

114TH CONGRESS
1ST SESSION

S. 1763

To require a study on the public health and environmental impacts of the production, transportation, storage, and use of petroleum coke, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2015

Mr. DURBIN (for himself and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require a study on the public health and environmental impacts of the production, transportation, storage, and use of petroleum coke, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Petroleum Coke Trans-
5 parency and Public Health Protection Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In the past several years, United States
9 crude oil refineries have grown their coking capacity

1 to accommodate the conversion of heavy crude oils
2 into refined petroleum products.

3 (2) As coking capacity has grown, the domestic
4 production of petroleum coke is expected to grow,
5 leading to increases in the storage, transportation,
6 and use of the material.

7 (3) In Detroit, piles of petroleum coke have
8 been stored in the open air on the banks of the De-
9 troit River.

10 (4) Uncovered piles of petroleum coke have also
11 been stored in Southeast Chicago near homes and
12 local baseball fields.

13 (5) State regulators, communities, and industry
14 stakeholders would benefit from a complete under-
15 standing of petroleum coke and the potential impact
16 on public health and the environment related to the
17 production, transportation, storage, and use of pe-
18 troleum coke.

19 **SEC. 3. STUDY OF PETROLEUM COKE PUBLIC HEALTH AND**
20 **ENVIRONMENTAL IMPACTS.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of enactment of this Act, the Secretary of Health and
23 Human Services, in consultation with the Administrator
24 of the Environmental Protection Agency, the Secretary of
25 Transportation, and the Secretary of Energy, shall submit

1 to Congress a report containing the results of a study con-
2 cerning petroleum coke that includes the following:

3 (1) An analysis of the public health and envi-
4 ronmental impacts of the production, transportation,
5 storage, and use of petroleum coke.

6 (2) An assessment of potential approaches and
7 best practices for storing, transporting, and man-
8 aging petroleum coke.

9 (3) A quantitative analysis of current and pro-
10 jected domestic petroleum coke production and utili-
11 zation locations.

12 (b) BEST AVAILABLE SCIENCE.—The study under
13 subsection (a) shall be carried out using the best available
14 science, including readily available information from ap-
15 propriate State agencies, nonprofit entities, academic enti-
16 ties, and industry.

17 (c) PUBLICATION OF REPORT.—Not later than 180
18 days after the date of enactment of this Act, the Secretary
19 of Health and Human Services shall publish on the Inter-
20 net website of the Department of Health and Human
21 Services the report described in subsection (a).

22 **SEC. 4. IMPLEMENTATION OF STANDARDS.**

23 Not later than one year after the date of enactment
24 of this Act, the Administrator of the Environmental Pro-
25 tection Agency, in consultation with the Secretary of

1 Transportation, shall promulgate rules concerning the
2 storage and transportation of petroleum coke that ensure
3 the protection of public and ecological health based upon
4 the findings of the study conducted under section 3.

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