

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Kennedy

- 1 Amend printed bill, page 4, line 5, strike "prevent" and substitute "avoid,
- 2 minimize, or mitigate".
- 3 Page 5, line 3, strike "airborne".
- 4 Page 5, strike line 4 and substitute "emission control regulations".
- 5 Page 5, line 7, after "**annual**" insert "**toxic**".
- 6 Page 5, line 8, strike "**inventory reports**" and substitute "**reporting**
- 7 **program**".
- 8 Page 5, strike lines 12 through 17.
- 9 Reletter succeeding paragraphs accordingly.
- 10 Page 5, line 18, strike "THE ADVERSE" and substitute "THE DETRIMENTAL".
- 11 Page 5, line 20, strike "AND SYNERGISTIC".
- 12 Page 6, line 19, strike "PURSUANT TO" and substitute "THAT IS AT LEAST
- 13 AS STRINGENT AS".
- 14 Page 6, strike lines 23 through 25.
- 15 Reletter succeeding paragraphs accordingly.
- 16 Page 7, strike lines 1 through 5.
- 17 Reletter succeeding paragraphs accordingly.
- 18 Page 7, strike line 17 and substitute "EXPOSURE LIMITS FOR PRIORITY
- 19 TOXIC AIR CONTAMINANTS".
- 20 Page 7, strike line 27.
- 21 Page 8, strike lines 1 through 6 and substitute:
- 22 "(g) (I) "SCIENTIFIC COMMUNITY" MEANS INDIVIDUALS WHO ARE
- 23 PROFESSIONALLY OR ACADEMICALLY ENGAGED IN SCIENTIFIC RESEARCH

- 1 ABOUT ADVERSE HEALTH EFFECTS FROM EXPOSURE TO TOXIC SUBSTANCES
2 AND HAVE EXPERTISE IN FIELDS THAT INCLUDE PATHOLOGY, ONCOLOGY,
3 EPIDEMIOLOGY, OR TOXICOLOGY.
- 4 (II) "SCIENTIFIC COMMUNITY" INCLUDES INDIVIDUALS WITH
5 EXPERIENCE IN THE FIELDS OF ATMOSPHERIC PHYSICS OR METEOROLOGY
6 OR EXPERIENCE ASSESSING THE IMPACTS OF EMISSIONS OF TOXIC AIR
7 CONTAMINANTS ON CONCENTRATIONS IN THE AMBIENT AIR."
- 8 Reletter succeeding paragraphs accordingly.
- 9 Page 8, strike lines 18 through 20 and substitute "OF THIS SECTION."
- 10 Page 8, line 21, strike "LAW" and substitute "LIMITATION IN THIS ARTICLE
11 7".
- 12 Page 8, strike lines 25 through 27.
- 13 Page 9, strike line 1.
- 14 Page 10, line 18, before "BEGINNING" insert "THE DIVISION SHALL
15 PUBLISH AN INITIAL LIST OF THE TOXIC AIR CONTAMINANTS DESIGNATED
16 IN SUBSECTIONS (1)(i)(I) AND (1)(i)(II) OF THIS SECTION BY OCTOBER 1,
17 2022." and strike "JANUARY 1, 2024," and substitute "SEPTEMBER 1,
18 2030,".
- 19 Page 10, line 22, strike "ADD" and substitute "DESIGNATE".
- 20 Page 10, line 23, strike "A" and substitute "AN EXPEDITED".
- 21 Page 10, line 27, strike "ADDITIONAL REVIEW." and substitute "EXPEDITED
22 CONSIDERATION FOR DESIGNATION AS A TOXIC AIR CONTAMINANT. IF THE
23 COMMISSION UNDERTAKES AN EXPEDITED CONSIDERATION OF AN AIR
24 POLLUTANT FOR DESIGNATION AS A TOXIC AIR CONTAMINANT, THE
25 COMMISSION'S NEXT REVIEW OF ADDITIONAL AIR POLLUTANTS MUST TAKE
26 PLACE NO LATER THAN FIVE YEARS AFTER THE EXPEDITED
27 CONSIDERATION. IN DETERMINING WHETHER ANY AIR POLLUTANT SHOULD
28 BE DESIGNATED BY THE COMMISSION AS A TOXIC AIR CONTAMINANT, THE
29 COMMISSION SHALL CONSIDER:".
- 30 Page 11, strike line 1.
- 31 Page 12, line 5, strike "STATES AND JURISDICTIONS." and substitute
32 "STATES.".
- 33 Page 12, line 9, strike "EMISSIONS INVENTORY" and substitute "TOXIC

