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S. 4510

To protect clean air and public health by expanding fenceline and ambient air monitoring and access to air quality information for communities affected by air pollution, to require hazardous air pollutant monitoring at the fenceline of facilities whose emissions are linked to local health threats, to ensure the Environmental Protection Agency promulgates rules that require hazardous air pollutant data measurement and electronic submission at fencelines and stacks of industrial source categories, to expand and strengthen the national ambient air quality monitoring network, to deploy air sensors in communities affected by air pollution, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2022

Ms. DUCKWORTH introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To protect clean air and public health by expanding fenceline and ambient air monitoring and access to air quality information for communities affected by air pollution, to require hazardous air pollutant monitoring at the fenceline of facilities whose emissions are linked to local health threats, to ensure the Environmental Protection Agency promulgates rules that require hazardous air pollutant data measurement and electronic submission at fencelines and stacks of industrial source categories, to expand and strengthen the national ambient air quality

monitoring network, to deploy air sensors in communities affected by air pollution, 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. SHORT TITLE.**

4 This Act may be cited as the “Public Health Air
 5 Quality Act of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) ADMINISTRATOR.—The term “Adminis-
 9 trator” means the Administrator of the Environ-
 10 mental Protection Agency.

11 (2) ACCIDENTAL RELEASE.—The term “acci-
 12 dental release” has the meaning given the term in
 13 section 112(r)(2) of the Clean Air Act (42 U.S.C.
 14 7412(r)(2)).

15 (3) AREA SOURCE; EXISTING SOURCE; HAZ-
 16 ARDOUS AIR POLLUTANT; MAJOR SOURCE; NEW
 17 SOURCE; STATIONARY SOURCE.—Except as otherwise
 18 provided, the terms “area source”, “existing
 19 source”, “hazardous air pollutant”, “major source”,
 20 “new source”, and “stationary source” have the
 21 meanings given the terms in section 112(a) of the
 22 Clean Air Act (42 U.S.C. 7412(a)).

23 (4) EMISSIONS MEASUREMENT SYSTEM.—The
 24 term “emissions measurement system” means a set

1 of monitors, testing equipment, tools, and processes
2 employed at a facility to measure emissions from di-
3 rect and fugitive points at a source or facility or at
4 the source's or facility's fenceline that employs Envi-
5 ronmental Protection Agency-approved or promul-
6 gated test methods for all measured pollutants for
7 which a method is available.

8 (5) FEDERAL EQUIVALENT METHOD; FEDERAL
9 REFERENCE METHOD.—The terms “Federal equiva-
10 lent method” and “Federal reference method” have
11 the meanings given to such terms in section 53.1 of
12 title 40, Code of Federal Regulations (or to the
13 same or substantially similar terms in successor reg-
14 ulations).

15 (6) METHOD 325A.—The term “Method 325A”
16 means the most current version of the test method
17 325A published by the Environmental Protection
18 Agency.

19 (7) METHOD 325B.—The term “Method 325B”
20 means the most current version of the test method
21 325B published by the Environmental Protection
22 Agency.

23 (8) METHOD TO-15A.—The term “Method TO-
24 15A” means the most current version of the test

1 method TO-15 (including TO-15A) published by
2 the Environmental Protection Agency.

3 (9) NATIONAL AMBIENT AIR QUALITY STAND-
4 ARD.—The term “national ambient air quality
5 standard” means a national ambient air quality
6 standard established under section 109 of the Clean
7 Air Act (42 U.S.C. 7409).

8 (10) NCore; SLAMS.—The terms “NCore” and
9 “SLAMS” have the meaning given those terms in
10 section 58.1 of title 40, Code of Federal Regulations
11 (as in effect on the date of enactment of this Act).

12 (11) REAL-TIME.—The term “real-time” means
13 the actual or near actual time during which pollut-
14 ant levels occur at or near the property boundary of
15 a facility or in a nearby community.

16 (12) SOURCE.—The term “source” means a
17 source as such term is used in the Clean Air Act (42
18 U.S.C. 7401 et seq.).

19 **SEC. 3. HEALTH EMERGENCY AIR TOXICS MONITORING**
20 **NETWORK.**

21 (a) MONITORING.—

22 (1) IN GENERAL.—

23 (A) PROGRAM.—The Administrator shall
24 carry out a program to administer or conduct,
25 pursuant to authority provided under the Clean

1 Air Act (42 U.S.C. 7401 et seq.), including sec-
2 tions 103 and 114 of that Act (42 U.S.C. 7403,
3 7414), emissions measurement and quantifica-
4 tion, including the best available form of
5 fence-line monitoring of stationary sources of
6 hazardous air pollutants that are on the list de-
7 veloped under subsection (c), including through
8 expansion of the National Air Toxics Trends
9 Station network or through creating a new net-
10 work, as appropriate.

11 (B) TIMING.—The Administrator shall
12 begin implementation of the program under
13 subparagraph (A) not later than 18 months
14 after the date of enactment of this Act.

15 (2) MONITORING PERIOD.—

16 (A) IN GENERAL.—The Administrator
17 shall maintain the monitoring required under
18 paragraph (1) for a period of not less than 6
19 years after the date on which the monitoring re-
20 quired under that paragraph is first carried
21 out.

22 (B) SUBSEQUENT MONITORING.—After the
23 6-year period described in subparagraph (A),
24 the Administrator shall maintain the emissions
25 measurement and quantification program under

1 paragraph (1), consistent with this section,
2 through—

3 (i) maintaining monitors at all or
4 some sources under the program under
5 paragraph (1); and

6 (ii) adding or moving monitors under
7 the program under paragraph (1) to addi-
8 tional sources, following the process for
9 substitution of sources in subsection (g).

10 (C) SHORTENED PERIOD.—If the Adminis-
11 trator determines that 6 years of monitoring, as
12 required by subparagraph (A), is not necessary
13 to protect public health or assure compliance at
14 the source or the facility involved, the Adminis-
15 trator may decrease or end the monitoring after
16 at least 3 years of monitoring has occurred.

17 (D) ADDITIONAL INSPECTIONS AND TEST-
18 ING.—In addition to fenceline monitoring under
19 the program under this subsection, the Admin-
20 istrator shall use the Administrator’s full au-
21 thority to inspect and require emission testing
22 at sources at or inside the facility involved to
23 the extent necessary to identify and address the
24 emissions crossing the fenceline.

