

By: Ellis

S.B. No. 1387

A BILL TO BE ENTITLED

AN ACT

1
2 relating to adoption of rules by the Texas Commission on
3 Environmental Quality relating to effects screening levels.

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

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

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

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

16 (2) measure for a wide variety of contaminants.

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

23 SECTION 2. Not later than January 1, 2006, the Texas
24 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.