- 1 EMISSIONS".
- 2 Page 12, line 11, strike "AND CRITERIA AIR POLLUTANT".
- 3 Page 12, line 14, strike "EMISSIONS INVENTORY" and substitute "TOXIC
4 EMISSIONS".
- 5 Page 15, line 1, strike "EMISSIONS INVENTORY" and substitute "TOXIC
6 EMISSIONS".
- 7 Page 15, line 3, strike "EMISSIONS INVENTORY" and substitute "TOXIC
8 EMISSIONS".
- 9 Page 15, line 14, strike "ANNUAL" and strike "OR CRITERIA".
- 10 Page 15, line 15, strike "AIR POLLUTANT".
- 11 Page 15, line 17, strike "OR CRITERIA AIR POLLUTANT" and strike
12 "EMISSIONS INVENTORY" and substitute "TOXIC EMISSIONS".
- 13 Page 15, line 27, strike "LONG-TERM" and strike "IN" and substitute
14 "COVERING".
- 15 Page 16, line 2, strike "LONG-TERM".
- 16 Page 16, line 4, strike "LONG-TERM".
- 17 Page 16, line 26, strike "COMMISSION MUST SPECIFY BY RULE" and
18 substitute "DIVISION MUST SPECIFY".
- 19 Page 17, line 1, strike "THE MONITORING SITES," and substitute "ANY NEW
20 MONITORING SITE,".
- 21 Page 17, line 8, strike " COMMUNITY AND AT THE GREATEST RISK" and
22 substitute "COMMUNITY.".
- 23 Page 17, strike line 9.
- 24 Page 18, line 24, strike "IDENTIFY" and substitute "NO LATER THAN
25 DECEMBER 31, 2025, IDENTIFY" and strike "BASED ON:" and substitute
26 "CONSIDERING:".
- 27 Page 19, line 8, strike "11023;". and substitute "11023 AND DATA
28 PREPARED BY THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY'S AIR
29 TOXICS SCREENING ASSESSMENT (AIRTOXSCREEN) PROGRAM;" and strike

- 1 "AND".
- 2 Page 19, line 9, strike "AVAILABLE" and substitute "SUBMITTED" and after
3 "COMMISSION" insert "DURING THE RULE-MAKING PROCESS".
- 4 Page 19, after line 11 insert:
- 5 "(F) INPUT FROM THE SCIENTIFIC COMMUNITY; AND".
- 6 Page 19, line 12, strike "ESTABLISH" and substitute "NO LATER THAN
7 SEPTEMBER 30, 2026, ESTABLISH".
- 8 Page 19, line 13, strike "HEALTH AND" and substitute "HEALTH.".
- 9 Page 19, strike line 14.
- 10 Page 19, line 17, strike "REVIEW" and substitute "CONSIDER".
- 11 Page 19, line 19, strike "ACUTE OR CHRONIC HEALTH CONDITIONS;" and
12 substitute "ADVERSE HEALTH EFFECTS;".
- 13 Page 19, strike lines 20 through 22 and substitute:
- 14 "(II) CONSIDER STANDARDS ADOPTED IN OTHER STATES TO
15 REDUCE OR LIMIT CONCENTRATIONS OF TOXIC AIR CONTAMINANTS IN THE
16 AMBIENT AIR;".
- 17 Page 20, strike lines 7 and 8 and substitute:
- 18 "(VI) CONSULT WITH THE SCIENTIFIC COMMUNITY THROUGH
19 HOLDING AT LEAST ONE PUBLIC HEARING SPECIFICALLY FOR THIS
20 CONSULTATION.".
- 21 Page 20, line 17, strike "BASED ON" and substitute "CONSIDERING".
- 22 Page 20, line 27, strike "AND" and substitute "AND, IF A DETERMINATION
23 IS MADE TO REVISE ANY EXISTING HEALTH-BASED STANDARD, THE
24 COMMISSION MUST, WITHIN TWELVE MONTHS AFTER THE
25 DETERMINATION,".
- 26 Page 21, after line 1 insert:
- 27 "(d) NO MORE THAN TWELVE MONTHS AFTER THE COMMISSION
28 MAKES THE DETERMINATION PURSUANT TO SECTION (6)(c)(I) OF THIS
29 SECTION, THE COMMISSION SHALL ADOPT HEALTH-BASED STANDARDS FOR

- 1 ANY ADDITIONAL PRIORITY TOXIC AIR CONTAMINANTS IN ACCORDANCE
2 WITH SUBSECTION (6)(b) OF THIS SECTION."
- 3 Page 21, line 17, after "SHALL" insert "PRIORITIZE REDUCTIONS OF
4 EMISSIONS IN DISPROPORTIONATELY IMPACTED COMMUNITIES WITH
5 MULTIPLE SOURCES OF EMISSIONS OF PRIORITY TOXIC AIR CONTAMINANTS,
6 AND SHALL".
- 7 Page 22, line 7, after "TECHNOLOGIES;" insert "AND".
- 8 Page 22, strike line 17 and substitute "CONTAMINANT."
- 9 Page 27, line 2, after "(2)," insert "(3)(a)(I),".
- 10 Page 28, after line 3 insert:
- 11 "(3) (a) (I) As soon as adequate scientific, technological, and
12 hazardous air pollutant emissions information is available, the
13 commission may promulgate regulations for the control of hazardous air
14 pollutants, INCLUDING utilizing Colorado GACT or Colorado MACT
15 technology-based emission reduction requirements, as defined in section
16 25-7-103 (6.7) and (6.8)."
- 17 Page 28, line 4, strike "(3)(b)" and substitute "(b)".

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