

139TH CONGRESS
1ST SESSION

S. 9

To reinstate emissions standards for refineries operating within the United States

IN THE CONGRESS OF THE UNITED STATES

MARCH 24TH, 2021

Mr. LIGHTWOOD (for himself, Ms. CHAN, Ms. TOWARD, Mr. HARRIS of Virginia)
introduced the following bill;

A BILL

To reinstate emissions standards for refineries operating within the United States

*Be it enacted by the Senate and House of Representatives of the United States of
America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Refinery Sector Rule Standards Act”.

SEC. 2. DEFINITIONS.

In this Act—

- (1) ADMINISTRATOR.— The term “Administrator” means the Administrator of the Environmental Protection Agency.
- (2) ENVIRONMENTAL PROTECTION AGENCY.— The term “Environmental Protection Agency” or “EPA” is an independent executive agency of the United States federal government tasked with environmental protection matters.

SEC. 3. FINDINGS.

Congress finds that—

- (a) Nearly 150 petroleum refineries are operating in the United States. These refineries are capable of turning more than 18 million barrels of crude oil into highly demanded petroleum products, such as gasoline and diesel fuel.
- (b) The process of refining crude oil is very complex and can result in pollutant leaks and releases to the atmosphere through flares and vents at the facility. These emissions impact the air quality and health of local communities. One of the most harmful components of crude oil, and one of the pollutants most at risk of leaking, is benzene, a known carcinogen.
- (c) Under two Clean Air Act programs, emissions control technology must be installed and operated at refineries to minimize and control releases of air pollutants. These programs involved are New Source Performance Standards (NSPS) for newly constructed or newly upgraded refineries, and the National Emissions Standards for Hazardous Air Pollutants (NESHAP), which regulates emissions of toxic air pollutants, such as benzene.
- (d) In 2015, the Environmental Protection Agency (EPA) updated the Petroleum Refinery Sector Rule, which strengthened requirements for refineries under NSPS and NESHAP. The rule was projected to reduce emissions of toxic air pollutants by 5,200 tons per year and emissions of volatile organic compounds by 50,000 tons per year.
- (e) EPA estimated that the updated standards and monitoring requirements would lower cancer risks for more than 1.4 million people living near refineries.

SEC. 4. REFINERY SECTOR EMISSIONS STANDARDS.

- (a) IN GENERAL.— Notwithstanding of final ruling of the Environmental Protection Agency entitled “National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards: Petroleum Refinery Sector Amendments” dated November 26, 2018, the following regulations shall have the force and effect of law:
 - (i) The final ruling titled “National Emission Standards for Hazardous Air Pollutant Emissions: Petroleum Refinery Sector Amendments” dated July 13, 2016.

SEC. 5. ADMINISTRATOR LIMITATIONS.

- (a) IN GENERAL.— The Administrator shall not issue, or finalize any rules that would effectively reduce or weaken the stringency of the refinery standards required to achieve the installation of emissions control technology that would be operated at refineries to minimize and control releases of air pollutants, under the regulation stated in subsection (a)(1).
 - (1) National Emission Standards for Hazardous Air Pollutant Emissions: Petroleum Refinery Sector Amendments” dated July 13, 2016. (81 FR 45232)

SEC. 6. ENACTMENT.

EFFECTIVE DATE.—This Act shall come into effect immediately upon passage.
