

113TH CONGRESS
2D SESSION

S. _____

To establish a task force to review policies and measures to promote, and to develop best practices for, reduction of short-lived climate pollutants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MURPHY (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To establish a task force to review policies and measures to promote, and to develop best practices for, reduction of short-lived climate pollutants, 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 “Super Pollutants Act
5 of 2014”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Short-lived climate pollutants account for
9 40 percent of global warming currently impacting

1 the atmosphere, even though such pollutants account
2 for a much smaller percentage of warming agents by
3 weight.

4 (2) Reducing short-lived climate pollutant emis-
5 sions could—

6 (A) prevent more than 2,000,000 pre-
7 mature deaths each year, according to the
8 United Nations Environment Programme
9 (UNEP);

10 (B) prevent more than 30,000,000 tons of
11 crop losses each year, according to UNEP;

12 (C) cut the rate of sea level rise by 25 per-
13 cent, according to the National Center for At-
14 mospheric Research and the Scripps Institution
15 of Oceanography;

16 (D) cut the rate of warming by up to 0.6
17 degrees Celsius by 2050, according to UNEP;
18 and

19 (E) significantly contribute toward the
20 overall global target of holding increased warm-
21 ing below 2 degrees Celsius.

22 (3) The United States is one of the world's
23 largest consumer of hydrofluorocarbons and is pro-
24 viding significant innovation in the development of

1 low global warming potential (low-GWP) alter-
2 natives.

3 (4) The United States could serve as a leader
4 and exemplar of responsibly phasing down
5 hydrofluorocarbon production and consumption.

6 (5) The Montreal Protocol on Substances that
7 Deplete the Ozone Layer has been an extraordinarily
8 successful model for protecting the stratospheric
9 ozone layer and achieving significant climate protec-
10 tion co-benefits. Since the treaty was signed in
11 1987, there has been a 98 percent reduction in
12 ozone-depleting substances.

13 (6) The interagency Strategy to Reduce Meth-
14 ane Emissions, released in March 2014, outlines a
15 proactive agenda for reducing methane leakage and
16 waste throughout the United States' economy.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) HIGH-GWP HFC.—The term “high-GWP
20 HFC” means high global warming potential
21 hydrofluorocarbons.

22 (2) SHORT-LIVED CLIMATE POLLUTANT.—The
23 term “short-lived climate pollutant” means—

24 (A) black carbon;

25 (B) methane; and

1 (C) high-GWP HFC.

2 **SEC. 4. INTERAGENCY TASK FORCE ON SHORT-LIVED CLI-**
3 **MATE POLLUTANT MITIGATION.**

4 (a) ESTABLISHMENT.—Not later than 90 days after
5 the date of the enactment of this Act, the President shall
6 establish the Interagency Task Force on Short-Lived Cli-
7 mate Pollutant Mitigation (referred to in this section as
8 the “Task Force”).

9 (b) MEMBERS.—The Task Force shall include the
10 head of all relevant Federal agencies (or their designated
11 representatives), including the Department of Agriculture,
12 the Department of Commerce, the Department of De-
13 fense, the Department of Energy, the Department of the
14 Interior, the Department of State, the United States
15 Agency for International Development, the Department of
16 Transportation, the Environmental Protection Agency,
17 and the National Oceanic and Atmospheric Administra-
18 tion.

19 (c) DUTIES.—The Task Force shall—

20 (1) review the policy recommendations made by
21 the Interagency Climate Change Adaptation Task
22 Force, the Interagency Strategy to Reduce Methane
23 Emissions, the March 2012 report to Congress on
24 Black Carbon, and the Council on Climate Prepared-
25 ness and Resilience;

1 (2) incorporate any appropriate proposals or
2 recommendations made by the entities or reports re-
3 ferred to in paragraph (1) that are relevant to short-
4 lived climate pollutants into the Task Force’s action
5 plan;

6 (3) identify relevant Federal programs that are
7 or could be addressing the reduction of short-lived
8 climate pollutants in the United States and world-
9 wide;

10 (4) identify overlapping and duplicative pro-
11 grams addressing short-lived climate pollutants that
12 would benefit from consolidation and streamlining;

13 (5) identify gaps and serious deficiencies in
14 United States programs targeted at short-lived cli-
15 mate pollutants;

16 (6) not later than 18 months after the date of
17 the enactment of this Act, submit a report to Con-
18 gress on the findings and recommendations resulting
19 from the activities described in paragraphs (1)
20 through (5); and

21 (7) in developing recommendations, consult
22 with affected stakeholders in private industry.

