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Amendment to the Amendment in the Nature of a Substitute

Offered by Mr. Murphy of Pennsylvania

(a) Renumber "subsection (b)" as "subsection (b)(1)" on page 4, line 20.

(b) After line 23 on page 4, insert –

"(2) Exception for Companies in Transition. – (A) Any owner or operator of a chlor-alkali in operation as of the date of enactment of this section, may submit an application for extension of the ban under paragraph (1), and the Administrator shall grant a extension of five years from the ban in paragraph (1), based on the date of receipt of the application for extension, if the chlor-alkali facility can demonstrate to the Administrator that it is acting in good faith to move forward with conversion of its manufacturing process from mercury cell to another chlorine or caustic soda manufacturing process.

(B) A owner or operator of a chlor-alkali facility that is operating on the date of enactment of this section and has successfully received an extension from the ban in paragraph (1), may seek a further 4 year extension of its ban under subparagraph (A), and the Administrator shall grant such extension if the chlor-alkali facility in question is still conducting a transition, but has been unable despite its efforts, to obtain the funding or permits for a new chlorine or caustic soda manufacturing facility.