25 (b) PUBLICATION OF RESULTS.—

1 (1) IN GENERAL.—The Administrator shall
 2 publish and maintain the plans for and the results
 3 of all measurements, including fenceline monitoring,
 4 conducted under the program under subsection
 5 (a)(1) on the website of the Environmental Protec-
 6 tion Agency—

7 (A) in a highly accessible format;

8 (B) in multiple languages; and

9 (C) for a period of at least 6 years.

10 (2) IMMEDIATE AVAILABILITY.—The Adminis-
 11 trator shall ensure that the monitoring data de-
 12 scribed in paragraph (1) is made publicly available
 13 under that paragraph as expeditiously as practicable,
 14 and not later than 7 days after electronic submis-
 15 sion, which shall be not later than one month after
 16 the date of collection of such data.

17 (c) LIST OF SOURCES.—

18 (1) DEVELOPMENT.—

19 (A) IN GENERAL.—Not later than 270
 20 days after the date of enactment of this Act,
 21 the Administrator shall publish, after public no-
 22 tice and comment, a list of stationary sources
 23 of hazardous air pollutants that, subject to sub-
 24 paragraph (B), includes—

25 (i) at least 45 of the sources listed—

1 (I) as high-priority facilities in
2 Appendix A of the report of the Office
3 of Inspector General of the Environ-
4 mental Protection Agency numbered
5 20–N–0128 and dated March 31,
6 2020; or

7 (II) as contributing to high can-
8 cer risk at the census block level in
9 Appendix C of the report of the Office
10 of Inspector General of the Environ-
11 mental Protection Agency numbered
12 21–P–0129 and dated May 6, 2021;
13 and

14 (ii) at least 55 other major sources or
15 area sources that meet the criteria de-
16 scribed in paragraph (2).

17 (B) SUBSTITUTION.—

18 (i) IN GENERAL.—If the Adminis-
19 trator determines that a source described
20 in subparagraph (A)(i) no longer contrib-
21 utes to high health risks or impacts, the
22 Administrator shall—

23 (I) cease to include that source in
24 the list under subparagraph (A); and

1 (II) include instead an additional
2 major source or area source described
3 in subparagraph (A)(ii) to ensure that
4 the list under subparagraph (A) in-
5 cludes not less than 100 high-priority
6 sources.

7 (ii) DESCRIPTION OF REASONS.—The
8 Administrator shall publish in the Federal
9 Register—

10 (I) any determination to make a
11 substitution under clause (i); and

12 (II) an explanation of the reasons
13 for any such determination dem-
14 onstrating, based on monitoring data
15 or other reliable information, that the
16 substitution is likely to ensure that
17 monitoring under this section occurs
18 at the sources causing or contributing
19 to the highest potential health risks or
20 other impacts from hazardous air pol-
21 lution.

22 (iii) REQUIREMENT.—The Adminis-
23 trator may include an additional major
24 source or area source under clause (i)(II)
25 only if the Administrator determines that

1 the source is, or is likely to be, contrib-
2 uting local health risks or impacts that are
3 equivalent to, or greater than, those of the
4 source for which the new source is being
5 substituted.

6 (2) CRITERIA.—The Administrator may include
7 a major source or area source described in clause (ii)
8 of paragraph (1)(A) on the list described in that
9 paragraph only if the source—

10 (A) emits at least 1 of the pollutants de-
11 scribed in paragraph (3);

12 (B) is—

13 (i) located in, or within 3 miles of, a
14 census tract with—

15 (I) a cancer risk of at least 100-
16 in-1,000,000; or

17 (II) a chronic non-cancer hazard
18 index that is greater than 1; or

19 (ii) in a source category with—

20 (I) a cancer risk that is at least
21 50-in-1,000,000 for the individual
22 most exposed to emissions from the
23 source category;

1 (II) a total organ-specific hazard
2 index for chronic non-cancer risk that
3 is greater than 1; or

4 (III) an acute risk hazard
5 quotient that is greater than 1; and

6 (C)(i) is classified in 1 or more of North
7 American Industry Classification System codes
8 322, 324, 325, 326, 331, 332, 339, 424, and
9 562;

10 (ii)(I) is required to prepare and imple-
11 ment a risk management plan pursuant to sec-
12 tion 112(r) of the Clean Air Act (42 U.S.C.
13 7412(r)); and

14 (II) has had an accidental release required
15 to be reported during the previous 5-year period
16 pursuant to sections 68.42 and 68.195 of title
17 40, Code of Federal Regulations (as in effect on
18 the date of enactment of this Act); or

19 (iii) is determined by the Administrator to
20 be a high-priority source or facility for emis-
21 sions measurement because the emissions of the
22 source or facility are causing or contributing to,
23 or have the potential to cause or contribute to,
24 serious health risks or impacts.

1 (3) POLLUTANTS.—The pollutants described in
2 this paragraph are—

3 (A) ethylene oxide, CAS 75218;

4 (B) chloroprene, CAS 126998;

5 (C) benzene, CAS 71432;

6 (D) 1,3-butadiene, CAS 106990;

7 (E) formaldehyde, CAS 50000;

8 (F) acetaldehyde, CAS 75070;

9 (G) lead compounds;

10 (H) arsenic compounds;

11 (I) cadmium compounds;

12 (J) nickel compounds;

13 (K) manganese compounds;

14 (L) any other hazardous air pollutant in-
15 cluded in the list described in section 112(b) of
16 the Clean Air Act (42 U.S.C. 7412(b)) that the
17 Administrator determines, after public notice
18 and comment, the emissions of which—

19 (i) are, or may be contributing to, se-
20 rious health risks; and

21 (ii) warrant emissions quantification
22 and measurement; and

23 (M) any pollutant that is a precursor to at-
24 mospheric photochemical production of any
25 other pollutant on such list.

