AMENDMENT TO H.R. 3607

Offered by M_.

At the end of the bill, add the following:

1	SEC. 14. EFFECT OF TECHNOLOGY DEMONSTRATION.
2	Subtitle F of title IX of the Energy Policy Act of
3	2005 (7 U.S.C. 16291 et seq.), as amended by sections
4	6, 7, 8, 10, 11, and 12, is further amended by adding
5	at the end the following:
6	"SEC. 969F. EFFECT OF TECHNOLOGY DEMONSTRATION.
7	"(a) In General.—Except as provided in subsection
8	(b), the Administrator of the Environmental Protection
9	Agency may not treat any technology, or level of emission
10	reduction, that is demonstrated as a result of financial as-
11	sistance under this Act as—
12	"(1) adequately demonstrated for purposes of
13	section 111 of the Clean Air Act (42 U.S.C. 7411);
14	"(2) achievable for purposes of the definition of
15	the term 'best available control technology' in section
16	169 of the Clean Air Act (42 U.S.C. 7479); or
17	"(3) achieved in practice for purposes of the
18	definition of the term 'lowest achievable emission
19	rate' in section 171 of the Clean Air Act (42 U.S.C.
20	7501).

1	"(b) Considerations.—In determining whether a
2	technology, or level of emission reduction, is adequately
3	demonstrated, achievable, or achieved in practice, as de-
4	scribed in subsection (a), the Administrator of the Envi-
5	ronmental Protection Agency shall consider—
6	"(1) the technical feasibility of, and the level of
7	emission reductions achievable by, the technology;
8	and
9	"(2) the total direct costs incurred by the facil-
10	ity involved to demonstrate the technology, or level
11	of emission reduction, including the expenditure of
12	funds received for the demonstration under this
13	Act.''.

