Amend printed bill, page 5, after line 4 insert:

"SECTION 2. In Colorado Revised Statutes, 25-7-103, amend (11) introductory portion and (11)(a) as follows:

25-7-103. Definitions. As used in this article 7, unless the context otherwise requires:

(11) "Emission control regulation" means and includes any standard promulgated by regulation which is applicable to all air pollution sources within a specified area and which prohibits or establishes permissible limits for specific types of emissions in such area; and also any regulation which by its terms is applicable to a specified type of facility, process, or activity for the purpose of controlling the extent, degree, or nature of pollution emitted from such type of facility, process, or activity; any regulation adopted for the purpose of preventing or minimizing emission of any air pollutant in potentially dangerous quantities; and also any regulation that adopts any design, equipment, work practice, or operational standard. Emission control regulations shall not include standards which describe maximum ambient air concentrations of specifically identified pollutants or which describe varying degrees of pollution of ambient air. Emission control regulations pertaining to hazardous air pollutants, as defined in subsection (13) of this section, shall be consistent with the emission standards promulgated under section 112 of the federal act or section 25-7-109.3 in reducing or preventing emissions of hazardous air pollutants, and EMISSION CONTROL REGULATIONS DESIGNED TO REDUCE OR PREVENT THE EMISSIONS OF TOXIC AIR CONTAMINANTS PURSUANT TO SECTION 25-7-109.5 (7) may include application of measures, processes, methods, systems, or techniques, including, but not limited to, measures which
THAT:

(a) Reduce the volume of, or eliminate emissions of, such pollutants through process changes, EMISSIONS LIMITATIONS, CONTROL TECHNOLOGIES, substitution of materials, or other modifications;

Renumber succeeding sections accordingly.

Page 5, line 7, strike "advisory board -".

Page 5, line 9, strike "airborne toxic control measures" and substitute "emission control regulations".

Page 5, strike lines 24 through 27.

Page 6, strike lines 1 through 14.

Reletter succeeding paragraphs accordingly.

Page 7, strike lines 6 through 14.

Reletter succeeding paragraphs accordingly.

Page 7, line 16, strike "(7)(a)(II)" and substitute "(6)(a)(II)".

Page 7, strike lines 21 through 24.

Reletter succeeding paragraphs accordingly.

Page 7, after line 26 insert:

"(j) "PRIORITY TOXIC AIR CONTAMINANT" MEANS, AS DETERMINED BY THE COMMISSION BY RULE UNDER SUBSECTION (6)(a)(I) OF THIS SECTION, TOXIC AIR CONTAMINANTS THAT MAY POSE A RISK OF HARM TO PUBLIC HEALTH."

Reletter succeeding paragraphs accordingly.

Page 8, line 14, strike "(4)" and substitute "(3)".

Page 9, strike lines 2 through 27.

Page 10, strike lines 1 through 16.
Renumber succeeding subsections accordingly.

Page 10, lines 20 and 21, strike "SHALL, IN CONSULTATION WITH THE ADVISORY BOARD," and substitute "SHALL CREATE AN INITIAL LIST OF TOXIC AIR CONTAMINANTS BASED ON SUBSECTIONS (1)(m)(I) AND (1)(m)(II) OF THIS SECTION AND, PURSUANT TO SUBSECTION (1)(m)(III) OF THIS SECTION, ".

Page 10, lines 22 and 23, strike "TOXIC AIR CONTAMINANTS TO THE LIST." and substitute "AIR POLLUTANTS.".

Page 11, line 2, strike "PUBLIC;" and substitute "PUBLIC AND THE SCIENTIFIC COMMUNITY; ".

Page 11, strike lines 3 through 15 and substitute:

"(b) ANY EXISTING DATA CONCERNING EMISSIONS OF AIR POLLUTANTS, INCLUDING:
(I) DATA PROVIDED TO THE DIVISION THROUGH ANNUAL EMISSIONS INVENTORY REPORTS SUBMITTED PURSUANT TO SUBSECTION (4) OF THIS SECTION; AND
(II) DATA REPORTED TO THE FEDERAL TOXIC RELEASE INVENTORY PURSUANT TO 42 U.S.C. SEC. 11023; ".

