

BILL ANALYSIS

C.S.S.B. 1177
By: Brimer
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Discussions surrounding the use of different advanced control technologies to reduce nitrogen oxide emissions have occurred, but there have been no pilot tests conducted to identify the effectiveness or feasibility of these technologies. Currently, there is no statute concerning specific advanced control technologies for cement kilns.

C.S.S.B. 1177 directs the Texas Commission on Environmental Quality to test selective technologies to reduce nitrogen oxides emissions on a cement kiln.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 1177 requires the Texas Commission on Environmental Quality (TCEQ) to select one cement kiln to conduct a pilot test to determine the effectiveness of selective technologies as an advanced control technology for reducing nitrogen oxides emissions from the kiln. The TCEQ is required to select from among various available technologies a control technology for the required testing.

The bill requires TCEQ to conduct a feasibility study, design, supervise, and monitor the testing required in consultation with certain persons and verify the accuracy of the testing results. The TCEQ will compare the tested technology to other technologies, along with the total amount of nitrogen oxides normally emitted from the cement kiln to the total amount of nitrogen oxides emitted from the cement kiln during the test period and the TCEQ will award the project based on a competitive process.

The TCEQ is authorized to accept and hold a gift or grant conditioned on its use for testing advanced controls for nitrogen oxides emissions from kilns and use such gifts or grants without an appropriation for the pilot test. However, the TCEQ is prohibited to accept or hold a gift or grant described above that originates from a source affiliated in any way with a nitrogen oxides emissions technology provider.

C.S.S.B. 1177 requires TCEQ to complete the technology testing no later than December 31, 2008, and to prepare and deliver to each member of the legislature a report including certain information no later than January 1, 2009.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute replaces "selective catalytic reduction technology " and "low temperature oxidation technology" with "selective technologies". The substitute adds technology vendors to the consultation list and designates the presiding officer of a regional council of government to the list instead of "representatives".

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The substitute instructs the TCEQ to compare the tested technology to other technologies along with the total amount of nitrogen oxides normally emitted from the cement kiln to the total amount of nitrogen oxides emitted from the cement kiln during the test period. C.S.S.B. 1177 charges the TCEQ to award the project based on a competitive process.

The substitute prohibits the TCEQ from accepting or holding a gift that originated from a source affiliated in any way with a nitrogen oxides emissions technology provider.