

By: Burnam

H.B. No. 3912

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a conditional reduction of nitrogen oxides emissions  
3 from certain industrial or utility furnaces and boilers.

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

5 SECTION 1. Subchapter B, Chapter 382, Health and Safety  
6 Code, is amended by adding Section 382.0174 to read as follows:

7 Sec. 382.0174. EMISSION REDUCTIONS AT CERTAIN INDUSTRIAL OR  
8 UTILITY FURNACES AND BOILERS. (a) In this section, "nonattainment  
9 area" has the meaning assigned by Section 384.001.

10 (b) If the United States Environmental Protection Agency  
11 disapproves, conditionally disapproves, or otherwise requires a  
12 reduction in air contaminant emissions as a condition of approving  
13 a revision to the state implementation plan for the Dallas-Fort  
14 Worth nonattainment area concerning the nonattainment of federal  
15 ambient air quality standards for ozone, the commission as its  
16 first effort to comply or to receive approval shall require each  
17 industrial or utility furnace or boiler in the Dallas-Fort Worth  
18 nonattainment area that nitrogen oxides at a rate greater than 0.02  
19 pounds per million British thermal units to reduce the facility's  
20 nitrogen oxides emissions to the extent technically feasible,  
21 regardless of financial costs. The commission shall require the  
22 nitrogen oxides emissions reductions before the commission  
23 requires automobiles, area sources, or other stationary sources to  
24 reduce their emissions of air contaminants that contribute to the

1 area's nonattainment of the federal ozone ambient air quality  
2 standard.

3 SECTION 2. This Act takes effect September 1, 2007.