

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2190**

**OFFERED BY \_\_\_\_\_**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Mercury Pollution Re-  
3 duction Act”.

**4 SEC. 2. STATEMENT OF POLICY.**

5       Congress declares that the United States should con-  
6 tinue policies and programs, like the Clean Air Act, that  
7 will—

8           (1) reduce mercury emissions within the United  
9 States;

10          (2) reduce risks posed by exposures to mercury,  
11 particularly those exposures of women of child-  
12 bearing age, pre-born children, and young children;  
13 and

14          (3) bring real reductions in the threat posed by  
15 methylmercury by seeking limits to foreign contribu-  
16 tions of mercury in the atmosphere.

1 **SEC. 3. USE OF MERCURY IN CHLORINE AND CAUSTIC**  
2 **SODA MANUFACTURING.**

3 Section 6 of the Toxic Substances Control Act (15  
4 U.S.C. 2605) is amended by adding at the end the fol-  
5 lowing new subsection:

6 “(g) USE OF MERCURY IN CHLORINE AND CAUSTIC  
7 SODA MANUFACTURING.—

8 “(1) DEFINITION OF CHLOR-ALKALI FACIL-  
9 ITY.—In this subsection, the term ‘chlor-alkali facil-  
10 ity’ means a facility used for the manufacture of  
11 chlorine or caustic soda using a mercury cell process.

12 “(2) DECISION TO CONVERT PROCESSES.—Not  
13 later than December 31, 2015, the owner or operator  
14 of a chlor-alkali facility shall certify to the Adminis-  
15 trator whether its chlor-alkali facility will continue  
16 manufacturing chlorine and caustic soda using a  
17 process other than the one described in paragraph  
18 (1).

19 “(3) REQUIREMENT FROM CHLOR-ALKALI FA-  
20 CILITIES BEYOND CERTIFICATION.—(A) The owner  
21 or operator of a chlor-alkali facility who certifies  
22 under paragraph (2) to the Administrator that it  
23 will convert to another manufacturing technology for  
24 the production of chlorine and caustic soda shall  
25 cease operation of the process described in para-  
26 graph (1) by December 31, 2018.

1           “(B) The owner or operator of a chlor-alkali fa-  
2           cility who certifies to the Administrator that it will  
3           not convert to another manufacturing technology for  
4           the production of chlorine and caustic soda, shall  
5           cease operation of the process described in para-  
6           graph (1) by December 31, 2016.

7           “(4) EXTENSION FOR EXTENUATING CIR-  
8           CUMSTANCES.—(A) An owner or operator of a chlor-  
9           alkali facility who certifies to the Administrator,  
10          under subparagraph (A) of paragraph (3), that its  
11          chlor-alkali facility will convert to producing chlorine  
12          and caustic soda using a technology other than the  
13          one described in paragraph (1), may petition the Ad-  
14          ministrator for an extension for it’s the deadline  
15          under subparagraph (A) of paragraph (3) to not  
16          later than January 1, 2020.

17          “(B) The Administrator is authorized to grant  
18          an extension under this paragraph if the Adminis-  
19          trator determines that the owner or operator of the  
20          petitioning chlor-alkali facility is still conducting a  
21          transition, but has been unable despite good faith ef-  
22          forts, to obtain funding, permits, or obtain equip-  
23          ment necessary for the transition to be completed by  
24          the original deadline.”.

