

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB22-138 be amended as follows:

1 Amend reengrossed bill, page 6, line 14, strike "portion" and substitute  
2 "portion; and **add** (1)(e)(XIV) and (1)(e)(XV)".

3 Page 6, line 16, strike "**definitions.**" and substitute "**definitions -**  
4 **repeal.**".

5 Page 7, line 7, before "GREENHOUSE" insert "DIRECT FACILITY".

6 Page 7, strike line 11 and substitute:

7 "(XIV) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

8 (A) PURSUANT TO SUBSECTION (1)(e)(XIII) OF THIS SECTION, THE  
9 COMMISSION IS REQUIRED TO ADOPT RULES ON OR BEFORE AUGUST 1,  
10 2023, TO REDUCE GREENHOUSE GAS EMISSIONS FROM SOURCES WITHIN THE  
11 INDUSTRIAL AND MANUFACTURING SECTOR THAT REPORTED, PURSUANT  
12 TO PART A OF 5 CCR 1001-26, REFERRED TO IN THIS SUBSECTION  
13 (1)(e)(XIV) AS "REGULATION NUMBER 22", DIRECT FACILITY GREENHOUSE  
14 GAS EMISSIONS OF GREATER THAN TWENTY-FIVE THOUSAND METRIC TONS  
15 FROM CALENDAR YEAR 2020;

16 (B) THE LIMITATION SET FORTH IN SUBSECTION (1)(e)(XIII) OF  
17 THIS SECTION TO REPORT "DIRECT FACILITY" GREENHOUSE GAS EMISSIONS  
18 IS INTENDED TO EXCLUDE FROM THE TWENTY-FIVE THOUSAND METRIC TON  
19 TRIGGER THE INDIRECT GREENHOUSE GAS EMISSIONS REPORTED UNDER  
20 REGULATION NUMBER 22, SUCH AS INDIRECT EMISSIONS REPORTED BY  
21 MIDSTREAM NATURAL GAS LIQUID FRACTIONATORS PURSUANT TO SUBPART  
22 NN, SUPPLIERS OF NATURAL GAS LIQUIDS, OF 40 CFR PART 98 REGARDING  
23 MANDATORY GREENHOUSE GAS REPORTING, INCLUDING EMISSIONS  
24 RESULTING FROM THE COMBUSTION OR RELEASE OF PRODUCTS BEING  
25 SUPPLIED BY NATURAL GAS LIQUID FRACTIONATOR SUPPLIERS;

26 (C) THROUGH REGULATION NUMBER 22, THE COMMISSION  
27 ADOPTED A SEPARATE RULE IN DECEMBER 2021 REGARDING, AMONG  
28 OTHER THINGS, THE CONTROL OF INDUSTRIAL AND MANUFACTURING  
29 DIRECT EMISSIONS FROM FUEL COMBUSTION EQUIPMENT UTILIZED BY  
30 MIDSTREAM NATURAL GAS FRACTIONATORS;

31 (D) THE LIMITATION DESCRIBED IN SUBSECTION (1)(e)(XIV)(B) OF  
32 THIS SECTION IS NOT INTENDED TO ALTER THE EXISTING STATUTORY  
33 DEFINITION OF "INDUSTRIAL AND MANUFACTURING SECTOR" SET FORTH IN  
34 SUBSECTION (1)(e)(XI)(B.5) OF THIS SECTION, WHICH DEFINITION  
35 INCLUDES EMISSIONS FROM BOTH ENERGY COMBUSTION AND ENERGY USE  
36 AND INDUSTRIAL PROCESSES BY SOURCES IN THE INDUSTRIAL AND

1 MANUFACTURING SECTOR; AND  
2 (E) THE PHRASE "AT A MINIMUM" IN SUBSECTION (1)(e)(XIII) OF  
3 THIS SECTION IS INTENDED TO CLARIFY THAT THE COMMISSION HAS A  
4 MANDATORY DUTY TO REGULATE CERTAIN INDUSTRIAL AND  
5 MANUFACTURING SOURCES IN THE 2023 RULE-MAKING REQUIRED UNDER  
6 SUBSECTION (1)(e)(XIII) OF THIS SECTION AND THAT THE COMMISSION  
7 RETAINS THE DISCRETION TO INCLUDE OTHER INDUSTRIAL AND  
8 MANUFACTURING SOURCES IN THAT RULE-MAKING.  
9 (XV) THIS SUBSECTION (1)(e)(XV) AND SUBSECTION (1)(e)(XIV)  
10 OF THIS SECTION ARE REPEALED, EFFECTIVE JULY 1, 2025."

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