

**Clean Air Coalition Air Quality Priorities and Associated Bills Filed for the
81st Legislative Session**

1. Ensure the Texas Commission on Environmental Quality (TCEQ) has explicit legislative authority and direction to:
 - a. Analyze individual and cumulative effects of all criteria pollutant emissions from proposed significant point sources, including power plants, when considering a permit application. Analysis of ozone effects should include photochemical modeling of impacts to downwind areas under typical high ozone conditions;

Related Bills: SB 16, HB 721, HB 1446, HB 2770, and HB 2495

- b. Require significant new point sources, including power plants, in attainment areas to meet the strict emissions standards of nonattainment areas if those plants will adversely affect the air quality in nonattainment, or near-nonattainment areas;

Related Bills: HB 2497, and HB 3424

- c. Require TCEQ permitting procedures to consider the most recently proven process and emission control technologies to comply with federal Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) requirements.

2. Allocate all funds collected for the Texas Emission Reduction Plan (TERP) to that program and insure availability of these funds to affected areas, including Central Texas, proportionate to their contributions to the fund and in accordance with needs demonstrated in air quality management plans.

Related Bills: SB 16, and HB 3656

3. Appropriate all Low Income Repair and Assistance Program (LIRAP) funds collected for this purpose and utilize such funds for emission reductions pursuant to HB 1611 and for other programs that can reduce mobile source air pollution. Remove the matching requirement imposed upon counties to promote participation in LIRAP Local Initiative Air Quality Projects and allow more latitude for counties to select appropriate air quality improvement projects for use of LIP funds.

Related Bills: SB 16, and HB 650

4. Support the TCEQ's proposed Legislative Appropriations Request (LAR) that maintains current funding levels for air quality planning activities to reduce ozone in the Austin, Corpus Christi, San Antonio, Tyler-Longview-Marshall, and Victoria areas of the state.

Related Bill: SB 1

5. Prohibit the use of an alternate emission reduction plan using credits from early gasoline sulfur reduction as a means to comply with the Texas Low Emission Diesel fuel standards in Bastrop, Caldwell, Hays, Travis and Williamson counties.

Clean Air Coalition (CAC) Meeting - Agenda Item 6(a)

**Air Quality Bills of Interest
(81st Legislature)**

Bill No.	Sponsor	Caption/Topic
SB 1	Ogden	General Appropriations Bill.
SB 16	Sen. Averitt	Relating to the enhancement of air quality, including the capture of CO2 and development of a greenhouse gas registry, the development of emission reduction technologies, and the improvement of energy efficiency in buildings, vehicles and appliances.
HB 650	Rep. Eddie Ridriguez	Relating to the low-income vehicle repair assistance, retrofit and accelerated vehicle retirement program. Would expand options for vehicle replacement and retirements. Also would reduce LIP match to 25% for counties not receiving CMAQ funds.
HB 721	Rep. Donna Howard	Relating to permitting procedures of the TCEQ for control of air pollution. Would require TCEQ to evaluate impacts on regional ozone levels downwind of the proposed facility and to include cumulative impacts of other permitted facilities.
HB 1391	Rep. Strama	Cities or counties may create emissions management districts, assess fees or issue bonds for environmental efficiency projects.
HB 776	Rep. Strama	Relating to the implementation by the Texas Commission on Environmental Quality of a low-emission vehicle program.
HB 1446	Rep. Allen	Relating to the consideration of the cumulative effects of air contaminant emissions in the emissions permitting process.
SB 1828	Sen. Averitt	Relating to the idling of motor vehicles. Amendment to require the development of a certification process that would exempt certain vehicles manufactured after 2008 from complying with the idling rule, and allow up to 400 lbs for idling reduction systems to be subtracted from the overall vehicle weight when determining applicability of the idling rule.
HB 1909	Rep. Button	Relating to rules of the Texas Commission on Environmental Quality related to motor vehicle idling.
HB 1920	Rep. Kent	Relating to rules of the Texas Commission on Environmental Quality related to motor vehicle idling.
HB 2355	Rep. Kent	Relating to the purchase of cement or cement products by certain governmental entities.
HB 2495	Rep. Dunnam	Consideration of cumulative effects of emissions from proposed facilities in actions by the TCEQ on applications for certain air contaminant emissions permits or permit amendments
HB 2497	Rep. Dunnam	Relating to a conditional reduction of nitrogen oxides emissions from certain coal-fired electric generating facilities.
HB 2770	Rep. Anderson	Relating to the consideration of the cumulative effects of certain air contaminant emissions in the emissions permitting process for electric generating facilities.
HB 3424	Rep. Burnam	Relating to nitrogen oxide emission limits for cement kilns in certain non-attainment areas for ozone. Amendment to require an emissions limit on kilns located in nonattainment areas. Kilns would be limited to 1.7 pounds of nitrogen oxides for each ton of clinker from March 1st to October 31st .
HB 3656	Rep. Bohac	Relating to the Texas emissions reduction plan, including the motor vehicle purchase or lease incentive program under the plan.
HB 4012	Rep. Weber	Relating to the procedure for acting on an application for an air contaminant emissions permit, permit amendment, or permit renewal review for an electric generating facility.
HB 4208	Rep. Patrick	Relating to idling the diesel engine of a school bus while the bus is parked at a public school or school event.
HB 4384	Rep. Vaught	Relating to a temporary moratorium on authorizations for certain coal-fired or petroleum coke-fired electric generating facilities.