

AMENDMENT
OFFERED BY MR. SPACE OF OHIO

In section 734(a) of the Clean Air Act, as proposed to be added by section 311, amend paragraph (1) to read as follows:

1 “(1) ADDITIONALITY.—A standardized method-
2 ology for determining the additionality of greenhouse
3 gas emission reductions or avoidance, or greenhouse
4 gas sequestration, achieved by an offset project of
5 that type. Such methodology shall ensure, at a min-
6 imum, that any greenhouse gas emission reduction
7 or avoidance, or any greenhouse gas sequestration, is
8 considered additional only to the extent that it re-
9 sults from activities that—

10 “(A) are not required by or undertaken to
11 comply with any law, including any regulation
12 or consent order;

13 “(B) were not commenced prior to Janu-
14 ary 1, 2009, except in the case of—

15 “(i) offset project activities that com-
16 menced after January 1, 2001, and were
17 registered as of the date of enactment of
18 this title under an offset program with re-

1 spect to which the Administrator has made
2 an affirmative determination under section
3 740(a)(2); or

4 “(ii) activities that are readily revers-
5 ible, with respect to which the Adminis-
6 trator may set an alternative earlier date
7 under this subparagraph that is not earlier
8 than January 1, 2001, where the Adminis-
9 trator determines that setting such an al-
10 ternative date may produce an environ-
11 mental benefit by removing an incentive to
12 cease and then reinitiate activities that
13 began prior to January 1, 2009;

14 “(C) are not receiving support under part
15 E of this title or title IV, subtitle D of the
16 American Clean Energy and Security Act of
17 2009; and

18 “(D) exceed the activity baseline estab-
19 lished under paragraph (2).

In section 737 of the Clean Air Act, as proposed to
be added by section 311, amend subsection (b) to read
as follows:

20 “(b) ISSUANCE OF OFFSET CREDITS.—The Admin-
21 istrator shall issue one offset credit to an offset project
22 developer for each ton of carbon dioxide equivalent that

1 the Administrator has determined has been reduced,
2 avoided, or sequestered during the period covered by a
3 verification report submitted in accordance with section
4 736, only if—

5 “(1) the Administrator has approved the offset
6 project pursuant to section 735; and

7 “(2) the relevant emissions reduction, avoid-
8 ance, or sequestration has—

9 “(A) already occurred, during the offset
10 project’s crediting period; and

11 “(B) occurred after January 1, 2009.