23 (d) EMISSION REDUCTION PLANS.—Not later than
24 180 days after the date of the enactment of this Act, each

1 Federal agency shall submit a report to the appropriate
2 congressional committees that includes—

3 (1) the agency's plans for meeting the goals set
4 forth in section 2 of Executive Order 13514 (Octo-
5 ber 5, 2009) to reduce hydrofluorocarbons, methane,
6 and related indirect emissions, including tropo-
7 spheric ozone, by the Federal Government; and

8 (2) specific plans to purchase cleaner alter-
9 natives to high-GWP HFC whenever feasible and to
10 transition over time to equipment that uses safer
11 and more sustainable alternatives to high-GWP
12 HFC.

13 **SEC. 5. REDUCTION OF BLACK CARBON EMISSIONS.**

14 (a) **COMPREHENSIVE PLAN.**—

15 (1) **IN GENERAL.**—Through the United States'
16 membership in the International Maritime Organiza-
17 tion, the Secretary of State, in consultation with the
18 Secretary of Transportation, the Secretary of Com-
19 merce, the Administrator of the Environmental Pro-
20 tection Agency, and the Commandant of the Coast
21 Guard, shall develop a comprehensive plan to reduce
22 black carbon emissions from the international ship-
23 ping through—

24 (A) a clean freight partnership; and

1 (B) the inclusion of binding limits on black
2 carbon as part of the Polar Code.

3 (2) ROADMAP.—A principal objective of the
4 plan developed pursuant to paragraph (1) should be
5 the creation, in coordination with the Department of
6 Transportation, of a roadmap toward helping coun-
7 tries reduce fine-particle emissions (PM2.5) in the
8 shipping sector through—

9 (A) the installation of advanced emissions
10 controls; and

11 (B) the reduction of sulfur content in
12 fuels.

13 (b) BLACK CARBON EMISSIONS REDUCTION
14 GOALS.—In advance of and upon assuming the Chair of
15 the Arctic Council, the Secretary of State should—

16 (1) lead an effort to reduce black carbon
17 through an Arctic-wide aspirational black carbon
18 goal; and

19 (2) encourage observers of the Arctic Council
20 (including India and China) to adopt national black
21 carbon emissions reduction goals.

22 (c) CLIMATE AND CLEAN AIR COALITION.—Through
23 the United States' membership in the Climate and Clean
24 Air Coalition to Reduce Short Lived Climate Pollutants

1 (referred to in this section as the “Coalition”), the Sec-
2 retary of State is encouraged—

3 (1) to work with the Coalition to craft specific
4 financing mechanisms for the incremental cost of
5 international black carbon mitigation activities; and

6 (2) to request that the Coalition produce a re-
7 port of black carbon mitigation financing options.

8 (d) BLACK CARBON MITIGATION ACTIVITIES.—

9 (1) PRIORITIZATION.—The Administrator of
10 the United States Agency for International Develop-
11 ment shall prioritize black carbon mitigation activi-
12 ties as part of aid distribution activities and give
13 special emphasis to projects that produce substantial
14 environmental and public health benefits, including
15 support for clean-burning cookstoves and fuels.

