

By: Davis, Wendy

S.B. No. 760

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 PILOT.

(a) The Texas Commission on Environmental Quality shall select one dry process 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 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 vendor to provide the selective catalytic reduction technology needed to conduct the testing required by this subsection.

(b) The Texas Commission on Environmental Quality shall:

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

(A) the selective catalytic reduction 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; and

(C) representatives of a regional council of

1 government of the region in which the cement kiln is located; and

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

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

9 (d) If this Act takes effect before July 31, 2009, the Texas
10 Commission on Environmental Quality shall:

11 (1) not later than July 31, 2009, select a dry process
12 cement kiln stack for testing as required under Subsection (a) of
13 this section;

14 (2) not later than August 31, 2009, select a selective
15 catalytic reduction technology vendor as required under Subsection
16 (a) of this section; and

17 (3) not later than November 30, 2009, begin testing
18 the selective catalytic reduction technology.

19 (e) If this Act takes effect on or after July 31, 2009, the
20 Texas Commission on Environmental Quality shall:

21 (1) not later than September 30, 2009, select a dry
22 process cement kiln stack for testing as required under Subsection
23 (a) of this section;

24 (2) not later than October 31, 2009, select a
25 selective catalytic reduction technology vendor as required under
26 Subsection (a) of this section; and

27 (3) not later than January 1, 2009, begin testing the

1 selective catalytic reduction technology.

2 (f) The Texas Commission on Environmental Quality shall:

3 (1) not later than December 31, 2010, complete the
4 selective catalytic reduction technology testing required under
5 Subsection (a) of this section; and

6 (2) not later than January 1, 2011, prepare and
7 deliver to each member of the legislature a report describing:

8 (A) the results of the testing, including whether
9 any reduction in nitrogen oxides emissions resulted from the use of
10 the selective catalytic reduction technology; and

11 (B) the costs involved in the installation, use,
12 and maintenance of the selective catalytic reduction technology.

13 SECTION 2. EFFECTIVE DATE. This Act takes effect
14 immediately if it receives a vote of two-thirds of all the members
15 elected to each house, as provided by Section 39, Article III, Texas
16 Constitution. If this Act does not receive the vote necessary for
17 immediate effect, this Act takes effect September 1, 2009.