1 (4) USE OF RISK ASSESSMENTS.—In carrying
2 out this subsection, the Administrator shall—

3 (A) use—

4 (i) the Environmental Protection
5 Agency’s latest evaluations and methods of
6 compiling and evaluating information
7 about risks from air toxics, or the most re-
8 cent Air Toxics Screening Assessment or
9 other current evaluation or report by the
10 Environmental Protection Agency pro-
11 viding similar information about cancer
12 and noncancer risks from hazardous air
13 pollution based on measured or modeled
14 emissions;

15 (ii) the Risk-Screening Environmental
16 Indicators model of the Administrator;

17 (iii) a prior health risk assessment
18 that was performed by the Administrator
19 for the applicable source or source cat-
20 egory; or

21 (iv) a new health risk assessment per-
22 formed by the Administrator that—

23 (I) follows the best available
24 science (including the most recent

1 guidance from the National Academy
2 of Sciences); and

3 (II) considers, to the greatest ex-
4 tent practicable, with respect to the
5 applicable source or facility—

6 (aa) cumulative risks and
7 impacts;

8 (bb) increased vulnerability
9 that results from socioeconomic
10 disparities;

11 (cc) multiple source expo-
12 sure; and

13 (dd) exposure in utero, in
14 childhood, and through the age of
15 85; and

16 (B) consider—

17 (i) the most recent emission tests
18 available to the Administrator or received
19 by the Environmental Protection Agency in
20 public comment; and

21 (ii) any fenceline or ambient moni-
22 toring data for which an Environmental
23 Protection Agency-approved data quality
24 check has been performed.

25 (d) METHODS AND TECHNOLOGIES.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (3), in carrying out the program under sub-
3 section (a), the Administrator shall, for each sta-
4 tionary source on the list published under subsection
5 (c)(1), employ an emissions measurement system to
6 monitor the pollutants described in subsection (c)(3)
7 emitted by the stationary source, including at
8 least—

9 (A) the most current Environmental Pro-
10 tection Agency-approved or promulgated emis-
11 sion test or monitoring method, including Meth-
12 ods 325A, 325B, and TO-15 or the most cur-
13 rent and best available version of such methods
14 approved or promulgated by the Environmental
15 Protection Agency; or

16 (B) for each stationary source described in
17 paragraph (2), the best available method for
18 continuous, real-time measurement of air pol-
19 lutant concentrations.

20 (2) STATIONARY SOURCES DESCRIBED.—A sta-
21 tionary source referred to in paragraph (1)(B) is—

22 (A) not less than each of the 20 stationary
23 sources on the list published under subsection
24 (c)(1) that—

1 (i) emits the greatest volume of pol-
2 lutants described in subsection (c)(3); or

3 (ii) causes the greatest health risk,
4 based on the emissions of the pollutants
5 described in subsection (c)(3) individually,
6 as a group, or cumulatively, based on—

7 (I)(aa) the Environmental Pro-
8 tection Agency's latest evaluations
9 and methods of compiling and evalu-
10 ating information about risks from air
11 toxics, or the most recent Air Toxics
12 Screening Assessment or other cur-
13 rent evaluation or report by the Envi-
14 ronmental Protection Agency pro-
15 viding similar information about can-
16 cer and noncancer risks from haz-
17 ardous air pollution based on meas-
18 ured or modeled emissions;

19 (bb) the Risk-Screening Environ-
20 mental Indicators model of the Ad-
21 ministrator;

22 (cc) a prior health risk assess-
23 ment that was performed by the Ad-
24 ministrator for the applicable source
25 or source category; or

1 (dd) a new health risk assess-
2 ment performed by the Administrator
3 that—

4 (AA) follows the best avail-
5 able science (including the most
6 recent guidance from the Na-
7 tional Academy of Sciences); and

8 (BB) considers, to the great-
9 est extent practicable, with re-
10 spect to the applicable source or
11 facility, cumulative risks and im-
12 pacts, increased vulnerability that
13 results from socioeconomic dis-
14 parities, multiple source expo-
15 sure, and exposure in utero, in
16 childhood, and through the age of
17 85; and

18 (II) the most recent emission
19 tests available to the Environmental
20 Protection Agency or received in pub-
21 lic comment, and any fence-line or am-
22 bient monitoring data for which an
23 Environmental Protection Agency-ap-
24 proved data quality check has been
25 performed; and

1 (B) any other stationary source on the list
2 published under subsection (c)(1) that is regu-
3 lated under section 112(r)(7) of the Clean Air
4 Act (42 U.S.C. 7412(r)(7)) and has had an ac-
5 cidental release or incident that is required to
6 be reported during the previous 5-year period
7 under such section 112(r)(7) (42 U.S.C.
8 7412(r)(7)); and

9 (C) any other stationary source on the list
10 published under subsection (c)(1) for which ap-
11 plication of the methods described in subpara-
12 graph (A) alone will not be sufficient to monitor
13 and report the pollutants described in sub-
14 section (c)(3) that are emitted by that sta-
15 tionary source.

16 (3) UPDATES.—

17 (A) APPROVED OR PROMULGATED METH-
18 ODS.—The Administrator shall—

19 (i) not later than 270 days after the
20 date of enactment of this Act, review and,
21 after public notice and comment, update
22 each approved or promulgated test method
23 described in this section to add as many of
24 the pollutants described in subsection
25 (c)(3) as possible; and

1 (ii) otherwise strengthen the test
2 methods described in clause (i) to support
3 effective hazardous air pollutant measure-
4 ment and the full implementation of this
5 Act.

6 (B) NEW TEST METHODS.—

7 (i) IN GENERAL.—Not later than 18
8 months after the date of enactment of this
9 Act, the Administrator shall approve or
10 promulgate, as applicable, any new test
11 methods that are necessary to ensure effec-
12 tive fenceline monitoring of all pollutants
13 and sources described in this section, in-
14 cluding—

15 (I) at least 1 method that rep-
16 represents the best and most accurate
17 form of continuous, real-time fenceline
18 monitoring; and

19 (II) at least 1 method that rep-
20 represents the best and most accurate
21 form of multimetal monitoring.

22 (ii) UPDATES REQUIRED.—Not less
23 frequently than once every 10 years, the
24 Administrator shall review and, if nec-
25 essary, after public notice and comment,

1 strengthen or add new test methods that
2 meet the requirements under clause (i),
3 which shall be based on—

4 (I) the best available monitoring
5 technologies; and

6 (II) the advice of staff of the En-
7 vironmental Protection Agency re-
8 sponsible for enforcement of this Act
9 and other monitoring experts.

10 (e) MONITOR PLACEMENT AND MAINTENANCE.—

11 (1) IN GENERAL.—The Administrator shall,
12 after public notice and comment, place and main-
13 tain, or ensure placement and regular maintenance
14 of, all monitors required under this section to ensure
15 effective and reliable emissions measurement pursu-
16 ant to this section.

17 (2) MAINTENANCE CHECK.—The maintenance
18 required under paragraph (1) shall include a mainte-
19 nance check of the monitor not less frequently than
20 once every 180 days, unless—

21 (A) the test method used by the monitor
22 requires a maintenance check more frequently;
23 or

24 (B) a maintenance check is requested by a
25 member of the public.