16 (2) EMISSIONS REDUCTIONS.—The Secretary of
17 State, in collaboration with the Environmental Pro-
18 tection Agency and the Department of Transpor-
19 tation, should further aid international efforts to re-
20 duce black carbon emissions from diesel trucks, 2-
21 stroke engines, diesel generators, and industrial
22 processes by providing technical assistance—

23 (A) to help developing nations lower the
24 sulfur content of their diesel fuels;

1 (B) to expand access to diesel particulate
2 filters;

3 (C) to provide vehicle manufacturers with
4 low-emission engine designs;

5 (D) to work with the Global Alliance for
6 Clean Cookstoves to help developing nations es-
7 tablish thriving markets for clean and efficient
8 cooking solutions; and

9 (E) to develop other mitigation activities,
10 including energy efficiency alternatives for gen-
11 erators and industrial processes.

12 **SEC. 6. GLOBAL REDUCTIONS IN HIGH-GWP FLUORINATED**
13 **GASES.**

14 (a) SENSE OF CONGRESS.—

15 (1) ACTIONS BY ENVIRONMENTAL PROTECTION
16 AGENCY.—It is the sense of Congress that the Ad-
17 ministrator of the Environmental Protection Agency
18 should—

19 (A) amend any regulations issued under
20 section 608 of the Clean Air Act (42 U.S.C.
21 7671g)—

22 (i) to include hydrofluorocarbons; and

23 (ii) to expand initiatives relating to
24 the recovery and reclamation of
25 hydrofluorocarbons.

1 (B) cooperate with the Secretary of Energy
2 in considering modifications to the Energy Star
3 program established under section 324A of the
4 Energy Policy and Conservation Act (42 U.S.C.
5 6294a) to recognize refrigerant systems that—

6 (i) achieve best-in-class energy effi-
7 ciency savings; and

8 (ii) utilize low global warming poten-
9 tial refrigerants and foam-blowing agents;
10 and

11 (C) remove high global warming potential
12 hydrofluorocarbons from the Significant New
13 Alternatives Policy Program authorized under
14 section 612(e) of the Clean Air Act (42 U.S.C.
15 7671k(e)) for applications in which the Admin-
16 istrator has identified other alternatives that—

17 (i) are currently or potentially avail-
18 able; and

19 (ii) reduce the overall risk to human
20 health and the environment.

21 (2) SENSE OF THE SENATE.—It is the sense of
22 the Senate that an amendment to the Montreal Pro-
23 tocol on Substances that Deplete the Ozone Layer
24 should ensure a smooth, technically-feasible transi-
25 tion away from high-GWP HFC.

1 (b) STUDY ON HIGH-GWP HFC ALTERNATIVES.—
2 Not later than 2 years after the date of the enactment
3 of this Act, the Secretary of Energy and the Administrator
4 of the Environmental Protection Agency, in collaboration
5 with the National Institute of Standards and Technology,
6 shall evaluate the availability of high-GWP HFC alter-
7 natives and submit a report to Congress that—

8 (1) identifies—

9 (A) the standards or regulatory barriers
10 that are preventing the use of alternatives to
11 high-GWP HFC in the United States that are
12 in widespread use in other countries;

13 (B) which standards or regulations need to
14 be revised; and

15 (C) what actions will be necessary to revise
16 such standards or regulations; and

17 (2) sets forth a plan for revising the standards
18 referred to in paragraph (1) in the shortest possible
19 time frame.

20 (c) PROHIBITION OF HCFC-22 AIR CONDITIONING
21 CONDENSING EQUIPMENT.—

22 (1) AMENDMENT.—Section 605 of the Clean
23 Air Act (42 U.S.C. 7671d) is amended by adding at
24 the end the following:

1 “(e) HCFC-22 AIR CONDITIONING CONDENSING
2 EQUIPMENT.—Effective 1 year after the date of the enact-
3 ment of the Super Pollutants Act of 2014, it shall be un-
4 lawful for any person to manufacture any uncharged
5 hydrochlorofluorocarbon-22 air conditioning condensing
6 equipment for residential use.”.

7 (2) RULEMAKING.—Not later than 180 days
8 after the date of the enactment of this Act, the Ad-
9 ministrator of the Environmental Protection Agency
10 shall promulgate regulations—

11 (A) to carry out the amendment made by
12 paragraph (1); and

13 (B) to reduce the allocation of HCFC-22
14 consumption allowances commensurate with an-
15 ticipated decreased demand resulting from the
16 prohibition of uncharged condensing equipment
17 under sections 605(e) of the Clean Air Act, as
18 added by paragraph (1).

