

BILL ANALYSIS

Senate Research Center
89R4838 SLO-F

S.B. 1924
By: Gallegos
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the United States Environmental Protection Agency, the average adult breathes over 3000 gallons of air daily. A child inhales even more air than adult per pound of body weight because of the rate at which they breath. As a result, children are more susceptible to illness and ailments from air pollution. The effects of air pollution are greater for children with respiratory complications, as well.

As proposed, S.B. 1924 requires the Texas Commission on Environmental Quality to establish and maintain an air pollutant watch list that will be made public.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Natural Resources Conservation Commission is modified SECTION 1 (Section 382.0205, 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, as the successor agency to TNRCC.]

SECTION 1. Amends Section 382.0205, Health and Safety Code, as follows:

Sec. 382.0205. SPECIAL PROBLEMS RELATED TO AIR CONTAMINANT EMISSIONS. Authorizes the Texas Natural Resources Conservation Commission (TNRCC) by rule and consistent with applicable federal law, to control air contaminants as necessary to protect against adverse effects related to air pollution.

SECTION 2. Amends Subchapter B, Chapter 382, Health and Safety Code, by adding Sections 382.0206 and 382.0207, as follows:

Sec. 382.0206. AIR POLLUTANT WATCH LIST. (a) Requires TNRCC to establish and maintain an air pollutant watch list. Requires the air pollutant watch list to identify certain information.

(b) Requires TNRCC to publish notice of and allow public comment on certain information relating to the pollutant watch list.

(c) Requires TNRCC to hold a public meeting each year in each area listed on the air pollutant watch list to provide residents of the area with information regarding the reasons for the area's inclusion on the air pollutant watch list and TNRCC actions to reduce the emissions of air contaminants contributing to the area's inclusion on the air pollutant watch list.

(d) Requires TNRCC to prepare an electronic report regarding the air pollutant watch list and provide the report to the governor, the lieutenant governor, and the speaker of the house of representatives, not later than December 1 of each year. Requires the report to include certain information.

(e) Provides that the air pollutant watch list and the addition of or removal of a pollutant or area to or from the list are not matters subject to the procedural requirements of Subchapter B (Rulemaking), Chapter 2001 (Administrative Procedure), Government Code.

Sec. 382.0207. PUBLICATION OF AMBIENT AIR QUALITY STANDARDS ON INTERNET WEBSITE. Requires TNRCC to promptly publish on its Internet website any ambient air quality data collected by TNRCC from mobile or stationary ambient air quality monitors.

SECTION 3. Requires the Texas Commission on Environmental Quality, not later than December 1, 2008, to prepare and provide to the governor, the lieutenant governor, and the speaker of the house of representatives the initial report required under Section 382.0206(d), Health and Safety Code, as added by this Act.

SECTION 4. Effective date: September 1, 2007.