

COMMITTEE PRINT

Budget Reconciliation Legislative Recommendations Relating to Air Pollution

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 to the Adminis-
11 trator for fiscal year 2022, out of any money in the Treas-
12 ury not otherwise appropriated, \$27,500,000,000, to re-
13 main available until expended (except that no funds shall
14 be disbursed after September 30, 2026).

15 “(b) RESERVATION.—Of the amount appropriated by
16 subsection (a), the Administrator shall reserve—

17 “(1) \$7,495,000,000 to make grants on a com-
18 petitive basis, not later than 180 calendar days after
19 the date of enactment of this section, to States, local
20 governments, the District of Columbia, territories of
21 the United States, Tribal governments, and eligible
22 recipients for the purposes of providing financial and
23 technical assistance to enable low-income and dis-
24 advantaged communities to deploy zero-emission
25 technologies, including zero-emission technologies

1 that are distributed technologies on residential roof-
2 tops, and carry out other greenhouse gas emission
3 reduction activities, as determined appropriate by
4 the Administrator in accordance with this section;
5 and

6 “(2) \$19,995,000,000 to make grants on a
7 competitive basis, not later than 180 calendar days
8 after the date of enactment of this section, to eligi-
9 ble recipients for the purposes of providing financial
10 assistance to qualified projects, of which
11 \$8,000,000,000 shall be used to provide financial as-
12 sistance to qualified projects in low-income and dis-
13 advantaged communities.

14 “(c) USE OF FUNDS.—Amounts made available to
15 each eligible recipient pursuant to section (b) shall be used
16 as follows:

17 “(1) DIRECT INVESTMENT.—The eligible recipi-
18 ent shall operate as a national climate investment
19 institution by—

20 “(A) providing various forms of financial
21 assistance to qualified projects;

22 “(B) prioritizing investment in qualified
23 projects that would otherwise lack access to fi-
24 nancing;

1 “(C) retaining, managing, recycling, and
2 monetizing all repayments and other revenue
3 received from fees, interest, repaid loans, and
4 all other types of financial assistance provided
5 with funds received under this section to ensure
6 continued operability as a national climate in-
7 vestment institution;

8 “(D) creating investment, risk, and audit
9 committees to manage, monitor, and report on
10 the use of funds appropriated by this section;

11 “(E) maintaining an independent board of
12 directors and an independent nonpartisan advi-
13 sory committee, each of which collectively pos-
14 sess expertise and professional experience rel-
15 evant to overseeing use of funds received under
16 this section; and

17 “(F) submitting quarterly and annual re-
18 ports to the Administrator on the financial ac-
19 tivities and outcomes achieved with the funds
20 received under this section, including quan-
21 tification of reductions in greenhouse gas emis-
22 sions and other forms of air pollution.

23 “(2) INDIRECT INVESTMENT.—The eligible re-
24 cipient shall provide funding and technical assistance
25 to establish new or support existing public, quasi-

1 public, or nonprofit entities that provide financial as-
2 sistance to qualified projects at the State, local, Dis-
3 trict of Columbia, territorial, or Tribal level, includ-
4 ing—

5 “(A) State, local, District of Columbia, ter-
6 ritorial, or Tribal climate investment institu-
7 tions; and

8 “(B) community- and low-income-focused
9 lenders and capital providers.

10 “(d) ADMINISTRATION OF FUNDS.—Of the amount
11 appropriated by subsection (a), the Administrator shall re-
12 serve \$10,000,000 for the administrative costs necessary
13 to carry out activities under this section.

14 “(e) DEFINITIONS.—

15 “(1) CLIMATE INVESTMENT INSTITUTION.—
16 The term ‘climate investment institution’ means a
17 specialized entity that—

18 “(A) is designed to provide capital, includ-
19 ing by leveraging private capital, and other
20 forms of financial assistance for the rapid de-
21 ployment of low- and zero-emission products,
22 technologies, and services;

23 “(B) uses a broad range of finance and in-
24 vestment tools to provide financial assistance

1 for projects that mitigate and adapt to the ef-
2 fects of climate change;

3 “(C) does not take deposits;

4 “(D) is funded by public or charitable con-
5 tributions; and

6 “(E) invests in or finances projects alone
7 or in conjunction with other investors.

8 “(2) ELIGIBLE RECIPIENT.—The term ‘eligible
9 recipient’ means a nonprofit organization that the
10 Administrator determines to be qualified to operate
11 as a national climate investment institution.