1 (3) PUBLIC INPUT.—The Administrator shall,
2 after public notice and comment, create a process
3 for the public—

4 (A) to track the maintenance of monitors
5 under this subsection; and

6 (B) request a maintenance check of a mon-
7 itor.

8 (f) REPORT.—Not later than 6 years after the date
9 of enactment of this Act, and not less frequently than
10 every 6 years thereafter, the Administrator shall submit
11 to the Congress and post publicly on the website of the
12 Environmental Protection Agency a report describing the
13 results of the program carried out under subsection (a),
14 which shall include—

15 (1) the results of emissions measurement imple-
16 mented under that program;

17 (2) any actions of the Administrator taken
18 based on that emissions measurement data or pro-
19 gram; and

20 (3) whether the Administrator proposes—

21 (A) to continue emissions measurements at
22 any or all of the stationary sources on the list
23 published under subsection (c)(1); or

1 (B) to implement emissions measurements
2 of any additional stationary sources as deter-
3 mined under subsection (g).

4 (g) DETERMINATION REGARDING ADDITIONAL
5 SOURCES.—Not later than 6 years after the date of enact-
6 ment of this Act, and not less frequently than every 6
7 years thereafter, the Administrator shall—

8 (1) after public notice and comment, make a
9 determination of whether to add or remove sources
10 to the list published under subsection (e)(1)—

11 (A) to ensure compliance of such sta-
12 tionary sources with existing emission stand-
13 ards under section 112 of the Clean Air Act (42
14 U.S.C. 7412);

15 (B) to prevent and detect accidental re-
16 leases;

17 (C) to protect the health of the commu-
18 nities most exposed to the emissions of haz-
19 ardous air pollutants from such stationary
20 sources to the greatest extent possible; or

21 (D) to ensure the 100 highest-priority
22 sources or facilities, based on the best available
23 science and the most current data on health
24 risks and impacts, have emissions measurement

1 systems in place for pollutants required to be
2 monitored under this section; and

3 (2) publish a determination under paragraph
4 (1) in the Federal Register.

5 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section
7 \$146,000,000 for the period of fiscal years 2023 and
8 2024.

9 **SEC. 4. COMMUNITY AIR TOXICS MONITORING.**

10 (a) REGULATIONS.—Not later than 2 years after the
11 date of enactment of this Act, the Administrator shall pro-
12 mulgate regulations pursuant to authority provided by the
13 Clean Air Act, which may include subsections (d), (f), and
14 (r) of section 112, section 113, and section 114 of the
15 Clean Air Act (42 U.S.C. 7412, 7413, 7414), for each
16 source category described in subsection (b), that—

17 (1) require all sources in the source category to
18 implement, not later than 1 year after the promulga-
19 tion of the regulations, the best available form of
20 emissions measurement, including continuous emis-
21 sions monitoring and fence-line monitoring, to ensure
22 compliance with the emission standards for haz-
23 ardous air pollutants;

24 (2) for facilities in the source category that are
25 required to submit risk management plans under

1 section 112(r)(7) of that Act (42 U.S.C.
2 7412(r)(7)), require each facility to implement—

3 (A) continuous, real-time monitoring to
4 provide for effective emergency response and
5 provide information to prevent future releases;
6 and

7 (B) emissions measurement, including
8 fenceline monitoring, to provide for effective
9 emergency response and provide information to
10 prevent future releases;

11 (3) subject to subsection (e), establish a correc-
12 tive action level at the fenceline for at least the top
13 3 hazardous air pollutants that drive the cancer,
14 chronic non-cancer, or acute risk for the source cat-
15 egory;

16 (4) if any applicable corrective action level
17 under paragraph (3) is exceeded, require—

18 (A) a root cause analysis;

19 (B) full remedial action to resolve the ex-
20 ceedance and protect the most exposed or most
21 vulnerable individuals potentially affected by
22 the exceedance; and

23 (C) a public report that a violation of the
24 Clean Air Act (42 U.S.C. 7401 et seq.) has oc-
25 curred; and

1 (5) treat any requirement imposed by the regu-
2 lations under this section as a requirement under
3 section 112 of the Clean Air Act (42 U.S.C. 7412)
4 that is enforceable under section 113 of such Act
5 (42 U.S.C. 7413).

6 (b) SOURCE CATEGORIES.—The source categories de-
7 scribed in this subsection shall include—

8 (1) each category or subcategory of major
9 sources or area sources that—

10 (A) contains—

11 (i) at least 1 of the stationary sources
12 of hazardous air pollutants that are on the
13 list published under section 3(c);

14 (ii) major sources or area sources
15 identified in the most recent National
16 Emissions Inventory of the Environmental
17 Protection Agency as emitting a pollutant
18 described in section 3(c)(3);

19 (iii) petroleum, chemical, petro-
20 chemical, or plastics manufacturing
21 sources, marine vessel loading operations,
22 or other sources that are classified in 1 or
23 more of North American Industry Classi-
24 fication System codes 322, 324, 325, 326,
25 331, 332, 339, 424, and 562; or

- 1 (iv) any other major source of fugitive
2 hazardous air pollutant emissions for
3 which the Environmental Protection Agen-
4 cy is subject to a court-ordered or statu-
5 tory deadline, engaged in a reconsideration
6 proceeding, or subject to a court remand
7 (or is likely within the 2-year period begin-
8 ning on the date of enactment of this Act
9 to become subject to such an obligation or
10 action) to review and determine whether to
11 revise the emissions standards that apply
12 to that major source; or
- 13 (B) contains any stationary source that—
- 14 (i) is regulated under section
15 112(r)(7) of the Clean Air Act (42 U.S.C.
16 7412(r)(7)); and
- 17 (ii) has had an accidental release or
18 incident that is required to be reported
19 during the previous 5-year period under
20 such section 112(r) (42 U.S.C. 7412(r))
21 and the regulations thereunder; and
- 22 (2) any other source category for which the Ad-
23 ministrator determines that requiring fence-line mon-
24 itoring would benefit public health or welfare.