Reletter succeeding paragraphs accordingly.

Page 11, line 16, after "GATHERED" insert "ABOUT THE TOXICITY OF AIR POLLUTANTS".

Page 11, lines 16 and 17, strike "ALL AVAILABLE".

Page 11, line 21, after the semi-colon, add "AND".

Page 11, strike lines 23 through 27 and substitute "ADVERSE HEALTH EFFECTS, INCLUDING ADVERSE HEALTH EFFECTS ARISING FROM DISPROPORTIONATELY HIGH EXPOSURE OF PARTICULARLY VULNERABLE GROUPS, INCLUDING DISPROPORTIONATELY IMPACTED COMMUNITIES, WORKERS AT STATIONARY SOURCES, INFANTS, CHILDREN, FETUSES, THE ELDERLY, AND PEOPLE WITH DISABILITIES; AND ".

Page 12, strike lines 1 through 3.

Reletter succeeding paragraph accordingly.
Page 12, line 6, after "reports -" insert "study -".

Page 12, line 14, strike "ANY".

Page 12, line 15, strike "(5)(a)" and substitute "(4)(a)".

Page 12, strike lines 17 through 27.

Strike page 13.

Page 14, strike lines 1 through 25.

Reletter succeeding paragraphs accordingly.

Page 15, line 4, strike "(5)(a)" and substitute "(4)(a)".

Page 15, strike lines 5 through 12 and substitute:

"(c) (I) THE DIVISION SHALL CONDUCT A STUDY AND PREPARE A REPORT THAT INCLUDES:

(A) AN ANALYSIS OF THE EXISTING REQUIREMENTS FOR REPORTING TOXIC AIR CONTAMINANTS TO THE DIVISION AND THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY;

(B) AN ASSESSMENT OF THE AVAILABILITY AND QUALITY OF TOXIC AIR CONTAMINANT DATA REPORTED TO THE DIVISION AND THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY, WITH THE REPORTING DATA BROKEN DOWN BY INDIVIDUAL TOXIC AIR CONTAMINANT, GEOGRAPHIC AREA, INDUSTRY SECTOR, AND WHETHER THE STATIONARY SOURCE REPORTING THE DATA IS A MAJOR SOURCE, SYNTHETIC MINOR SOURCE, OR MINOR SOURCE; AND

(C) AN IDENTIFICATION OF THE INFORMATIONAL GAPS IN THE REPORTING OF TOXIC AIR CONTAMINANTS TO THE DIVISION AND THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY.

(II) THE DIVISION SHALL PROVIDE PUBLIC NOTICE AND HOLD AT LEAST TWO PUBLIC MEETINGS AT WHICH MEMBERS OF THE PUBLIC HAVE AN OPPORTUNITY TO COMMENT ON THE REPORT. THE DIVISION SHALL ALSO CONDUCT OUTREACH TO AND SOLICIT FEEDBACK FROM DISPROPORTIONATELY IMPACTED COMMUNITIES AND WORKERS AT STATIONARY SOURCES. IN FINALIZING THE REPORT, THE DIVISION SHALL INCLUDE IN THE REPORT A SUMMARY OF ANY COMMENTS RECEIVED FROM THE PUBLIC, DISPROPORTIONATELY IMPACTED COMMUNITIES, WORKERS AT STATIONARY SOURCES, AND THE SCIENTIFIC COMMUNITY AND IDENTIFY ANY SIGNIFICANT CHANGES MADE TO THE REPORT BASED ON THOSE
COMMENTS. NO LATER THAN JULY 1, 2024, THE DIVISION SHALL SUBMIT THE FINALIZED REPORT TO THE COMMISSION.

