

**酸性雨削減、都市大気汚染と環境政策
1990年改正大気浄化法関係文書集成
The Clean Air Act Amendments of 1990
Reduction of Acid Rain, Urban Air Pollution, and
Environmental Policy**

アメリカにおける大気汚染の全米規模での規制は、1970年の環境保護局の創設と大気浄化法の成立とともに本格的に始まります。その後、1970年大気浄化法は1990年改正大気浄化法によって全面的に改正されます。この改正大気浄化法は、排出権取引制度（譲渡可能排出許可証制度）を世界で初めて導入した法律であり、その後の米国内外の環境政策に大きな影響を与えました。

本コレクションは、改正大気浄化法が議会で審議されていた時期に、環境保護基金、大気浄化ワーキング・グループ、電力会社連合大気規制グループ、全米環境開発連盟、アメリカ製紙協会／全米林業協会、全米製造業者協会等、法案に賛成、反対の各種団体から政府省庁に送られた書簡、行政管理予算局、環境保護庁等の政府省庁、議会委員会の間で交わされた書簡、上院の法案と下院の法案を比較した議会の報告、改正大気浄化法制定後の研究や調査報告、ブッシュ政権の規制改革政策の概要、絶滅危機種法とその経済的効果、連邦環境政策の進化、気候変動に関する文書等、改正大気浄化法の成立前後の時期に政府省庁、利害団体によってなされた議論の内容を明らかにすることで、同法律の成立過程と背景事情を浮き彫りにします。

本コレクション収録文書はジョージ・H.W.ブッシュ大統領図書館に所蔵される文書で、FOIA（情報自由法）による開示請求に基づき、情報公開された文書群です。



force States to adopt high performance, centralized I/M programs. This position is directly contrary to the Administration's repeated statement that it would seek to encourage the adoption of flexible, emission trading alternatives (where allowed by statute) in the most of the Clean Air Act.

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emission trading

Issue 1A: Use of Emission Credits from Other Program

EPA's draft proposal would prohibit the use of credits generated in other programs as a way of meeting the performance standard for I/M programs. Instead, States must show that I/M programs submitted as part of State Implementation Plans will meet EPA's I/M performance standard. Further, I/M programs that fail an audit in later years must be modified so that they will meet the performance standards. States that adopt a "test-and-repair" program are required to adopt a back-up "test only" program that would be automatically triggered by any failure of a subsequent audit.

CMAA has suggested that States ought to be able to use emission reduction credits from other programs to offset a shortfall in

whether the granting of an exemption would violate any international treaty or other obligation of the United States:

Notwithstanding any other provision of this act, the Committee shall be prohibited from considering for exemption any application made to it, if the Secretary of State certifies, in writing, to the Committee within 60 days of any application made under this section that the granting of any such exemption and the carrying out of such action would be in violation of an international treaty obligation or other international obligation of the United States.

in U.S.C. § 1526(i). The EIA grants authority to make this determination only to the Secretary of State. In fact, if the Secretary of State were to find that an exemption would violate an international obligation of the United States, the Committee would never need to consider the application, let alone review the Secretary of State's finding. Accordingly, the Secretary of State's decision that the exemption would not violate an international obligation is clearly in not reviewable by the Committee.

6. Can the Secretary of Interior convene the Endangered Species Committee without conducting an independent investigation regarding whether, under the Endangered Species Act, the section 7(a)(2)(A) threshold is exceeded by the agency applicant?

A party may petition the Committee to convene an independent investigation under section 7(a)(2)(A) of the Endangered Species Act.

The purpose of the threshold review period is to provide the Chairman of the Committee with an expedient and efficient means by which to determine whether a legitimate and clear exemption application exists prior to committing the resources and efforts necessary to convene the Committee, develop a record, write a report and make a final determination. To interpret section 7(a)(2)(A) to require an "independent investigation" (in essence, a hearing before a hearing) would defeat this purpose. Where the Secretary accepts the application, it is especially significant to conduct an in depth investigation because of the rigorous and complete evidentiary hearing required by the statute and regulations once the Secretary determines that the threshold requirements have been met. EEA, 4-2-, 19 U.S.C. § 1526(i) to

Endangered Species Act

◆データベースの概要

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