By: Brimer, Harris S.B. No. 1177

(In the Senate - Filed March 6, 2007; March 14, 2007, read first time and referred to Committee on Natural Resources; April 25, 2007, reported adversely, with favorable Committee Substitute by the following vote: Yeas 11, Nays 0; April 25, 2007, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 1177 By: Brimer

A BILL TO BE ENTITLED
AN ACT

relating to a pilot test of an advanced control technology for the reduction of nitrogen oxides emissions.

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

SECTION 1. SELECTIVE CATALYTIC REDUCTION TECHNOLOGY OR LOW TEMPERATURE OXIDATION TECHNOLOGY PILOT. (a) The Texas Commission on Environmental Quality shall select one cement kiln stack in a nonattainment or a near nonattainment area for the purpose of a pilot test to determine the effectiveness of a selective catalytic reduction technology or a low temperature oxidation technology as an advanced control technology for reducing the nitrogen oxides emissions from the cement kiln stack. The Texas Commission on Environmental Quality shall select a selective catalytic reduction technology or a low temperature oxidation technology vendor to provide the selective catalytic reduction technology or low temperature oxidation technology needed to conduct the testing required by this subsection.

(b) The Texas Commission on Environmental Quality shall:

(1) conduct a feasibility study, design, supervise, and monitor the testing required by Subsection (a) of this section in consultation with:

(A) the selective catalytic reduction technology or low temperature oxidation technology vendor selected by the commission;

(B) the owner or operator of the cement kiln stack selected for testing under Subsection (a) of this section;

(C) representatives of a regional council of government of the region in which the cement kiln is located; and

(D) a representative of a citizen environmental advocacy group active within the region; and

(2) verify the accuracy of the results of the testing.

(c) The Texas Commission on Environmental Quality may accept and hold a gift or grant conditioned on its use for testing advanced controls for nitrogen oxides emissions from cement kilns in a nonattainment or near nonattainment area and use such gifts or grants without an appropriation for the pilot test under this section.

(d) The Texas Commission on Environmental Quality shall:

(1) not later than December 31, 2008, complete the selective catalytic reduction technology or low temperature oxidation technology testing required under Subsection (a) of this section; and

(2) not later than January 1, 2009, prepare and deliver to each member of the legislature a report describing:

(A) the results of the testing, including whether any reduction in nitrogen oxides emissions resulted from the use of the selective catalytic reduction technology or low temperature oxidation technology; and

(B) the costs involved in the installation, use, and maintenance of the selective catalytic reduction technology or low temperature oxidation technology.

SECTION 2. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for

immediate effect, this Act takes effect September 1, 2007.

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