(III) NO LATER THAN DECEMBER 31, 2024, THE COMMISSION SHALL, BASED ON THE INFORMATIONAL GAPS IDENTIFIED IN THE REPORT, ADOPT RULES THAT REQUIRE ADDITIONAL TYPES OF INFORMATION TO BE INCLUDED IN ANNUAL EMISSIONS INVENTORY REPORTS SUBMITTED TO THE DIVISION FOR CALENDAR YEAR 2025 AND EACH CALENDAR YEAR THEREAFTER."

Reletter succeeding paragraphs accordingly.

Page 15, line 18, strike "(5)(a)" and substitute "(4)(a)".

Page 15, line 19, before "rules." insert "reporting -".

Page 16, line 4, strike "JULY" and substitute "JANUARY".

Page 16, line 14, strike "(6)(c)(I)," and substitute "(5)(c)(I),".

Page 16, line 24, strike "(6)(c)(II)" and substitute "(5)(c)(II)".

Page 17, line 12, strike "(6)(d)" and substitute "(5)(d)".

Page 17, strike lines 13 through 27 and substitute:

"(f) NO LATER THAN MAY 1, 2025, AND BY MAY 1 EACH YEAR THEREAFTER, THE DIVISION SHALL".

Page 18, line 3, strike "DRAFT REPORT." and substitute "MONITORING PROGRAM.".

Page 18, line 5, strike "DRAFT REPORT." and substitute "MONITORING PROGRAM.".

Page 18, strike lines 6 through 20 and substitute:

"(g) (I) NO LATER THAN JULY 1, 2025, AND BY JULY 1 EACH YEAR THEREAFTER, THE DIVISION SHALL PREPARE AN ANNUAL REPORT THAT SUMMARIZES THE TOXIC AIR CONTAMINANT DATA COLLECTED BY THE MONITORING SITES IN THE PREVIOUS CALENDAR YEAR. THE DIVISION SHALL INCLUDE IN THE REPORT A SUMMARY OF ANY COMMENTS RECEIVED FROM THE PUBLIC, DISPROPORTIONATELY IMPACTED COMMUNITIES, AND THE SCIENTIFIC COMMUNITY DURING THE TWO PUBLIC MEETINGS HELD
Pursuant to subsection (5)(f) of this section.

(II) Once the report is finalized, the division shall:

(A) Post the report on the division's website in both English and Spanish; and

(B) Submit the finalized report to the health and human services committee of the senate and the energy and environment committee of the house of representatives, or their successor committees. Notwithstanding section 24-1-136 (11)(a)(I), the requirement to report to the legislative committees continues indefinitely.

(h) The division shall report on the need for any additional monitoring sites for the monitoring program to the health and human services committee of the senate and the energy and environment committee of the house of representatives, or their successor committees, during the committees' hearings held prior to the 2027 regular session of the general assembly under the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act", part 2 of article 7 of title 2."

Page 18, lines 21 and 22, strike "July 1, 2027," and substitute "October 1, 2025,"

Page 18, lines 22 and 23, strike "Advisory Board," and substitute "Scientific Community,"

Page 18, line 24, strike "High-Risk" and substitute "Up to Five Priority"

Page 18, line 27, strike "(6)(a)" and substitute "(5)(a)"

Page 19, strike lines 4 and 5 and substitute:

"(C) Data provided to the division through the annual emissions inventory reports submitted to the division pursuant to subsection".

Page 19, line 6, strike "(5)(a)" and substitute "(4)(a)"

Page 19, line 12, strike "High-Risk" and substitute "Priority"

Page 19, line 24, strike "To" and substitute "On"

Page 19, line 25, after "Communities," insert "Workers at stationary sources,"
Page 20, line 9, strike "JULY 1, 2032, AND BY JULY 1" and substitute "OCTOBER 1, 2030, AND OCTOBER 1".

Page 20, strike line 15 and substitute "SCIENTIFIC COMMUNITY:".

Page 20, line 16, strike "HIGH-RISK" and substitute "PRIORITY".

