

By: Coleman

H.B. No. 3451

A BILL TO BE ENTITLED

AN ACT

relating to adoption of rules by the Texas Commission on Environmental Quality relating to effects screening levels.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 382, Health and Safety Code, is amended by adding Section 382.042 to read as follows:

Sec. 382.042. EFFECTS SCREENING LEVELS; PENALTY. (a) The commission by rule shall set effects screening levels that evaluate the potential for effects to occur as a result of exposure to concentrations of air contaminants. The effects screening levels must:

(1) be based in part on the effects, including the long-term and short-term health effects, of 24-hour exposure of a person who is pregnant, elderly, or a child to the contaminants at the fence line of the emission source; and

(2) measure for a wide variety of contaminants.

(b) A person may not cause, suffer, allow, or permit the emission of any air contaminant or the performance of any activity that causes an effects screening level set by the commission under Subsection (a) to be exceeded. The commission by rule shall establish requirements for the assessment of a penalty for a violation of this subsection.

SECTION 2. Not later than January 1, 2006, the Texas Commission on Environmental Quality shall adopt rules relating to

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1 effects screening levels as required by Section 382.042, Health and  
2 Safety Code, as added by this Act.

3 SECTION 3. This Act takes effect September 1, 2005.