

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB22-1244 be amended as follows:

- 1 Amend printed bill, page 23, line 19, after "THAT" insert "AIMS TO
- 2 INCREASE EMISSIONS OF ANY PRIORITY TOXIC AIR CONTAMINANT AND".
- 3 Page 23, line 23, strike "ANALYZE" and substitute "CONDUCT AN AMBIENT
- 4 IMPACTS ANALYSIS THAT INCLUDES AN ANALYSIS OF".
- 5 Page 24, line 12, strike "(9)(a)" and substitute "(8)(a)".
- 6 Page 24, line 15, strike "HIGH-RISK" and substitute "PRIORITY".
- 7 Page 24, lines 18 and 19, strike "AIRBORNE TOXIC CONTROL MEASURES"
- 8 and substitute "EMISSION CONTROL REGULATIONS".
- 9 Page 24, line 24, strike "(9)(c)(I)" and substitute "(8)(c)(I)".
- 10 Page 24, strike lines 26 and 27.
- 11 Strike page 25.
- 12 Page 26, strike lines 1 through 20 and substitute:
  - 13 **"(9) Air pollution regulation for existing sources of toxic air**
  - 14 **contaminants - needs assessment.** (a) NO LATER THAN JULY 1, 2025, THE
  - 15 DIVISION SHALL CONDUCT A NEEDS ASSESSMENT TO DETERMINE THE NEEDS
  - 16 OF THE DIVISION TO ADMINISTER AN AIR PERMITTING PROGRAM TO
  - 17 REGULATE EXISTING STATIONARY SOURCES THAT EMIT LEVELS OF TOXIC
  - 18 AIR CONTAMINANTS THAT POSE A RISK TO PUBLIC HEALTH, REFERRED TO
  - 19 IN THIS SUBSECTION (9) AS THE "AIR PERMITTING PROGRAM".
  - 20 (b) THE NEEDS ASSESSMENT MUST:
    - 21 (I) EVALUATE AIR PERMITTING PROGRAMS FOR EXISTING
    - 22 STATIONARY SOURCES OF TOXIC AIR CONTAMINANTS IN OTHER STATES OR
    - 23 JURISDICTIONS;
    - 24 (II) DETERMINE THE SCOPE OF THE AIR PERMITTING PROGRAM,
    - 25 INCLUDING THE TYPES OF PERMITS, STATIONARY SOURCES, INDUSTRIES,
    - 26 AND GEOGRAPHIC AREAS OF THE STATE THAT WILL BE IMPACTED BY THE
    - 27 PROGRAM;
    - 28 (III) IDENTIFY THE TYPES OF STATIONARY SOURCES OR CONDITIONS
    - 29 THAT WOULD PROMPT THE REOPENING OF AN AIR PERMIT BY THE DIVISION
    - 30 UNDER THE AIR PERMITTING PROGRAM; AND
    - 31 (IV) IDENTIFY PROCESSES AND REASONABLE TIMELINES FOR THE
    - 32 IMPLEMENTATION OF THE AIR PERMITTING PROGRAM, INCLUDING

1 PROCESSES TO:  
2 (A) NOTIFY ANY STATIONARY SOURCES THAT WOULD BE SUBJECT  
3 TO THE AIR PERMITTING PROGRAM;  
4 (B) ASSESS PUBLIC HEALTH RISKS ASSOCIATED WITH A STATIONARY  
5 SOURCE'S EMISSIONS OF TOXIC AIR CONTAMINANTS; AND  
6 (C) IMPLEMENT EMISSION CONTROL REGULATIONS OR ANY OTHER  
7 STRATEGIES DESIGNED TO REDUCE EMISSIONS OF TOXIC AIR  
8 CONTAMINANTS FROM A STATIONARY SOURCE.  
9 (c) THE DIVISION SHALL PROVIDE PUBLIC NOTICE AND HOLD AT  
10 LEAST TWO PUBLIC MEETINGS AT WHICH MEMBERS OF THE PUBLIC HAVE AN  
11 OPPORTUNITY TO COMMENT ON THE NEEDS ASSESSMENT. THE DIVISION  
12 SHALL ALSO CONDUCT OUTREACH TO AND SOLICIT FEEDBACK FROM  
13 DISPROPORTIONATELY IMPACTED COMMUNITIES AND WORKERS AT  
14 STATIONARY SOURCES ON THE NEEDS ASSESSMENT.  
15 (d) IN FINALIZING THE NEEDS ASSESSMENT, THE DIVISION SHALL  
16 INCLUDE IN THE NEEDS ASSESSMENT A SUMMARY OF ANY COMMENTS  
17 RECEIVED FROM THE PUBLIC, WORKERS AT STATIONARY SOURCES, AND  
18 DISPROPORTIONATELY IMPACTED COMMUNITIES AND IDENTIFY ANY  
19 SIGNIFICANT CHANGES MADE TO THE NEEDS ASSESSMENT BASED ON SUCH  
20 COMMENTS.  
21 (e) THE DIVISION SHALL REPORT ON THE NEEDS ASSESSMENT TO  
22 THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE  
23 ENERGY AND ENVIRONMENT COMMITTEE OF THE HOUSE OF  
24 REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, DURING THE  
25 COMMITTEES' HEARINGS HELD PRIOR TO THE 2026 REGULAR SESSION OF  
26 THE GENERAL ASSEMBLY UNDER THE "STATE MEASUREMENT FOR  
27 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT  
28 ACT", PART 2 OF ARTICLE 7 OF TITLE 2."

29 Renumber succeeding subsection accordingly.

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