Page 20, line 18, strike "(7)(a)(I)" and substitute "(6)(a)(I)".

Page 20, line 20, strike "HIGH-RISK" and substitute "PRIORITY".

Page 20, line 22, strike "(7)(b)" and substitute "(6)(b)".

Page 20, line 27, strike "(7)(b)" and substitute "(6)(b)".

Page 21, strike lines 2 through 16 and substitute:

"(7) Emission control regulations - rules. (a) NO LATER THAN JULY 1, 2026, THE COMMISSION SHALL ADOPT EMISSION CONTROL REGULATIONS BY RULE FOR EACH PRIORITY TOXIC AIR CONTAMINANT. THE EMISSION CONTROL REGULATIONS SHALL BE DESIGNED TO REDUCE EMISSIONS THROUGH THE APPLICATION OF BEST AVAILABLE CONTROL TECHNOLOGY.

(b) IN DETERMINING THE EMISSION CONTROL REGULATIONS,".

Renumber succeeding subsections accordingly.

Page 21, strike lines 18 through 27 and substitute:

"(I) ANY EMISSION CONTROL REGULATIONS ADOPTED FOR PRIORITY TOXIC AIR CONTAMINANTS IN OTHER STATES OR JURISDICTIONS;

(II) THE EMISSION LEVELS OF A PRIORITY TOXIC AIR CONTAMINANT AND ANY ASSOCIATED IMPACTS OF SUCH EMISSION LEVELS ON CONCENTRATIONS OF THE PRIORITY TOXIC AIR CONTAMINANT IN THE AMBIENT AIR;

(III) THE TYPES AND LEVELS OF PRIORITY TOXIC AIR CONTAMINANTS THAT DIFFERENT STATIONARY SOURCES AND INDUSTRIES EMIT;".

Page 22, line 2, strike "PRESENT OR ANTICIPATED" and strike "HIGH-RISK" and substitute "PRIORITY".

Page 22, line 4, strike "AIRBORNE TOXIC CONTROL MEASURES" and substitute "EMISSION CONTROL REGULATIONS".
Page 22, line 5, strike "HIGH-RISK" and substitute "PRIORITY".

Page 22, strike lines 8 and 9 and substitute:

"(VI) THE ANTICIPATED EFFECT OF EMISSION CONTROL REGULATIONS ON LEVELS OF EXPOSURE TO A PRIORITY TOXIC AIR".

Page 22, line 14, strike "HIGH-RISK" and substitute "PRIORITY".

Page 22, line 16, strike "HIGH-RISK" and substitute "PRIORITY".

Page 22, strike line 20 and substitute "EMISSION CONTROL REGULATION.".

Page 22, line 21, strike "2032," and substitute "2031,".

Page 22, strike lines 26 and 27 and substitute:

"(I) ADOPT EMISSION CONTROL REGULATIONS FOR ANY ADDITIONAL PRIORITY TOXIC AIR CONTAMINANTS IDENTIFIED BY THE COMMISSION IN ACCORDANCE WITH SUBSECTION (6)(c)(I) OF THIS SECTION; AND

(II) DETERMINE WHETHER TO REVISE THE EXISTING EMISSION CONTROL REGULATIONS IN ACCORDANCE WITH THE CONSIDERATIONS SET FORTH IN SUBSECTION (7)(b) OF THIS SECTION.".

Page 23, strike lines 1 through 12.

Page 23, line 15, strike "AIRBORNE TOXIC CONTROL MEASURES" and substitute "EMISSION CONTROL REGULATIONS".

Page 23, line 19, after "THAT" insert "WOULD CAUSE A NET INCREASE IN THE EMISSIONS OF ANY PRIORITY TOXIC AIR CONTAMINANT AND".

Page 23, line 23, strike "ANALYZE" and substitute "CONDUCT AN AMBIENT IMPACTS ANALYSIS THAT INCLUDES AN ANALYSIS OF".

Page 24, line 12, strike "(9)(a)" and substitute "(8)(a)".

