to update their systems
2 to ensure communication with such Integrated Com-
3 pliance Information System and any associated sys-
4 tems; and

5 (3) \$6,000,000 shall be to acquire or update in-
6 spection software for use by the Environmental Pro-
7 tection Agency, States, Indian Tribes, and air pollu-
8 tion control agencies (as such terms are defined in
9 section 302 of the Clean Air Act (42 U.S.C. 7602)),
10 or to acquire necessary devices on which to run such
11 inspection software.

12 **SEC. 30112. GREENHOUSE GAS CORPORATE REPORTING.**

13 In addition to amounts otherwise available, there is
14 appropriated to the Environmental Protection Agency Of-
15 fice of Air and Radiation for fiscal year 2022, out of any
16 money in the Treasury not otherwise appropriated,
17 \$5,000,000, to remain available until expended (except
18 that no funds shall be disbursed after September 30,
19 2031), for the Environmental Protection Agency to sup-
20 port—

21 (1) enhanced standardization and transparency
22 of corporate climate action commitments and plans
23 to reduce greenhouse gas emissions;

1 (2) enhanced transparency regarding progress
2 toward meeting such commitments and imple-
3 menting such plans; and

4 (3) progress toward meeting such commitments
5 and implementing such plans.

6 **SEC. 30113. ENVIRONMENTAL PRODUCT DECLARATION AS-**
7 **SISTANCE.**

8 (a) IN GENERAL.—In addition to amounts otherwise
9 available, there is appropriated to the Administrator of the
10 Environmental Protection Agency for fiscal year 2022, out
11 of any money in the Treasury not otherwise appropriated,
12 \$250,000,000, to remain available until expended (except
13 that no funds shall be disbursed after September 30,
14 2031), to develop and carry out a program, to be known
15 as the Environmental Product Declaration Assistance
16 Program, to support the development, and enhanced
17 standardization and transparency, of environmental prod-
18 uct declarations for construction materials and products,
19 including by—

20 (1) providing grants to businesses that manu-
21 facture construction materials and products for de-
22 veloping and verifying environmental product dec-
23 larations;

24 (2) providing technical assistance to businesses
25 that manufacture construction materials and prod-

1 ucts in developing and verifying environmental prod-
2 uct declarations; and

3 (3) carrying out other activities that assist in
4 measuring and steadily reducing the quantity of em-
5 bodied carbon of construction materials and prod-
6 ucts.

7 (b) ADMINISTRATION OF FUNDS.—Of the amounts
8 made available under this section, the Administrator of
9 the Environmental Protection Agency shall reserve 7.5
10 percent for administrative costs necessary to carry out this
11 section.

12 (c) DEFINITIONS.—In this section:

13 (1) EMBODIED CARBON.—The term “embodied
14 carbon” means the quantity of greenhouse gas emis-
15 sions associated with all relevant stages of produc-
16 tion of a material or product, measured in kilograms
17 of carbon dioxide-equivalent per unit of such mate-
18 rial or product.

19 (2) ENVIRONMENTAL PRODUCT DECLARA-
20 TION.—The term “environmental product declara-
21 tion” means a document that reports the environ-
22 mental impact of a material or product that—

23 (A) includes measurement of the embodied
24 carbon of the material or product;

1 (B) conforms with international standards,
2 such as a Type III environmental product dec-
3 laration, as defined by the International Orga-
4 nization for Standardization standard 14025;
5 and

6 (C) is developed in accordance with any
7 standardized reporting criteria specified by the
8 Administrator of the Environmental Protection
9 Agency.

10 **SEC. 30114. ENVIRONMENTAL PROTECTION AGENCY METH-**
11 **ANE FEE.**

12 (a) APPROPRIATION.—In addition to amounts other-
13 wise available, there is appropriated to the Administrator
14 of the Environmental Protection Agency for fiscal year
15 2022, out of any money in the Treasury not otherwise ap-
16 propriated, \$75,000,000, to remain available until ex-
17 pended (except that no funds shall be disbursed after Sep-
18 tember 30, 2024), to carry out section 136 of the Clean
19 Air Act, as added by this section.

20 (b) AMENDMENT.—Part A of title I of the Clean Air
21 Act (42 U.S.C. 7401 et seq.), as amended, is further
22 amended by adding at the end the following:

1 **“SEC. 136. METHANE FEE FROM PETROLEUM AND NATURAL**
2 **GAS SYSTEMS.**

3 “(a) IN GENERAL.—The Administrator shall impose
4 and collect a fee from the owner or operator of each appli-
5 cable facility that is required to report methane emissions
6 pursuant to subpart W of part 98 of title 40, Code of Fed-
7 eral Regulations (or any successor regulations).

8 “(b) APPLICABLE FACILITY.—For purposes of this
9 section, the term ‘applicable facility’ means a facility with-
10 in the following industry segments, as defined in subpart
11 W of part 98 of title 40, Code of Federal Regulations (or
12 any successor regulations):

13 “(1) Offshore petroleum and natural gas pro-
14 duction.

15 “(2) Onshore petroleum and natural gas pro-
16 duction.

17 “(3) Natural gas processing,

18 “(4) Natural gas transmission and compression.

19 “(5) Underground natural gas storage.

20 “(6) Liquefied natural gas storage.

21 “(7) Liquefied natural gas import and export
22 equipment.

23 “(8) Onshore petroleum and natural gas gath-
24 ering and boosting.

