

## **BILL ANALYSIS**

Senate Research Center

S.B. 1665  
By: Averitt  
Natural Resources  
8/3/2007  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

A study conducted by the Texas Commission on Environmental Quality after the 79th legislative session found that current low emission standards for residential hot water heaters are technically and economically infeasible. S.B. 1665 provides more lenient standards until more strict federal standards are adopted.

S.B. 1665 repeals current low emission standards for residential water heaters.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Commission of Environmental Quality is modified in SECTION 1 (Section 382.0275, Health and Safety Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

[While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality (TCEQ), as the successor agency to TNRCC.]

SECTION 1. Amends Section 382.0275, Health and Safety Code, by adding Subsection (d), as follows:

(d) Prohibits TCEQ from adopting or enforcing a rule, determination, or order that relates to emissions of residential water heaters that is below 40 nanograms of NO<sub>x</sub> per joule unless a lower standard is established by a federal statute or rule. Repeals any TCEQ rule, determination, or order existing on or before the effective date of this subsection related to emission specifications for residential water heaters that is more stringent than the 40 nanograms of NO<sub>x</sub> per joule standard.

SECTION 2. Repealer: Sections 382.0275 (b) (relating to a certain study) and (c) (relating to emission reductions related to residential gas water heaters), Health and Safety Code.

SECTION 3. Effective date: upon passage or September 1, 2007.