

HB1265\_L.001

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.HB20-1265 be amended as follows:

- 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  
19 EMISSION LIMIT STANDARD PURSUANT TO SUBSECTION (3) OF THIS SECTION  
20 DURING THE PREVIOUS TEN YEARS; AND

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

- 26 Page 12, after line 3 insert:

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

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