1 (c) DETERMINATION OF BEST AVAILABLE FORM OF
2 MONITORING.—

3 (1) IN GENERAL.—The Administrator, in con-
4 sultation with the Office of Air and Radiation, the
5 Office of Enforcement and Compliance Assurance,
6 the Office of Environmental Justice, and the Office
7 of Research and Development, shall, for purposes of
8 the regulations promulgated pursuant to subsection
9 (a)—

10 (A) determine the best available form of
11 emissions measurement, including continuous
12 emissions monitoring and fenceline monitoring;
13 and

14 (B) ensure the methods required under the
15 regulations are at least as stringent as the most
16 current Environmental Protection Agency-ap-
17 proved or promulgated emission test or moni-
18 toring method, including Methods 325A, 325B,
19 and TO-15 (or the most current and best avail-
20 able version of such methods approved or pro-
21 mulgated by the Environmental Protection
22 Agency).

23 (2) REQUIREMENT.—In carrying out paragraph
24 (1)(B), the Administrator shall ensure that 1 or
25 more of the methods described in or promulgated

1 under section 3 or subsection (d) (including
2 multimetal monitoring) is included in the regulations
3 promulgated pursuant to subsection (a) if that
4 method is the best available method for 1 or more
5 of the pollutants for which monitoring is required
6 under this section.

7 (d) METHODS AND TECHNOLOGIES.—

8 (1) IN GENERAL.—For all stationary sources in
9 the source categories described in subsection (b), as
10 the best available fence-line monitoring method for
11 those source categories, the Administrator may, in
12 the regulations promulgated pursuant to subsection
13 (a)—

14 (A) require application, implementation, or
15 employment of optical remote sensing tech-
16 nology to provide real-time measurements of air
17 pollutant concentrations along an open-path; or

18 (B) provide an explanation of why applica-
19 tion, implementation, or employment of 1 or
20 more of the technologies described in subpara-
21 graph (A) is not necessary—

22 (i) to ensure compliance with the
23 emission standards established under the
24 regulations promulgated pursuant to sub-
25 section (d), (f), or (r) of section 112 of the

1 Clean Air Act (42 U.S.C. 7412), as appli-
2 cable; or

3 (ii) to protect the public health, to
4 prevent accidental releases, or to provide
5 for effective emergency response.

6 (2) MULTIPLE-SOURCE OR FACILITY COM-
7 PLEXES.—

8 (A) DEFINITION OF MULTIPLE-SOURCE OR
9 FACILITY COMPLEX.—In this paragraph, the
10 term “multiple-source or facility complex”
11 means 1 or more stationary sources co-located
12 at the same site.

13 (B) MULTIPLE-SOURCE OR FACILITY COM-
14 PLEX MONITORING.—In the regulations promul-
15 gated pursuant to subsection (a), the Adminis-
16 trator shall ensure that the best available form
17 of monitoring for a multiple-source or facility
18 complex that contains not less than 2 stationary
19 sources in 1 or more of North American Indus-
20 try Classification System codes 324, 325, and
21 326, or a related chemical or petrochemical sec-
22 tor, may be at least a combination of—

23 (i) real-time, open-path monitoring;

24 and

25 (ii) Method 325A and Method 325B.

1 (C) REQUIREMENT.—In carrying out sub-
2 paragraph (B), the Administrator may consider
3 whether any other multiple-source or facility
4 complexes should be required to employ the
5 combined monitoring methods described in that
6 subparagraph.

7 (e) PRECAUTIONARY APPROACH.—In promulgating
8 the corrective action level for each of the hazardous air
9 pollutants described in subsection (a)(3), the Adminis-
10 trator shall—

11 (1) consider the best available science;

12 (2) take a precautionary approach to ensure
13 that the owner or operator of the source or facility
14 reduces the emissions of the source or facility to pre-
15 vent harm if the measured concentration at the
16 fenceline would, or is likely to—

17 (A) increase harm to public health or safe-
18 ty (including through an increased health risk);

19 or

20 (B) reach a level that may result in short-
21 term, long-term, or chronic human exposure to
22 air pollution (including any fetal exposure that
23 begins in utero) that increases the risk of—

1 (i) health harms resulting from odors,
2 irritation, sensitizing effects, or any com-
3 bination of those harms;

4 (ii) disease (including cancer and
5 other illnesses); or

6 (iii) death; and

7 (3) take into account the aggregate and cumu-
8 lative emissions and health risks from the facility,
9 including multiple source categories, as applicable, to
10 ensure full health protection from the entire facility.

11 (f) MAINTENANCE AND PUBLIC REPORTING.—

12 (1) IN GENERAL.—In the regulations promul-
13 gated under subsection (a), the Administrator shall
14 ensure that—

15 (A) the owners or operators of sources sub-
16 ject to the requirements of this section—

17 (i) perform regular inspections and
18 maintenance of all measured equipment re-
19 quired under this section; and

20 (ii) submit regular reports to the Ad-
21 ministrator that—

22 (I) include the measured emis-
23 sions data collected by that emissions
24 measurement equipment;

1 (II) describe the status of that
2 measurement equipment; and

3 (III) contain a detailed expla-
4 nation of the circumstances sur-
5 rounding a delay in collecting or miss-
6 ing data;

7 (B) the emissions measurement system re-
8 quired under this section is continuous and
9 yields reliable data not less than 95 percent of
10 the time, without any regulatory exemption or
11 extension; and

12 (C) any problem with the fenceline moni-
13 toring equipment required under this section is
14 repaired within 2 days of discovering the prob-
15 lem.

16 (2) VIOLATION.—In the regulations promul-
17 gated under subsection (a), the Administrator
18 shall—

19 (A) require the owner or operator of a sta-
20 tionary source subject to such regulations to re-
21 port, with respect to such source, at least semi-
22 annually—

23 (i) all exceedances of any corrective
24 action level; and

1 (ii) all corrective action planned and
2 taken; and

3 (B) for purposes of imposing penalties,
4 treat each day on which a violation of a report-
5 ing requirement under subparagraph (A) con-
6 tinues as a separate violation.

7 (3) PUBLIC REPORTING.—

8 (A) IN GENERAL.—The Administrator
9 shall make available on the website of the Envi-
10 ronmental Protection Agency, in an accessible
11 format that includes multiple languages—

12 (i) all emissions measurement plans
13 and reports required under this section;

14 (ii) all emissions measurement data
15 collected by monitoring equipment required
16 under this section; and

17 (iii) an option to sign up for commu-
18 nity-wide or source-specific alerts that alert
19 the user if the emissions concentrations
20 measured pursuant to clause (i) or (ii), as
21 applicable, exceed—

22 (I) a health reference level of the
23 Administrator;

24 (II) a health reference level ap-
25 proved by the Administrator; or

1 (III) the applicable corrective ac-
2 tion level under subsection (a)(3).

