

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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