

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TONKO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO H.R. 2218, AS REPORTED  
OFFERED BY MR. TONKO OF NEW YORK**

Page 34, line 11, strike “program; or” and insert  
“program;”.

Page 34, line 17, strike “(E).” and insert “(E); or”.

Page 34, after line 17, insert the following subpara-  
graph:

1                   “(G) is subject to a determination under  
2                   paragraph (5).

Page 35, line 6, insert “or in paragraph (5)” after  
“paragraph (1)”.

Page 35, line 14, insert “or in paragraph (5)” after  
“paragraph (1)”.

Page 36, line 1, after “(e)(1)(B)” insert “other than  
a determination with respect to a deficiency described in  
paragraph (1)(G)”.

Page 37, after line 13, insert the following para-  
graph:

3                   “(5) DEFICIENCY BASED ON INTERSTATE  
4                   RISKS.—The Administrator shall determine a State

1 coal combustion residuals permit program to be defi-  
2 cient if, at any time, the State permit program, or  
3 the implementation of the State permit program,  
4 threatens human health or the environment in an-  
5 other State. Any State may request that the Admin-  
6 istrator review another State's coal combustion re-  
7 siduals permit program for deficiency under this  
8 paragraph.