3 (B) PUBLIC NOTICE AND COMMENT.—The
4 Administrator shall provide notice and receive
5 public comment on the format and accessibility
6 of the information required under subparagraph
7 (A).

8 (C) PUBLICATION.—The Administrator
9 shall publicize the information required under
10 subparagraph (A) in each community that con-
11 tains a source regulated under this section
12 through not less than 2 of the most widely
13 viewed local media formats for members of that
14 community that live nearest the regulated
15 source.

16 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$50,000,000 for the period of fiscal years 2023 and 2024.

19 **SEC. 5. NAAQS MONITORING NETWORK.**

20 (a) DEPLOYMENT OF N CORE MULTIPOLLUTANT
21 MONITORING STATIONS.—The Administrator shall re-
22 quire the deployment of 80 additional NCore multipollut-
23 ant monitoring stations.

24 (b) DEADLINE.—Not later than 3 years after the
25 date of enactment of this Act, the Administrator shall en-

1 sure that all NCore multipollutant monitoring stations re-
2 quired to be deployed under subsection (a) are—

3 (1) installed and integrated into the air quality
4 monitoring system established pursuant to sections
5 110(a)(2)(B) and 319 of the Clean Air Act (42
6 U.S.C. 7410(a)(2)(B), 7619); and

7 (2) after installation, operated and maintained
8 on a continuing basis.

9 (c) MONITORING RESULTS.—Monitoring results from
10 NCore multipollutant stations deployed pursuant to sub-
11 section (a) shall be used for—

12 (1) assessments of the compliance of areas with
13 national ambient air quality standards;

14 (2) integrated science assessments in reviews of
15 national ambient air quality standards promulgated
16 under section 109 of the Clean Air Act (42 U.S.C.
17 7409);

18 (3) evaluating disparities of pollution exposures
19 within metropolitan areas; and

20 (4) such other purposes as the Administrator
21 determines will promote the protection of public
22 health from air pollution.

23 (d) LOCATIONS.—

24 (1) VULNERABLE POPULATIONS.—The Admin-
25 istrator shall ensure that not less than 40 of the

1 NCore multipollutant monitoring stations required
2 under subsection (a)—

3 (A) are not limited to metropolitan statis-
4 tical areas with populations of 50,000 or great-
5 er; and

6 (B) are sited in census tracts that each
7 meet 1 or more of the following criteria, with
8 the specific site selected consistent with Appen-
9 dix D to part 58 of title 40, Code of Federal
10 Regulations (as in effect on the date of enact-
11 ment of this Act):

12 (i) The rates of childhood asthma,
13 adult asthma, chronic obstructive pul-
14 monary disease, heart disease, or cancer
15 are at least 5 percent higher than the na-
16 tional average for that condition in the
17 census tract.

18 (ii) The percentage of people living
19 below the poverty level, that are above age
20 18 without a high school diploma, or that
21 are unemployed, is higher than the na-
22 tional average in the census tract.

23 (iii) Two or more major sources (as
24 defined in section 501 of the Clean Air Act
25 (42 U.S.C. 7661)) are located within the

1 census tract or adjacent census tracts com-
2 bined.

3 (iv) There is a higher-than-national-
4 average population in the census tract of
5 vulnerable or sensitive individuals who may
6 be at greater risk than the general popu-
7 lation of adverse health effects from expo-
8 sure to 1 or more air pollutants for which
9 national ambient air quality standards
10 have been established pursuant to section
11 109 of the Clean Air Act (42 U.S.C.
12 7409).

13 (2) SITING DETERMINATIONS.—In determining
14 and approving sites for NCore multipollutant moni-
15 toring stations required under subsection (a), the
16 Administrator shall—

17 (A) invite proposals from or on behalf of
18 residents of any community for the siting of the
19 stations in that community, which may include
20 inviting proposals through regional or virtual
21 meetings;

22 (B) prioritize siting of the stations in cen-
23 sus tracts or counties that the Administrator
24 determines should be prioritized for siting based
25 on—

1 (i) the potential for the levels of 1 or
2 more air pollutants to be monitored by the
3 stations to reach or exceed the level of the
4 applicable national ambient air quality
5 standard established pursuant to section
6 109 of the Clean Air Act (42 U.S.C.
7 7409);

8 (ii) the number of people who live,
9 work, or recreate in the area or areas for
10 which monitoring by the stations is reason-
11 ably anticipated to be representative with
12 respect to air quality and the proportion of
13 those people who are at higher risk than
14 the general population of adverse health ef-
15 fects from the air pollutants monitored;

16 (iii) the lack or inadequacy of existing
17 air quality monitors for providing rep-
18 resentative air quality data for the affected
19 area or areas for the pollutants to be
20 measured by the station; and

21 (iv) the current designation of the
22 area in which the monitoring station would
23 be located as unclassifiable or in attain-
24 ment for 1 or more of the pollutants to be
25 monitored by that station; and

1 (C) prior to making siting determina-
2 tions—

3 (i) provide public notice of proposed
4 siting locations—

5 (I) in the Federal Register;

6 (II) by email to persons who have
7 requested notice of proposed siting de-
8 terminations;

9 (III) by news release; and

10 (IV) by posting on the public
11 website of the Environmental Protec-
12 tion Agency; and

13 (ii) provide an opportunity for public
14 comment for not less than 30 days after
15 the date of publication of the notice re-
16 quired under clause (i) in the Federal Reg-
17 ister.

18 (3) RELIANCE ON HYBRID METHODS.—In de-
19 termining under paragraph (2)(B)(i) the potential
20 for an air pollutant to reach or exceed the level of
21 the applicable standard, the Administrator may rely
22 on hybrid methods that combine information from
23 multiple sources, including monitors, sensors, mod-
24 eling, and satellites.

25 (e) ADDITIONAL AMBIENT MONITORS.—

1 (1) IN GENERAL.—The Administrator shall de-
2 ploy not fewer than 100 Federal reference method
3 monitors or Federal equivalent method monitors for
4 1 or more air pollutants for which national ambient
5 air quality standards have been established pursuant
6 to section 109 of the Clean Air Act (42 U.S.C.
7 7409) in areas—

8 (A) that are unmonitored or undermon-
9 itored, as determined by the Administrator; and

10 (B) within which the Administrator deter-
11 mines, after public notice and comment, that
12 adding those monitors is warranted—

13 (i) to detect whether the area is in
14 nonattainment of the applicable national
15 ambient air quality standards; and

16 (ii) to improve the publicly available
17 data on air quality for 1 or more of those
18 air pollutants (or precursors to those air
19 pollutants).

