



## H.R. 4557 — Blocking Regulatory Interference from Closing Kilns Act of 2016 (Rep. Johnson, R-OH)

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### FLOOR SCHEDULE:

Scheduled for consideration on February 3, 2016, under a closed rule

### TOPLINE SUMMARY:

[H.R. 4557](#) would delay and extend compliance dates for rules under the [Clean Air Act](#) addressing emission standards for hazardous air pollutants for brick, structural clay, and ceramic products manufactured in kilns.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 4557 would not have a significant effect on EPA's workload and would have no significant effect on the budget. Because enacting H.R. 4557 would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

### CONSERVATIVE CONCERNS:

There are no substantive concerns.

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

### DETAILED SUMMARY AND ANALYSIS:

H.R. 4557 would extend each compliance date for any rule addressing national emission standards for hazardous air pollutants (NESHAP) for brick and structural clay products manufacturing or clay ceramics manufacturing. The extension would apply to two final rules: (1) entitled "NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing" published at [80 Federal Register 65469 \(October 26, 2015\)](#); and (2) the final rule entitled "NESHAP for Brick and Structural Clay Products Manufacturing; and NESHAP for Clay Ceramics Manufacturing: Correction" published at [80 Federal Register 75817 \(December 4, 2015\)](#).

The extended time period would start 60 days after the promulgation of the proposed final rule in the Federal Register and end when judgement on a rule becomes final and is no longer subject to further appeal or review.

The House report (H. Rept. 114-439) accompanying H.R. 4557 can be found [here](#). A fact sheet from the House Committee on Energy and Commerce can be found [here](#).

**OUTSIDE GROUPS IN SUPPORT:**

- [Americans for Tax Reform](#)
- [U.S. Chamber of Commerce](#)

**COMMITTEE ACTION:**

H.R. 4557 was introduced on February 12, 2016 and was referred to the House Committee on Energy and Commerce, where it was reported on February 29, 2016.

**ADMINISTRATION POSITION:**

The administration strongly opposes H.R. 4557. A full Statement of Administration Policy is available [here](#).

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor: “Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 3 of the U.S. Constitution, To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

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