

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Finance.

HB21-1189 be amended as follows:

1 Amend printed bill, page 5, after line 20 insert:

2 "(j) "NOTIFICATION THRESHOLD" MEANS ACUTE EXPOSURE LEVELS
3 WITH AN AVERAGING TIME OF ONE HOUR AS ESTABLISHED BY THE DIVISION
4 PURSUANT TO SUBSECTION (5)(a)(III) OF THIS SECTION.".

5 Reletter succeeding paragraphs accordingly.

6 Page 7, line 26, strike "will" and substitute "will, AS SOON AS POSSIBLE,".

7 Page 8, line 2, strike "incident;" and substitute "incident OR AN
8 EXCEEDANCE OF A NOTIFICATION THRESHOLD IDENTIFIED BY A FENCELINE
9 MONITORING SYSTEM;".

10 Page 8, after line 2 insert:

11 "(b.5) FOR TWO YEARS, MAINTAIN A RECORD OF ALL
12 COMMUNICATIONS MADE THROUGH AN EMERGENCY NOTIFICATION
13 SERVICE, INCLUDING WHETHER ANY OTHER ACTION WAS TAKEN IN
14 RESPONSE TO THE INCIDENT OR EXCEEDANCE OF A NOTIFICATION
15 THRESHOLD, WHICH RECORD MUST BE AVAILABLE TO THE PUBLIC;".

16 Page 8, after line 16 insert:

17 "(III) THE DIVISION SHALL ESTABLISH NOTIFICATION THRESHOLDS
18 FOR EACH COVERED AIR TOXIC. IN ESTABLISHING THE NOTIFICATION
19 THRESHOLDS, THE DIVISION SHALL TAKE A PRECAUTIONARY APPROACH TO
20 ASSURE PROTECTION OF PUBLIC HEALTH. THE NOTIFICATION THRESHOLDS:

21 (A) SHALL BE BASED ON SCIENTIFIC RESEARCH THAT IS PUBLICLY
22 AVAILABLE AND PEER-REVIEWED ABOUT THE POTENTIAL HUMAN HEALTH
23 IMPACTS OF SHORT-TERM EXPOSURES TO POLLUTANTS;

24 (B) MAY BE BASED ON ACUTE EXPOSURE LEVELS OR GUIDELINES
25 UTILIZED BY A FEDERAL AGENCY OR ANOTHER STATE; AND

26 (C) SHALL BE INCLUDED IN THE FENCELINE MONITORING PLAN OF
27 EACH COVERED FACILITY.".

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