19 (d) R-134A AUTOMOTIVE AIR CONDITIONING SERV-
20 ICING AND RECHARGE KITS.—

21 (1) STUDY.—The Administrator of the Envi-
22 ronmental Protection Agency shall conduct a study
23 to determine whether the sale of R-134a automotive
24 air conditioning recharge kits to consumers rep-

1 resents an environmentally significant source of
2 high-GWP HFC emissions.

3 (2) REPORT.—Not later than 1 year after the
4 date of the enactment of this Act, the Administrator
5 shall submit a report to Congress that contains the
6 results of the study conducted pursuant to para-
7 graph (1).

8 **SEC. 7. REDUCTION OF METHANE LEAKAGE.**

9 (a) TECHNICAL GUIDANCE.—The Secretary of State,
10 the Secretary of Energy, the Administrator of the Envi-
11 ronmental Protection Agency, and the Secretary of Com-
12 merce shall—

13 (1) provide other countries with technical guid-
14 ance on containment of emissions from gas drilling,
15 landfills, coal mining, and agriculture when engaging
16 with other governments, including trade delegations,
17 under the auspices of Department of State’s Global
18 Shale Gas Initiative; and

19 (2) collaborate with—

20 (A) the World Bank’s Global Gas Flaring
21 Reduction Partnership; and

22 (B) the Environmental Protection Agency’s
23 Global Methane Initiative, Natural Gas STAR
24 Program, and other voluntary reduction pro-
25 grams.

1 (b) GAS PIPELINE INFRASTRUCTURE.—

2 (1) STUDY.—

3 (A) IN GENERAL.—The Federal Energy
4 Regulatory Commission, consistent with exist-
5 ing authority, shall conduct a study of methods
6 utilized at facilities subject to the Commission’s
7 jurisdiction to reduce leaks and venting across
8 natural gas facilities.

9 (B) ISSUES TO BE EXAMINED.—In con-
10 ducting the study required under this para-
11 graph, the Commission shall examine—

12 (i) how the Commission’s treatment of
13 just and reasonable rates for interstate
14 transmission could be reformed to incent
15 pipeline operators to recover fugitive meth-
16 ane emissions;

17 (ii) how the Commission could coordi-
18 nate with other agencies, including the De-
19 partment of Energy, the Environmental
20 Protection Agency, and the Pipeline and
21 Hazardous Materials Safety Administra-
22 tion, to ensure the development of rigorous
23 and technically sound standards; and

24 (iii) whether new pipeline systems are
25 being engineered to meet the highest

1 achievable standards for leak avoidance
2 prior to being granted a construction cer-
3 tificate.

4 (2) REPORT.—Not later than 1 year after the
5 date of the enactment of this Act, the Commission
6 shall submit a report to Congress that contains the
7 results of the examination conducted pursuant to
8 paragraph (1).

9 (3) INSPECTION AND MAINTENANCE PRO-
10 GRAM.—The Administrator of the Environmental
11 Protection Agency shall establish a directed inspec-
12 tion and maintenance program that focuses on—

13 (A) identifying the types of equipment
14 throughout the production value chain that are
15 most likely to have high leak rates; and

16 (B) efforts on replacing or monitoring
17 those types of equipment.

18 (c) FINANCING CONDITIONS.—The U.S. Export-Im-
19 port Bank and the Overseas Private Investment Corpora-
20 tion, when evaluating gas and oil-related projects for fi-
21 nancial support, should condition financing for such
22 projects upon—

23 (1) the deployment of the best technology,
24 methods, and management practices for detecting
25 and repairing leaks of methane throughout the oil

1 and gas production, processing, transportation, and
2 distribution system;

3 (2) the minimization of venting and inefficient
4 or unnecessary flaring; and

5 (3) the deployment of best technology, methods,
6 and management practices for reducing emissions of
7 other air pollution, especially volatile organic com-
8 pounds and hazardous air pollutants.