20 (2) SITING DETERMINATIONS.—In approving
21 sites for new Federal reference method monitors or
22 Federal equivalent method monitors required under
23 this subsection, the Administrator shall prioritize
24 siting of the stations in census tracts or counties in
25 accordance with subsection (d)(2)(B).

1 (3) RELATION TO PREVIOUSLY DEPLOYED OR
2 PLANNED MONITORS.—The Federal reference meth-
3 od monitors required under this subsection shall be
4 in addition to, and not in lieu of, any monitors al-
5 ready deployed or planned for deployment by the
6 Administrator, any State, any other governmental
7 entity, or any other entity prior to the date of enact-
8 ment of this Act.

9 (f) REPORT.—Not later than 2 years after the date
10 of enactment of this Act, the Administrator shall—

11 (1) in coordination with the States, complete an
12 assessment, which includes public input, on the sta-
13 tus of all ambient air quality monitors that are part
14 of Federal, State, or local networks and used for de-
15 termining compliance with national ambient air
16 quality standards; and

17 (2) submit to Congress and make available on
18 the public website of the Environmental Protection
19 Agency a report that includes—

20 (A) a list of all monitors identified under
21 paragraph (1); and

22 (B) a schedule and plan to restore or re-
23 place all monitors included in the list under
24 subparagraph (A) to full operation not later
25 than 16 months of the date of enactment of

1 this Act, except that the schedule and plan shall
2 not apply to monitors—

3 (i) that have been discontinued in ac-
4 cordance with section 58.14(c) of title 40,
5 Code of Federal Regulations (as in effect
6 on the date of enactment of this Act); and

7 (ii)(I) for which such discontinuation
8 is not subject to a judicial challenge; or

9 (II) for which a judicial challenge de-
10 scribed in subclause (I) has been fully re-
11 solved by a settlement or order that au-
12 thorizes discontinuation of such monitor.

13 (g) DESIGNATIONS.—Not later than 2 years after the
14 date on which data is received from a monitor sited pursu-
15 ant to this section that demonstrates that an area that
16 is designated pursuant to section 107(d)(1) of the Clean
17 Air Act (42 U.S.C. 7407(d)(1)) by the Administrator as
18 in attainment or unclassifiable for an air pollutant is in
19 violation of the applicable national ambient air quality
20 standard, the Administrator shall redesignate pursuant to
21 section 107(d)(3) of such Act (42 U.S.C. 7407(d)(3)) that
22 area as in nonattainment for that pollutant unless the des-
23 ignation is otherwise precluded under this Act.

24 (h) SATELLITE MONITORING.—

25 (1) SATELLITE MONITORING DATA.—

1 (A) PROVISION OF SATELLITE DATA.—The
2 Administrator may consult with the Adminis-
3 trator of the National Aeronautics and Space
4 Administration regarding data from the sat-
5 ellites of the National Aeronautics and Space
6 Administration for use in calculating design val-
7 ues under any national ambient air quality
8 standards for PM₁₀ and PM_{2.5}.

9 (B) REGULATIONS REQUIRED.—The Ad-
10 ministrator may promulgate regulations to
11 specify procedures (including any modeling
12 techniques) for using data described in subpara-
13 graph (A) in combination with information from
14 multiple sources, including monitors and mod-
15 eling, to calculate the expected number of
16 exceedances per year and the design values for
17 PM₁₀ and PM_{2.5} for purposes of determining
18 compliance or noncompliance with the national
19 ambient air quality standards for those pollut-
20 ants.

21 (2) NATIONAL ACADEMY OF SCIENCES RE-
22 PORT.—

23 (A) IN GENERAL.—The Administrator may
24 enter into an arrangement with the National
25 Academy of Sciences under which the National

1 Academy of Sciences agrees to submit a report
2 that describes the actions necessary, including
3 new science and satellite assets to enable the
4 contribution of satellite monitoring to the cal-
5 culation of design values and nonattainment de-
6 terminations under any national ambient air
7 quality standards for ozone, oxides of nitrogen,
8 and oxides of sulfur established pursuant to
9 section 109 of the Clean Air Act (42 U.S.C.
10 7409).

11 (B) REGULATIONS REQUIRED.—

12 (i) IN GENERAL.—Not later than De-
13 cember 31, 2023, the Administrator, in co-
14 ordination with the Administrator of the
15 National Aeronautics and Space Adminis-
16 tration and the Administrator of the Na-
17 tional Oceanic and Atmospheric Adminis-
18 tration, shall promulgate regulations that
19 provide a plan for the use of satellite moni-
20 toring data in calculating design values for
21 the pollutants described in subparagraph
22 (A).

23 (ii) REQUIREMENT.—Not later than
24 January 1, 2027, the Administrator shall
25 implement the plan required by clause (i)

1 and provide for use of satellite data in cal-
2 culating design values for the pollutants
3 described in subparagraph (A).

4 (3) DEFINITION.—For purposes of this sub-
5 section, the term “design value” means, for each
6 pollutant, the air quality statistic the Administrator
7 defines in part 50 (including appendices) of title 40,
8 Code of Federal Regulations, for comparison with
9 the relevant national ambient air quality standard
10 established under section 109 of the Clean Air Act
11 (42 U.S.C. 7409), regardless of whether the regula-
12 tion (including appendices) in part 50 of title 40,
13 Code of Federal Regulations, uses the term “design
14 value”.

15 (i) MONITORING PLANS.—Notwithstanding any other
16 provision of law, the Administrator may not approve a
17 State monitoring plan under section 58.10 of title 40,
18 Code of Federal Regulations (or successor regulations),
19 unless—

20 (1) the State provided, with respect to the State
21 monitoring plan—

22 (A) public notice;

23 (B) not less than 45 days for public com-
24 ment; and

25 (C) an opportunity for public hearing; and

1 (2) the Administrator—

2 (A) proposes in the Federal Register to ap-
3 prove or disapprove of the State monitoring
4 plan;

5 (B) provides not less than 45 days for pub-
6 lic comment on the proposal described in sub-
7 paragraph (A); and

8 (C) publishes in the Federal Register the
9 final action on the proposal described in sub-
10 paragraph (A).

