

By: Deshotel

H.B. No. 3374

A BILL TO BE ENTITLED

AN ACT

relating to permits for air contaminant emissions of stationary natural gas engines.

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

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.051865 to read as follows:

Sec. 382.051865. STATIONARY NATURAL GAS ENGINES. (a) In this section, "natural gas engine" includes a natural gas internal combustion engine, natural gas stationary internal combustion reciprocating engine, and natural gas turbine. The term does not include a natural gas engine that powers a motor vehicle.

(b) The commission shall issue a standard permit or permit by rule for stationary natural gas engines that establishes emission limits for air contaminants released by the engines.

(c) The commission in adopting a standard permit or permit by rule under this section may consider:

(1) the geographic location in which a stationary natural gas engine may be used, including the proximity to an area designated as a nonattainment area;

(2) the total annual operating hours of a stationary natural gas engine;

(3) the technology used by a stationary natural gas engine;

(4) the types of fuel used to power a stationary

1 natural gas engine; and

2 (5) other emission control policies of the state.

3 (d) The commission in adopting a standard permit or permit
4 by rule under this section may not distinguish between the end-use
5 functions powered by a stationary natural gas engine.

6 (e) The commission must provide for the emission limits for
7 stationary natural gas engines to be measured in terms of air
8 contaminant emissions per unit of total energy output. For a device
9 that makes productive use of an engine's waste heat as thermal
10 energy for a secondary function, the commission shall consider both
11 the primary and secondary functions when determining the engine's
12 emissions per unit of energy output.

13 SECTION 2. Not later than September 1, 2010, the Texas
14 Commission on Environmental Quality shall adopt any rules required
15 to implement Section 382.051865, Health and Safety Code, as added
16 by this Act.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2009.

COMMITTEE AMENDMENT NO. 1

Amend H.B. No. 3374 (introduced version) as follows:

(1) On page 1, line 7, between "ENGINES" and the period, insert "USED IN A COMBINED HEAT AND POWER PROJECT".

(2) On page 1, between lines 11 and 12, insert the following:

(b) This section applies only to a natural gas engine used in a combined heat and power project.

(3) On page 1, line 12, strike "(b)" and substitute "(c)".

(4) On page 1, line 13, between "engines" and "that", insert "used in a combined heat and power project".

(5) On page 1, line 15, strike "(c)" and substitute "(d)".

(6) On page 2, line 3, strike "(d)" and substitute "(e)".

(7) On page 2, line 6, strike "(e)" and substitute "(f)".

(8) On page 2, line 7, between "engines" and "to", insert "subject to this section".

(9) On page 2, lines 8 through 10, strike "For a device that makes productive use of an engine's waste heat as thermal energy for a secondary function, the" and substitute "The".

Legler