

**AMENDMENT TO H.R. 4775**  
**OFFERED BY MR. RUSH OF ILLINOIS**

Page 6, lines 18 and 19, strike “If the Administrator fails” and insert

1                   (A) STANDARD NOT APPLICABLE.—Except  
2                   as provided in subparagraph (B), if the Admin-  
3                   istrator fails

Page 7, after line 2, add the following:

4                   (B) STANDARD APPLICABLE.—Subpara-  
5                   graph (A) shall not apply with respect to review  
6                   and disposition of a preconstruction permit ap-  
7                   plication by a Federal, State, local, or tribal  
8                   permitting authority if such authority deter-  
9                   mines that application of such subparagraph is  
10                  likely to—  
11                   (i) increase air pollution that harms  
12                   human health and the environment;  
13                   (ii) slow issuance of final  
14                   preconstruction permits;  
15                   (iii) increase regulatory uncertainty;  
16                   (iv) foster additional litigation;

- 1 (v) shift the burden of pollution con-  
2 trol from new sources to existing sources  
3 of pollution, including small businesses; or  
4 (vi) increase the overall cost of achiev-  
5 ing the new or revised national ambient air  
6 quality standard in the applicable area.

