

By: Burnam

H.B. No. 3424

A BILL TO BE ENTITLED

AN ACT

relating to Nitrogen Oxide emission limits for cement kilns in certain non-attainment areas for ozone.

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 382.067 to read as follows:

Sec. 382.067. LIMITATION ON NITROGEN OXIDES EMISSIONS OF CEMENT KILNS IN NONATTAINMENT AREAS. (a) The commission by rule or by permit condition shall provide that, after September 1, 2011, a cement kiln that is located in an area designated as a nonattainment area for a national ambient air quality standard under Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407) may not emit more than 1.7 pounds of nitrogen oxides for each ton of clinker produced by the kiln from March 1 through October 31 of each calendar year.

(b) The owner or operator of a cement kiln may apply for and receive funds from the Clean Air Account not to exceed \$2,500,000 per kiln until September 1, 2011 to comply with this section.

(c) The commission shall adopt rules to implement this section.

SECTION 2. This act takes effect September 1, 2009.