12 “(3) QUALIFIED PROJECT.—The term ‘qualified
13 project’ includes any projects, activities, and tech-
14 nologies that—

15 “(A) reduce or avoid greenhouse gas emis-
16 sions and other forms of air pollution in part-
17 nership with, and by leveraging investment
18 from, the private sector; or

19 “(B) assist communities in their efforts to
20 reduce or avoid greenhouse gas emissions and
21 other forms of air pollution.

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

1 “(A) any air pollutant that is listed pursu-
2 ant to section 108(a) (or any precursor to such
3 an air pollutant); and

4 “(B) any greenhouse gas.”.

5 **SEC. 30104. COLLABORATIVE COMMUNITY WILDFIRE AIR**
6 **GRANTS.**

7 (a) **IN GENERAL.**—In addition to amounts otherwise
8 available, there is appropriated to the Administrator of the
9 Environmental Protection Agency for fiscal year 2022, out
10 of any money in the Treasury not otherwise appropriated,
11 \$150,000,000, to remain available until expended (except
12 that no funds shall be disbursed after September 30,
13 2031), for grants authorized under section 103 of the
14 Clean Air Act (42 U.S.C. 7403) to assist eligible entities
15 in developing and implementing collaborative community
16 plans to prepare for smoke from wildfires, reduce risks
17 of smoke exposure due to wildfires, and mitigate the
18 health and environmental effects of smoke from wildfires.

19 (b) **TECHNICAL ASSISTANCE.**—The Administrator of
20 the Environmental Protection Agency may use amounts
21 made available under subsection (a) to provide technical
22 assistance to any eligible entity in—

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

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

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

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

11 **SEC. 30105. DIESEL EMISSIONS REDUCTIONS.**

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 \$170,000,000, to remain available until expended (except
17 that no funds shall be disbursed after September 30,
18 2031), to address diesel emissions, of which—

19 (1) \$100,000,000 shall be for grants, rebates,
20 loans, and other Environmental Protection Agency
21 activities under subtitle G of title VII of the Energy
22 Policy Act of 2005 (42 U.S.C. 16131 through
23 16137) to identify and reduce diesel emissions re-
24 sulting from goods movement facilities, and vehicles
25 servicing goods movement facilities, in low-income

1 and disadvantaged communities to address the
2 health impacts of such emissions on such commu-
3 nities;

4 (2) \$50,000,000 shall be for grants, rebates,
5 loans, and other Environmental Protection Agency
6 activities under subtitle G of title VII of the Energy
7 Policy Act of 2005; and

8 (3) \$20,000,000 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 to identify and reduce diesel
12 emissions in low-income and disadvantaged commu-
13 nities to address the health impacts of such emis-
14 sions on such communities.

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

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

21 (a) IN GENERAL.—In addition to amounts otherwise
22 available, there is appropriated to the Administrator of the
23 Environmental Protection Agency for fiscal year 2022, out
24 of any money in the Treasury not otherwise appropriated,
25 \$315,000,000, to remain available until expended (except

1 that no funds shall be disbursed after September 30,
2 2031), to address air pollution, of which—

3 (1) \$265,000,000 shall be for grants and other
4 activities authorized under sections 102, 103, and
5 105 of the Clean Air Act (42 U.S.C. 7402, 7403,
6 and 7405), of which—

7 (A) \$122,000,000 shall be to deploy, inte-
8 grate, support, and maintain fenceline moni-
9 toring and screening air monitoring, including
10 national air toxics trend stations and other air
11 toxics and community monitoring;

12 (B) \$75,000,000 shall be to expand the
13 national ambient air quality monitoring network
14 with new multipollutant monitoring stations
15 and to replace, repair, operate, and maintain
16 existing monitors;

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

20 (D) \$15,000,000 shall be for testing and
21 other agency activities to address emissions
22 from wood heaters; and

23 (E) \$50,000,000 shall be for monitoring
24 emissions of methane; and

1 (2) \$50,000,000 shall be to carry out sections
2 111, 115, 169, 177, 202, 211, 213, 231, and 612
3 and other sections of the Clean Air Act (42 U.S.C.
4 7411, 7415, 7479, 7507, 7521, 7545, 7547, 7571,
5 7671k, and others) with respect to greenhouse
6 gases.

