Committee on Energy & Environment.

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

HB21-1189 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 3, lines 14 and 15, strike "ENABLE FACILITIES TO QUICKLY ADDRESS" and substitute "ADVISE FACILITIES OF".

Page 4, strike lines 12 through 20 and substitute:

"(b) (c) "Covered facility" means a stationary source that reported at least one of the following amounts of a covered air toxic in its federal toxics release inventory filing pursuant to 42 U.S.C. sec. 11023 for the year 2017 or later is covered by one of the following North American industry classification system codes established by the federal office of management and budget:

(I) For hydrogen cyanide, ten thousand pounds 324110, "PETROLEUM REFINERIES";

(II) For hydrogen sulfide, five thousand pounds; and 336413, "OTHER AIRCRAFT PARTS AND AUXILIARY EQUIPMENT MANUFACTURING";

(III) For benzene, one thousand pounds; 424710, "PETROLEUM BULK STATIONS AND TERMINALS", if the source is within an eight-hour ozone control area and has reported emissions of benzene in its federal toxics release inventory filing pursuant to 42 U.S.C. sec. 11023 for the years 2017 through 2019, as of July 1, 2020; or

(IV) Any other code listed by rule pursuant to subsection (3) of this section."

Page 7, line 1, strike "emission thresholds" and substitute "industry
codes".

Page 7, lines 7 and 8, strike "EMISSION_THRESHOLDS" and substitute "NORTH_AMERICAN INDUSTRY_CLASSIFICATION_SYSTEM_CODES".

Page 7, strike lines 10 and 11 and substitute "AIR_TOXICS_AND WHETHER ANY_ADDITIONAL_STATIONARY_SOURCES_SHOULD_BE_INCLUDED_AS COVERED_FACILITIES; AND".

Page 7, line 13, strike everything after "COVERED" and substitute "FACILITIES.".

Page 7, strike line 14.

Page 9, line 14, after the semicolon add "AND".

Page 9, strike lines 18 through 20 and substitute "SECTION.".

Page 10, lines 4 and 5, strike "WITHIN_TWO_MONTHS_AFTER_SUBMISSION_TO THE_DIVISION." and substitute "BEFORE_THE_DIVISION_ACTS_ON_THE_PLAN.".


Page 10, line 21, strike "PLAN." and substitute "PLAN, IN WHICH CASE_THE DEADLINE_IN_SUBSECTION_(5)(e)_OF_THIS_SECTION IS EXTENDED_FOR NINETY_DAYS.".


Page 11, line 26, after "ANY" insert "HAZARDOUS_AIR".

Page 11, line 27, strike "FENCELINE" and substitute "DIVISION DETERMINED_UNDER_SUBSECTION_(5)(e)_OF_THIS_SECTION MUST BE
INCLUDED IN THE FENCeline MONITORING PLAN; AND".

Page 12, strike line 1.

Page 13, line 16, strike "PROMPTLY".

Page 13, line 17, strike everything after "THE" and substitute "PUBLIC.".

Page 13, strike lines 18 and 19.

Page 14, strike lines 1 through 5 and substitute "PLANS.

(c) THE COSTS OF CONDUCTING COMMUNITY-BASED MONITORING SHALL BE PAID FROM FEES CREDITED TO THE AIR QUALITY ENTERPRISE CASH FUND AS AUTHORIZED BY SECTION 25-7-103.5 (4)(b)(I).".