Page 24, line 15, strike "HIGH-RISK" and substitute "PRIORITY".

Page 24, lines 18 and 19, strike "AIRBORNE TOXIC CONTROL MEASURES" and substitute "EMISSION CONTROL REGULATIONS".

Page 24, line 24, strike "(9)(c)(I)" and substitute "(8)(c)(I)".
"(d) The Commission may establish by rule:

(I) For applications for new air pollution permits, a threshold level of annual potential emissions of priority toxic air contaminants beneath which the requirements of this subsection (8) do not apply; and

(II) For applications for modified air pollution permits, a level of increased annual potential emissions beneath which the requirements of this subsection (8) do not apply.

(e) If the application for a new or modified air pollution permit covers a stationary source that is located in an area that has been designated by the Commission by rule to exceed health-based standards for a priority toxic air contaminant, the owner or operator shall not conduct the analysis required by subsections (8)(a)(I) and (8)(a)(II) of this section and the Division shall deny the permit application."

Page 24, strike lines 26 and 27.

Strike page 25 and 26 and substitute:

"(9) Air pollution regulation for existing sources of toxic air contaminants - needs assessment. (a) No later than July 1, 2025, the Division shall conduct a needs assessment to determine the needs of the Division to administer an air permitting program to regulate existing stationary sources that emit levels of toxic air contaminants that pose a risk to public health, referred to in this subsection (9) as the "air permitting program".

(b) The needs assessment must:

(I) Evaluate air permitting programs for existing stationary sources of toxic air contaminants in other states or jurisdictions;

(II) Determine the scope of the air permitting program, including the types of permits, stationary sources, industries, and geographic areas of the state that will be impacted by the program;

(III) Identify the types of stationary sources or conditions that would prompt the reopening of an air permit by the Division under the air permitting program; and

(IV) Identify processes and reasonable timelines for the implementation of the air permitting program, including processes to:

(A) Notify any stationary sources that would be subject
TO THE AIR PERMITTING PROGRAM;

(B) ASSESS PUBLIC HEALTH RISKS ASSOCIATED WITH A STATIONARY SOURCE’S EMISSIONS OF TOXIC AIR CONTAMINANTS; AND

(C) IMPLEMENT EMISSION CONTROL REGULATIONS OR ANY OTHER STRATEGIES DESIGNED TO REDUCE EMISSIONS OF TOXIC AIR CONTAMINANTS FROM A STATIONARY SOURCE.

(c) THE DIVISION SHALL PROVIDE PUBLIC NOTICE AND HOLD AT LEAST TWO PUBLIC MEETINGS AT WHICH MEMBERS OF THE PUBLIC HAVE AN OPPORTUNITY TO COMMENT ON THE NEEDS ASSESSMENT. THE DIVISION SHALL ALSO CONDUCT OUTREACH TO AND SOLICIT FEEDBACK FROM DISPROPORTIONATELY IMPACTED COMMUNITIES AND WORKERS AT STATIONARY SOURCES ON THE NEEDS ASSESSMENT.

(d) IN FINALIZING THE NEEDS ASSESSMENT, THE DIVISION SHALL INCLUDE IN THE NEEDS ASSESSMENT A SUMMARY OF ANY COMMENTS RECEIVED FROM THE PUBLIC, WORKERS AT STATIONARY SOURCES, AND DISPROPORTIONATELY IMPACTED COMMUNITIES AND IDENTIFY ANY SIGNIFICANT CHANGES MADE TO THE NEEDS ASSESSMENT BASED ON SUCH COMMENTS.

(e) THE DIVISION SHALL REPORT ON THE NEEDS ASSESSMENT TO THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, DURING THE COMMITTEES’ HEARINGS HELD PRIOR TO THE 2026 REGULAR SESSION OF THE GENERAL ASSEMBLY UNDER THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2."

Page 30, strike lines 3 through 27.

Page 31, strike lines 1 through 4.

Renumber succeeding sections accordingly.

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