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

12 **SEC. 30107. FUNDING TO ADDRESS AIR POLLUTION AT**
13 **SCHOOLS.**

14 In addition to amounts otherwise available, there is
15 appropriated to the Administrator of the Environmental
16 Protection Agency for fiscal year 2022, out of any money
17 in the Treasury not otherwise appropriated, \$10,000,000,
18 to remain available until expended, for grants, rebates,
19 contracts, and other activities to monitor and reduce air
20 pollution and greenhouse gas emissions at schools in low-
21 income and disadvantaged communities under subsections
22 (a) through (c) of section 103 of the Clean Air Act (42
23 U.S.C. 7403) and section 105 of that Act (42 U.S.C.
24 7405), of which the Administrator shall reserve not less
25 than 25 percent for technical assistance to such schools—

1 (1) to address environmental issues;

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

5 (3) to identify and mitigate ongoing air pollu-
6 tion hazards.

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

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

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

12 “(a) APPROPRIATIONS.—In addition to amounts oth-
13 erwise available, there is appropriated to the Adminis-
14 trator for fiscal year 2022, out of any money in the Treas-
15 ury not otherwise appropriated, \$100,000,000, to remain
16 available until expended (except that no funds shall be dis-
17 bursed after September 30, 2031), to carry out this sec-
18 tion.

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

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

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

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

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

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

23 “(6) not less than \$20,000,000 to carry out
24 this section to ensure that the anticipated reductions
25 in greenhouse gas emissions from domestic elec-

1 tricity generation and use as assessed under para-
2 graph (5) are achieved through use of the authori-
3 ties of this Act, including through the establishment
4 of requirements under this Act.”.

5 **SEC. 30109. FUNDING FOR SECTION 211 OF THE CLEAN AIR**
6 **ACT.**

7 In addition to amounts otherwise available, there is
8 appropriated to the Administrator of the Environmental
9 Protection Agency for fiscal year 2022, out of any money
10 in the Treasury not otherwise appropriated, \$15,000,000,
11 to remain available until expended, to carry out section
12 211 of the Clean Air Act (42 U.S.C. 7545), of which—

13 (1) not less than \$5,000,000 shall be for the
14 development and establishment of tests and proto-
15 cols regarding the environmental and public health
16 effects of a fuel or fuel additive; internal and extra-
17 mural data collection and analyses to regularly up-
18 date applicable regulations, guidance, and proce-
19 dures for determining lifecycle greenhouse gas emis-
20 sions of a fuel; and the review, analysis and evalua-
21 tion of the impacts of all transportation fuels, in-
22 cluding fuel lifecycle implications, on the general
23 public and on low-income and disadvantaged commu-
24 nities; and

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

4 **SEC. 30110. FUNDING FOR IMPLEMENTATION OF THE**
5 **AMERICAN INNOVATION AND MANUFAC-**
6 **TURING ACT.**

7 (a) **IN GENERAL.**—In addition to amounts otherwise
8 available, there is appropriated to the Administrator of the
9 Environmental Protection Agency for fiscal year 2022, out
10 of any money in the Treasury not otherwise appropriated,
11 \$42,000,000, to remain available until September 30,
12 2026, to carry out section 103 of division S of Public Law
13 116–260, of which—

14 (1) \$3,500,000 shall be to deploy new imple-
15 mentation and compliance tools; and

16 (2) \$15,000,000 shall be for competitive grants
17 for reclaim and innovative destruction technologies.

18 (b) **ADMINISTRATION OF FUNDS.**—Of the funds
19 made available pursuant to subsection (a)(2), the Admin-
20 istrator of the Environmental Protection Agency shall re-
21 serve 5 percent for administrative costs of carrying out
22 such section 103.

1 **SEC. 30111. FUNDING FOR ENFORCEMENT TECHNOLOGY**
2 **AND PUBLIC INFORMATION.**

3 In addition to amounts otherwise available, there is
4 appropriated to the Administrator of the Environmental
5 Protection Agency for fiscal year 2022, out of any money
6 in the Treasury not otherwise appropriated, \$50,000,000,
7 to remain available until expended (except that no funds
8 shall be disbursed after September 30, 2031), to address
9 air pollution, of which—

10 (1) at least \$33,000,000 shall be to update In-
11 tegrated Compliance Information System of the En-
12 vironmental Protection Agency and any associated
13 systems, necessary information technology infra-
14 structure, or public access software tools to ensure
15 access to compliance data and related information;

16 (2) not more than \$7,000,000 shall be for
17 grants to States, federally recognized Indian Tribes
18 and Tribal organizations, and other authorized part-
19 ners to update their systems to ensure communica-
20 tion with such Integrated Compliance Information
21 System and any associated systems; and

22 (3) not more than \$10,000,000 shall be to ac-
23 quire or update inspection software for use by the
24 Environmental Protection Agency, States, federally
25 recognized Indian Tribes and Tribal organizations,
26 and other authorized partners, or to acquire nec-

1 essary devices on which to run such inspection soft-
2 ware.