25 “(9) Onshore natural gas transmission pipeline

1 “(c) FEE AMOUNT.—The amount of a fee imposed
2 and collected under subsection (a) for an applicable facility
3 shall be equal to the product obtained by multiplying—

4 “(1) subject to subsection (d), the number of
5 tons of methane reported for the applicable facility
6 pursuant to subpart W of part 98 of title 40, Code
7 of Federal Regulations (or any successor regula-
8 tions), during the previous reporting period; and

9 “(2) \$1500.

10 “(d) INTENSITY THRESHOLD.—

11 “(1) PETROLEUM AND NATURAL GAS PRODUC-
12 TION.—With respect to imposing and collecting the
13 fee under subsection (a) for an applicable facility in
14 an industry segment listed in paragraph (1) or (2)
15 of subsection (b), the Administrator shall impose
16 and collect the fee on the reported tons of methane
17 emissions that exceed 0.20 percent of the natural
18 gas sent to sale from such facility.

19 “(2) NONPRODUCTION PETROLEUM AND NAT-
20 URAL GAS SYSTEMS.—With respect to imposing and
21 collecting the fee under subsection (a) for an appli-
22 cable facility in an industry segment listed in para-
23 graph (3), (5), (6), (7), or (8) of subsection (b), the
24 Administrator shall impose and collect the fee on the
25 reported tons of methane emissions that exceed 0.05

1 percent of the natural gas sent to sale from such fa-
2 cility.

3 “(3) NATURAL GAS TRANSMISSION.—With re-
4 spect to imposing and collecting the fee under sub-
5 section (a) for an applicable facility in an industry
6 segment listed in paragraph (4) or (9) of subsection
7 (b), the Administrator shall impose and collect the
8 fee on the reported tons of methane emissions that
9 exceed 0.11 percent of the natural gas sent to sale
10 from such facility.

11 “(e) PERIOD.—The fee under subsection (a) shall be
12 imposed and collected beginning with respect to emissions
13 reported for calendar year 2023 and for each year there-
14 after.

15 “(f) IMPLEMENTATION.—In addition to other au-
16 thorities in this Act addressing air pollution from the oil
17 and natural gas sectors, the Administrator may issue
18 guidance or regulations as necessary to carry out this sec-
19 tion.

20 “(g) REPORTING.—Not later than 2 years after the
21 date of enactment of this section, and as necessary there-
22 after, the Administrator shall revise the requirements of
23 subpart W of part 98 of title 40, Code of Federal Regula-
24 tions—

1 “(1) to reduce the facility emissions threshold
2 for reporting under such subpart and for paying the
3 fee imposed under this section to 10,000 metric tons
4 of carbon dioxide equivalent of greenhouse gases
5 emitted per year; and

6 “(2) to ensure the reporting under such sub-
7 part, and calculation of fees under subsection (c) of
8 this section, are based on empirical data and accu-
9 rately reflect the total methane emissions from the
10 applicable facilities.

11 “(h) LIABILITY FOR FEE PAYMENT.—A facility
12 owner or operator’s liability for payment of the fee under
13 subsection (a) is not affected in any way by emission
14 standards, permit fees, penalties, or other requirements
15 under this Act or any other legal authorities.

16 “(i) USE OF PROCEEDS.—

17 “(1) TRANSFER OF FUNDS.—For each applica-
18 ble fiscal year, the Secretary of the Treasury shall,
19 without further appropriation, transfer to the Ad-
20 ministrator an amount equal to 75 percent of the
21 amounts received during the preceding fiscal year as
22 a result of the methane fee in subsection (a).

23 “(2) USE OF FUNDS.—The Administrator shall,
24 without further appropriation, use the amounts
25 transferred under paragraph (1) (except that no

1 funds shall be disbursed after September 30,
2 2028)—

3 “(A) to cover all direct and indirect costs
4 required to develop and administer this section,
5 including the costs of—

6 “(i) implementing the fee;

7 “(ii) continuous emissions and ambi-
8 ent methane and other greenhouse gas
9 monitoring;

10 “(iii) preparing generally applicable
11 regulations, or guidance;

12 “(iv) modeling, analyses, and dem-
13 onstrations; and

14 “(v) preparing inventories, gathering
15 empirical data, and tracking emissions;

16 “(B) for grants, rebates, contracts and
17 other activities of the Environmental Protection
18 Agency for the purposes of providing financial
19 and technical assistance to owners and opera-
20 tors of applicable facilities preparing and sub-
21 mitting greenhouse gas reports under subpart
22 W of part 98 of title 40, Code of Federal Regu-
23 lations (or successor regulations);

24 “(C) for grants, rebates, contracts, and
25 other activities of the Environmental Protection

1 Agency authorized under section 103 for meth-
2 ane emissions monitoring; and

3 “(D) for grants, rebates, contracts, and
4 other activities of the Environmental Protection
5 Agency for the purposes of providing financial
6 and technical assistance to reduce methane and
7 other greenhouse gas emissions from petroleum
8 and natural gas systems, mitigate legacy air
9 pollution from petroleum and natural gas sys-
10 tems, and provide support for communities, in-
11 cluding funding for—

12 “(i) improving climate resiliency of
13 communities and petroleum and natural
14 gas systems;

15 “(ii) improving and deploying indus-
16 trial equipment and processes that reduce
17 methane and other greenhouse gas emis-
18 sions;

19 “(iii) supporting innovation in reduc-
20 ing methane and other greenhouse gas
21 emissions from petroleum and natural gas
22 systems;

23 “(iv) mitigating health effects of
24 methane and other greenhouse gas emis-
25 sions, and legacy air pollution from petro-

1 leum and natural gas systems in low-in-
2 come and disadvantaged communities; and
3 “(v) supporting environmental res-
4 toration.”.

