

Amend SB 12 (House committee printing) by inserting the following appropriately numbered article and renumbering subsequent articles accordingly:

ARTICLE _____. CLEAN AIR ACT

SECTION _____.01. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.0203 to read as follows:

Sec. 382.0203. REGULATION OF TOXIC POLLUTION. (a) Not later than December 31, 2009, the commission shall adopt, as necessary for the protection of public health, ambient air quality standards for toxic air contaminants, including:

- (1) benzene;
- (2) 1, 3 butadiene;
- (3) ethylene dichloride;
- (4) formaldehyde; and
- (5) nickel.

(b) In developing standards for a contaminant under Subsection (a), the commission shall ensure that the allowed average concentration level of the contaminant does not result in an increased risk of cancer greater than one chance in one million for a person exposed to the contaminant over a specified period determined by commission rule.

(c) Standards adopted under Subsection (a) apply to permits issued before, on, or after the date the standards are adopted.