

By: Davis

S.B. No. 102

A BILL TO BE ENTITLED

AN ACT

relating to allocation of certain money in the Texas emissions reduction plan fund to air quality monitoring activities.

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

SECTION 1. Section 386.051(b), Health and Safety Code, is amended to read as follows:

(b) Under the plan, the commission and the comptroller shall provide grants or other funding for:

(1) the diesel emissions reduction incentive program established under Subchapter C, including for infrastructure projects established under that subchapter;

(2) the motor vehicle purchase or lease incentive program established under Subchapter D;

(3) the new technology research and development program established under Chapter 387;

(4) the clean school bus program established under Chapter 390; ~~and~~

(5) the new technology implementation grant program established under Chapter 391; and

(6) air quality monitoring under Section 386.059.

SECTION 2. Subchapter B, Chapter 386, Health and Safety Code, is amended by adding Section 386.059 to read as follows:

Sec. 386.059. AIR QUALITY MONITORING. (a) The commission shall conduct short-term and long-term air quality monitoring

1 activities to evaluate levels of air contaminants, including
2 particulate matter, nitrogen oxides, volatile organic compounds,
3 air toxics, and carbon monoxide.

4 (b) The monitoring activities may include canister
5 sampling, automated gas chromatography, handheld instrument
6 surveys, lab analysis, or any other monitoring method or procedure
7 generally recognized in the field of air pollution control.

8 (c) The commission may hire staff and consultants needed to
9 accomplish the commission's duties under this section.

10 SECTION 3. Section 386.252(a), Health and Safety Code, as
11 amended by Chapters 1125 (H.B. 1796) and 1232 (S.B. 1759), Acts of
12 the 81st Legislature, Regular Session, 2009, is reenacted and
13 amended to read as follows:

14 (a) Money in the fund may be used only to implement and
15 administer programs established under the plan and shall be
16 allocated as follows:

17 (1) for the diesel emissions reduction incentive
18 program, 82.5 [~~87.5~~] percent of the money in the fund, of which:

19 (A) not more than four percent may be used for the
20 clean school bus program;

21 (B) not more than 10 percent may be used for
22 on-road diesel purchase or lease incentives; [~~and~~]

23 (C) a specified amount may be used for the new
24 technology implementation grant program, from which a defined
25 amount may be set aside for electricity storage projects related to
26 renewable energy; and

27 (D) five percent shall be used for the clean

1 fleet program;

2 (2) for the new technology research and development
3 program, nine percent of the money in the fund, of which:

4 (A) up to \$200,000 is allocated for a health
5 effects study;

6 (B) \$500,000 is to be deposited in the state
7 treasury to the credit of the clean air account created under
8 Section 382.0622 to supplement funding for air quality planning
9 activities in affected counties;

10 (C) not less than 20 percent is to be allocated
11 each year to support research related to air quality as provided by
12 Section 387.010; and

13 (D) the balance is allocated each year to the
14 commission to be used to:

15 (i) implement and administer the new
16 technology research and development program for the purpose of
17 identifying, testing, and evaluating new emissions-reducing
18 technologies with potential for commercialization in this state and
19 to facilitate their certification or verification; and

20 (ii) contract with the Energy Systems
21 Laboratory at the Texas Engineering Experiment Station for \$216,000
22 annually for the development and annual computation of creditable
23 statewide emissions reductions obtained through wind and other
24 renewable energy resources for the state implementation plan; ~~and~~

25 (3) for continuous air quality monitoring under
26 Section 386.059, five percent of the money in the fund is allocated
27 to the commission; and

1 (4) two percent is allocated to the commission and 1.5
2 percent is allocated to the laboratory for administrative costs
3 incurred by the commission and the laboratory.

4 SECTION 4. This Act takes effect September 1, 2011.