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

4 In addition to amounts otherwise available, there is
5 appropriated to the Environmental Protection Agency Of-
6 fice of Air and Radiation for fiscal year 2022, out of any
7 money in the Treasury not otherwise appropriated,
8 \$5,000,000, to remain available until expended (except
9 that no funds shall be disbursed after September 30,
10 2031), for the Environmental Protection Agency to sup-
11 port—

12 (1) enhanced standardization and transparency
13 of corporate climate action commitments and plans
14 to reduce greenhouse gas emissions;

15 (2) enhanced transparency regarding progress
16 toward meeting such commitments and imple-
17 menting such plans; and

18 (3) progress toward meeting such commitments
19 and implementing such plans.

20 **SEC. 30113. ENVIRONMENTAL PRODUCT DECLARATION AS-**
21 **SISTANCE.**

22 (a) IN GENERAL.—In addition to amounts otherwise
23 available, there is appropriated to the Administrator of the
24 Environmental Protection Agency for fiscal year 2022, out
25 of any money in the Treasury not otherwise appropriated,

1 \$250,000,000, to remain available until expended (except
2 that no funds shall be disbursed after September 30,
3 2031), to develop and carry out a program, to be known
4 as the Environmental Product Declaration Assistance
5 Program, to support the development, and enhanced
6 standardization and transparency, of environmental prod-
7 uct declarations for construction materials and products,
8 including by—

9 (1) providing grants to businesses that manu-
10 facture construction materials and products for de-
11 veloping and verifying environmental product dec-
12 larations;

13 (2) providing technical assistance to businesses
14 that manufacture construction materials and prod-
15 ucts in developing and verifying environmental prod-
16 uct declarations; and

17 (3) carrying out other activities that assist in
18 measuring and steadily reducing the quantity of em-
19 bodied carbon of construction materials and prod-
20 ucts.

21 (b) ADMINISTRATION OF FUNDS.—Of the amounts
22 made available under this section, the Administrator of
23 the Environmental Protection Agency shall reserve 7.5
24 percent for administrative costs necessary to carry out this
25 section.

1 (c) DEFINITIONS.—In this section:

2 (1) EMBODIED CARBON.—The term “embodied
3 carbon” means the quantity of greenhouse gas emis-
4 sions associated with all relevant stages of produc-
5 tion of a material or product, measured in kilograms
6 of carbon dioxide-equivalent per unit of such mate-
7 rial or product.

8 (2) ENVIRONMENTAL PRODUCT DECLARA-
9 TION.—The term “environmental product declara-
10 tion” means a document that reports the environ-
11 mental impact of a material or product that—

12 (A) includes measurement of the embodied
13 carbon of the material or product;

14 (B) conforms with international standards,
15 such as a Type III environmental product dec-
16 laration, as defined by the International Orga-
17 nization for Standardization standard 14025;
18 and

19 (C) is developed in accordance with any
20 standardized reporting criteria specified by the
21 Administrator of the Environmental Protection
22 Agency.

1 **SEC. 30114. ENVIRONMENTAL PROTECTION AGENCY METH-**
2 **ANE FEE.**

3 (a) APPROPRIATION.—In addition to amounts other-
4 wise available, there is appropriated to the Administrator
5 of the Environmental Protection Agency for fiscal year
6 2022, out of any money in the Treasury not otherwise ap-
7 propriated, \$75,000,000, to remain available until ex-
8 pended (except that no funds shall be disbursed after Sep-
9 tember 30, 2023), to carry out section 136 of the Clean
10 Air Act, as added by this section.

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

14 **“SEC. 136. METHANE FEE FROM PETROLEUM AND NATURAL**
15 **GAS SYSTEMS.**

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

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

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

3 “(2) Onshore petroleum and natural gas pro-
4 duction.

5 “(3) Natural gas processing,

6 “(4) Natural gas transmission and compression.

7 “(5) Underground natural gas storage.

8 “(6) Liquefied natural gas storage.

9 “(7) Liquefied natural gas import and export
10 equipment.

11 “(8) Onshore petroleum and natural gas gath-
12 ering and boosting.