11 (j) FUNDING.—

12 (1) AUTHORIZATION OF APPROPRIATIONS.—
13 There is authorized to be appropriated to carry out
14 this section \$75,000,000 for fiscal year 2023.

15 (2) USES.—The Administrator—

16 (A) may use the amounts made available
17 to carry out this section—

18 (i) to directly deploy new or replace-
19 ment NCore multipollutant monitoring sta-
20 tions required under subsection (a); or

21 (ii) to make grants under section 103
22 or 105 of the Clean Air Act (42 U.S.C.
23 7403, 7405) to State and local govern-
24 ments for deployment and operation of the

1 NCore multipollutant monitoring stations
2 required under subsection (a); and

3 (B) shall use not less than 5 percent, but
4 not more than 10 percent, of the amounts made
5 available to carry out this section to perform
6 the maintenance and repairs necessary to re-
7 store to operation NCore multipollutant moni-
8 toring stations that are—

9 (i) as of the date of enactment of this
10 Act, nonoperational; and

11 (ii) located in areas that are des-
12 ignated as in nonattainment of national
13 ambient air quality standards under sec-
14 tion 109 of the Clean Air Act (42 U.S.C.
15 7409) for ozone or particulate matter.

16 **SEC. 6. SENSOR MONITORING.**

17 (a) DEPLOYMENT OF AIR QUALITY SENSORS.—

18 (1) IN GENERAL.—Not later than 2 years after
19 the date of enactment of this Act, the Adminis-
20 trator—

21 (A) shall deploy, in accordance with the
22 prioritization criteria described in section
23 5(d)(2), not fewer than 1,000 air quality sen-
24 sors, each of which shall cost not more than
25 \$5,000;

1 (B) shall deploy such air quality sensors in
2 clusters of not fewer than 5 in each of the cen-
3 sus tracts or counties selected;

4 (C) before determining and approving sites
5 for such air quality sensors, shall invite,
6 through public notice and other means designed
7 to reach communities disproportionately im-
8 pacted by air pollution, proposals from or on
9 behalf of residents of any community for the
10 sites; and

11 (D) may contract with State and local air
12 pollution control agencies to conduct sensor
13 monitoring and report the results.

14 (2) REQUIREMENT.—In carrying out paragraph
15 (1), the Administrator shall select sensors for de-
16 ployment that—

17 (A) are available on the market at the time
18 of purchase;

19 (B) the Administrator determines will pro-
20 vide data of sufficient accuracy to provide a
21 reasonable basis for determining whether the lo-
22 cation in which the sensor is sited is or may be
23 at risk of exceeding the applicable national am-
24 bient air quality standard established pursuant

1 to section 109 of the Clean Air Act (42 U.S.C.
2 7409); and

3 (C) are the lowest cost available that meet
4 the criteria of subparagraph (B).

5 (3) EXCEPTION TO COST LIMITATION.—Not-
6 withstanding paragraph (1), if the Administrator de-
7 termines in writing that a sensor model to measure
8 a particular pollutant is not available on the market
9 at a price at or below \$5,000 each, the Adminis-
10 trator may spend an amount above \$5,000 to ac-
11 quire such sensor model so long as the Adminis-
12 trator complies with subparagraphs (B) and (C) of
13 paragraph (2).

14 (b) POLLUTANTS.—

15 (1) IN GENERAL.—Each air quality sensor de-
16 ployed pursuant to subsection (a) shall measure
17 ozone, PM_{2.5}, oxides of nitrogen, or sulfur dioxide.

18 (2) DETERMINATION.—The Administrator shall
19 determine which pollutant or air pollutants an air
20 quality sensor deployed pursuant to subsection (a)
21 shall monitor based on the pollution sources affect-
22 ing the area in which the sensor is to be deployed.

23 (c) DETERMINATION AND INSTALLATION.—

24 (1) IN GENERAL.—Not later than 18 months
25 after the date on which an air quality sensor de-

1 ployed pursuant to subsection (a) has been moni-
2 toring air quality data for 1 year, the Administrator
3 shall determine whether data from the air quality
4 sensors deployed in the applicable census tract or
5 county shows air pollution levels over the 1-year pe-
6 riod ending on the date of the determination that
7 reached 98 percent of the level of the national ambi-
8 ent air quality standard under section 109 of the
9 Clean Air Act (42 U.S.C. 7409) for any air pollut-
10 ant.

11 (2) REQUIREMENT.—If the Administrator
12 makes a determination under paragraph (1) that an
13 air pollutant described in subsection (b)(1) met the
14 threshold described in that paragraph, the Adminis-
15 trator shall, not later 180 days after the date of the
16 determination, ensure that Federal reference method
17 monitors or Federal equivalent method monitors are
18 installed and in operation within that census tract or
19 county for each pollutant that met the threshold.

20 (3) EXCEPTIONS.—The Administrator shall
21 waive the requirement of paragraph (2) if the Ad-
22 ministrator finds, within the 180-day period de-
23 scribed in such paragraph, and after providing no-
24 tice and an opportunity for public comment, that
25 based on clear and convincing evidence—

1 (A) the measurements from the sensor or
2 sensors supporting the determination described
3 in paragraph (2) were so inaccurate as to pro-
4 vide no reasonable basis for finding that levels
5 of the relevant pollutant reached 98 percent of
6 the level of the national ambient air quality
7 standard under section 109 of the Clean Air
8 Act (42 U.S.C. 7409) for the relevant pollutant;
9 or

10 (B) complementary data, such as informa-
11 tion on the ambient matrix, meteorology, meas-
12 urements from other nearby sensors or ambient
13 monitors, modeling, satellite data, or other rel-
14 evant and reliable information, demonstrate
15 that levels of the relevant pollutant could not
16 have plausibly reached 98 percent of the level of
17 such standard.

18 (d) REPORT.—Not later than 1 year after the date
19 of enactment of this Act, and not less frequently than
20 every 6 years thereafter, the Administrator shall report
21 on additional areas of decision-making where data from
22 low-cost air quality sensors may be relevant and useful.

23 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this section
25 \$6,000,000.

1 **SEC. 7. DATA REQUIREMENT.**

2 To the extent practicable, the Administrator shall in-
3 tegrate the data collected through the programs estab-
4 lished under this Act into the EJSCREEN mapping tool
5 of the Environmental Protection Agency or a relevant,
6 similar mapping and screening tool.

○