

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

March 9, 2020

Committee on Energy & Environment.

After consideration on the merits, the Committee recommends the following:

HB20-1265 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend corrected printed bill, page 5, line 5, after "(b)" insert "(I)".
- 2 Page 5, line 8, strike "11023:" and substitute "11023 FOR THE YEAR 2017
- 3 OR LATER:".
- 4 Page 5, line 9, strike "(I)" and substitute "(A)".
- 5 Page 5, line 10, strike "(II)" and substitute "(B)".
- 6 Page 5, line 11, strike "(III)" and substitute "(C)" and after the semicolon
- 7 add "AND".
- 8 Page 5, line 12, strike "(IV)" and substitute "(D)".
- 9 Page 5, strike lines 13 and 14 and substitute:  
10           "(II) "COVERED FACILITY" INCLUDES A STATIONARY SOURCE THAT  
11           EMITS AN AIR TOXIC LISTED BY RULE PURSUANT TO SUBSECTION (2)(a) OF  
12           THIS SECTION IF THE FACILITY HAS REPORTED AN AMOUNT THAT IS AT  
13           LEAST THE AMOUNT SPECIFIED BY THE RULE BASED ON ITS FEDERAL  
14           TOXICS RELEASE INVENTORY FILINGS PURSUANT TO 42 U.S.C. SEC. 11023  
15           FOR THE TEN CALENDAR YEARS BEFORE THE EFFECTIVE DATE OF THE RULE.  
16           (III) A STATIONARY SOURCE REMAINS A COVERED FACILITY UNTIL  
17           BOTH THE FOLLOWING EVENTS OCCUR:  
18           (A) THE FACILITY HAS NOT EXCEEDED ANY HEALTH-BASED

1 EMISSION LIMIT STANDARD PURSUANT TO SUBSECTION (3) OF THIS SECTION  
2 DURING THE PREVIOUS TEN YEARS; AND

3 (B) THE EMISSION DATA DISSEMINATED PURSUANT TO SUBSECTION  
4 (4)(a)(IV) OF THIS SECTION DEMONSTRATE THAT THE FACILITY NO LONGER  
5 POSES A RISK TO PUBLIC HEALTH, AS DETERMINED BY THE DIVISION AFTER  
6 OPPORTUNITY FOR NOTICE AND COMMENT AND A PUBLIC HEARING IN THE  
7 AFFECTED COMMUNITY."

8 Page 12, after line 3 insert:

9 "(i) A FACILITY THAT HAS INSTALLED MONITORING EQUIPMENT  
10 PURSUANT TO A MONITORING PLAN SHALL CONTINUE TO DISSEMINATE  
11 EMISSION DATA PURSUANT TO SUBSECTION (4)(a)(IV) OF THIS SECTION  
12 IRRESPECTIVE OF WHETHER IT REMAINS A COVERED FACILITY."

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