13 “(9) Onshore natural gas transmission pipeline

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

17 “(1) subject to subsection (d), the number of
18 tons of methane reported for the applicable facility
19 pursuant to subpart W of part 98 of title 40, Code
20 of Federal Regulations (or any successor regula-
21 tions), during the previous reporting period, as ex-
22 pressed on a carbon dioxide equivalent basis; and

23 “(2) \$60.

24 “(d) INTENSITY THRESHOLD.—

1 “(1) PETROLEUM AND NATURAL GAS PRODUC-
2 TION.—With respect to imposing and collecting the
3 fee under subsection (a) for an applicable facility in
4 an industry segment listed in paragraph (1) or (2)
5 of subsection (b), the Administrator shall impose
6 and collect the fee on the reported carbon dioxide
7 equivalent tons of methane emissions that exceed
8 0.20 percent of the natural gas sent to sale from
9 such facility.

10 “(2) NONPRODUCTION PETROLEUM AND NAT-
11 URAL GAS SYSTEMS.—With respect to imposing and
12 collecting the fee under subsection (a) on an applica-
13 ble facility in an industry segment listed in any of
14 paragraphs (3) through (9) of subsection (b), the
15 Administrator shall impose and collect the fee on the
16 reported carbon dioxide equivalent tons of methane
17 emissions that exceed 0.05 percent of the natural
18 gas sent to sale from such facility.

19 “(e) PERIOD.—The fee under subsection (a) shall be
20 imposed and collected beginning with respect to emissions
21 reported for calendar year 2022 and for each year there-
22 after.

23 “(f) IMPLEMENTATION.—In addition to other au-
24 thorities in this Act addressing air pollution from the oil
25 and natural gas sectors, the Administrator may issue

1 guidance or regulations as necessary to carry out this sec-
2 tion.

3 “(g) REPORTING.—Not later than 2 years after the
4 date of enactment of this section, and as necessary there-
5 after, the Administrator shall revise the requirements of
6 subpart W of part 98 of title 40, Code of Federal Regula-
7 tions—

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

13 “(2) to ensure the reporting under such sub-
14 part, and calculation of fees under subsection (c) of
15 this section, are based on empirical data and accu-
16 rately reflect the total methane emissions from the
17 applicable facilities.

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

23 “(i) USE OF PROCEEDS.—

24 “(1) TRANSFER OF FUNDS.—For each applica-
25 ble fiscal year, the Secretary of the Treasury shall,

1 without further appropriation, transfer to the Ad-
2 ministrator an amount equal to 75 percent of the
3 amounts received during the preceding fiscal year as
4 a result of the methane fee in subsection (a).

5 “(2) USE OF FUNDS.—The Administrator shall,
6 without further appropriation, use the amounts
7 transferred under paragraph (1)—

8 “(A) to cover all direct and indirect costs
9 required to develop and administer this section,
10 including the costs of—

11 “(i) implementing the fee;

12 “(ii) continuous emissions and ambi-
13 ent methane and other greenhouse gas
14 monitoring;

15 “(iii) preparing generally applicable
16 regulations, or guidance;

17 “(iv) modeling, analyses, and dem-
18 onstrations; and

19 “(v) preparing inventories, gathering
20 empirical data, and tracking emissions;

21 “(B) for grants, rebates, contracts and
22 other activities of the Environmental Protection
23 Agency for the purposes of providing financial
24 and technical assistance to owners and opera-
25 tors of applicable facilities preparing and sub-

1 mitting greenhouse gas reports under subpart
2 W of part 98 of title 40, Code of Federal Regu-
3 lations (or successor regulations);

4 “(C) for grants, rebates, contracts, and
5 other activities of the Environmental Protection
6 Agency authorized under section 103 for meth-
7 ane emissions monitoring; and

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

17 “(i) improving climate resiliency of
18 communities and petroleum and natural
19 gas systems;

20 “(ii) improving and deploying indus-
21 trial equipment and processes that reduce
22 methane and other greenhouse gas emis-
23 sions;

24 “(iii) supporting innovation in reduc-
25 ing methane and other greenhouse gas

1 emissions from petroleum and natural gas
2 systems;
3 “(iv) mitigating health effects of
4 methane and other greenhouse gas emis-
5 sions, and legacy air pollution from petro-
6 leum and natural gas systems in low-in-
7 come and disadvantaged communities; and
8 “(v) supporting environmental res-
9 toration.”.