

1-1 By: Gallegos S.B. No. 1924  
1-2 (In the Senate - Filed March 9, 2007; March 22, 2007, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 April 19, 2007, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; April 19, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the establishment of an air pollutant watch list and  
1-9 associated reports for the purpose of controlling the emissions of  
1-10 air contaminants under the Texas Clean Air Act.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 382.0205, Health and Safety Code, is  
1-13 amended to read as follows:

1-14 Sec. 382.0205. SPECIAL PROBLEMS RELATED TO AIR CONTAMINANT  
1-15 EMISSIONS. Consistent with applicable federal law, the commission  
1-16 by rule may control air contaminants as necessary to protect  
1-17 against adverse effects related to:

- 1-18 (1) acid deposition;  
1-19 (2) stratospheric changes, including depletion of  
1-20 ozone; ~~and~~  
1-21 (3) climatic changes, including global warming; and  
1-22 (4) air pollution.

1-23 SECTION 2. Subchapter B, Chapter 382, Health and Safety  
1-24 Code, is amended by adding Sections 382.0206 and 382.0207 to read as  
1-25 follows:

1-26 Sec. 382.0206. AIR POLLUTANT WATCH LIST. (a) The  
1-27 commission shall establish and maintain an air pollutant watch  
1-28 list. The air pollutant watch list must identify:

1-29 (1) each air contaminant that the commission  
1-30 determines, on the basis of federal or state ambient air quality  
1-31 standards or effects screening levels for the contaminant, should  
1-32 be included on the air pollutant watch list; and

1-33 (2) each geographic area of the state for which  
1-34 ambient air quality monitoring data indicates that the individual  
1-35 or cumulative emissions of one or more air contaminants identified  
1-36 by the commission under Subdivision (1) may cause short-term or  
1-37 long-term adverse human health effects or odors in that area.

1-38 (b) The commission shall publish notice of and allow public  
1-39 comment on:

1-40 (1) an addition of an air contaminant to or removal of  
1-41 an air contaminant from the air pollutant watch list; or

1-42 (2) an addition of an area to or removal of an area  
1-43 from the air pollutant watch list.

1-44 (c) Each year, the commission shall hold a public meeting in  
1-45 each area listed on the air pollutant watch list to provide  
1-46 residents of the area with information regarding:

1-47 (1) the reasons for the area's inclusion on the air  
1-48 pollutant watch list; and

1-49 (2) commission actions to reduce the emissions of air  
1-50 contaminants contributing to the area's inclusion on the air  
1-51 pollutant watch list.

1-52 (d) Not later than December 1 of each year, the commission  
1-53 shall prepare an electronic report regarding the air pollutant  
1-54 watch list and provide the report to the governor, the lieutenant  
1-55 governor, and the speaker of the house of representatives. The  
1-56 report must include:

1-57 (1) the areas and air contaminants currently listed on  
1-58 the air pollutant watch list;

1-59 (2) the areas and air contaminants added to or removed  
1-60 from the air pollutant watch list during the preceding fiscal year;

1-61 (3) the actions taken by the commission during the  
1-62 preceding fiscal year to reduce the ambient air concentration  
1-63 levels of air contaminants included on the air pollutant watch  
1-64 list; and

2-1                   (4) any additional monitoring that is needed in a  
2-2 particular area of the state to determine whether the area should be  
2-3 included on the air pollutant watch list.

2-4                   (e) The air pollutant watch list and the addition of or  
2-5 removal of a pollutant or area to or from the list are not matters  
2-6 subject to the procedural requirements of Subchapter B, Chapter  
2-7 2001, Government Code.

2-8                   Sec. 382.0207. PUBLICATION OF AMBIENT AIR QUALITY STANDARDS  
2-9 ON INTERNET WEBSITE. The commission shall promptly publish on its  
2-10 Internet website any ambient air quality data collected by the  
2-11 commission from mobile or stationary ambient air quality monitors.

2-12                   SECTION 3. Not later than December 1, 2008, the Texas  
2-13 Commission on Environmental Quality shall prepare and provide to  
2-14 the governor, the lieutenant governor, and the speaker of the house  
2-15 of representatives the initial report required under Subsection  
2-16 (d), Section 382.0206, Health and Safety Code, as added by this Act.

2-17                   SECTION 4. This Act takes effect September 1, 2007.

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