....
(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To require the Administrator of the Environmental Protection Agency to authorize the use of flexible air permitting with respect to certain critical energy resource facilities, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

_____

A BILL

To require the Administrator of the Environmental Protection Agency to authorize the use of flexible air permitting with respect to certain critical energy resource facilities, 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. FLEXIBLE AIR PERMITS FOR CRITICAL ENERGY**

4   **RESOURCE FACILITIES.**

5   (a) IN GENERAL.—The Administrator of the Envi-

6 ronmental Protection Agency shall, as necessary, revise

1 regulations under parts 70 and 71 of title 40, Code of
2 Federal Regulations, to—

3   (1) authorize the owner or operator of a critical
4 energy resource facility to utilize flexible air permit-
5 ting (as described in the final rule titled "Operating
6 Permit Programs; Flexible Air Permitting Rule"
7 published by the Environmental Protection Agency
8 in the Federal Register on October 6, 2009 (74 Fed.
9 Reg. 51418)) with respect to such critical energy re-
10 source facility; and

11   (2) facilitate flexible, market-responsive oper-
12 ations (as described in the final rule identified in
13 paragraph (1)) with respect to critical energy re-
14 source facilities.

15 (b) DEFINITIONS.—In this section:

16   (1) CRITICAL ENERGY RESOURCE.—The term
17 "critical energy resource" means, as determined by
18 the Secretary of Energy, any energy resource—

19   (A) that is essential to the energy sector
20   and energy systems of the United States; and
21   (B) the supply chain of which is vulnerable
22   to disruption.

23   (2) CRITICAL ENERGY RESOURCE FACILITY.—
24 The term "critical energy resource facility" means a

1   facility that processes or refines a critical energy re-

2   source.