

## **BILL ANALYSIS**

C.S.H.B. 4581  
By: Hochberg  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Measuring contaminants in the air such as nitrogen oxide compounds (NO<sub>x</sub>), volatile organic compounds (VOC), air toxics or greenhouse gases is a complex task. In 2000 and 2006, the Texas Commission on Environmental Quality (commission) along with the scientific community undertook research initiatives to gain better insight into emission releases from industrial areas and the formation of ozone and ozone transport.

Currently, Texas is leading the country in bringing state-of-the-science remote sensing technologies from Europe for these field studies. Industry-developed technologies like the Solar Occultation Flux (SOF) and Differential Absorption LIDAR (DIAL) take measurements in a two-dimensional vertical plane combined with wind speed to calculate the volume and concentration of emissions.

C.S.H.B. 4581 directs the commission to use proven and effective state-of-the-science tools to efficiently locate emissions and directs the commission to use these tools to improve the accuracy of emission factors and the emissions inventory.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 382.014, Health and Safety Code, by adding subsections (b) and (c). Subsection (b) requires the TCEQ to use emissions information gathered during commission activities including information submitted under this section to evaluate the integrity of emissions factors and the emissions inventory. Subsection (c) requires the TCEQ to annually assess the information collected under this section and report to the legislature recommend emissions inventory improvement strategies as required by Section 5.126, Water Code.

SECTION 2. Amends Section 382.016, Health and Safety Code, by adding subsection (c) to allow the TCEQ to measure and monitor the emissions of air contaminants from a source or from an activity causing or resulting in emissions subject to the commission's jurisdiction.

SECTION 3. Amends Section 382.0173, Health and Safety Code, by adding subsection (h) to require the commission to adopt policies to use any advanced technologies authorized under this chapter to permanently reduce quantifiable surplus emissions to gain credits for this state's air quality state implementation plan.

SECTION 4. Amends Section 382.021, Health and Safety Code, by adding subsection (c) to require the TCEQ to use technologies that measure the concentration and volume of emission of volatile organic compounds and nitrogen oxides such as optical gas imaging in two-dimensional vertical.

SECTION 5. Effective date.

**EFFECTIVE DATE**

September 1, 2009

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

The committee substitute is a council draft of the filed version of the bill.