

By: Ellis

S.B. No. 1576

A BILL TO BE ENTITLED

AN ACT

relating to requirements related to the reporting of emissions events by certain regulated entities under the Clean Air Act.

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

SECTION 1. Section 382.0215(b), Health and Safety Code, is amended to read as follows:

(b) The commission shall require the owner or operator of a regulated entity that experiences emissions events:

(1) to maintain a record of all emissions events at the regulated entity in the manner and for the periods prescribed by commission rule;

(2) to notify the commission in a single report for each emissions event, as soon as practicable but not later than one hour [~~24 hours~~] after discovery of the emissions event, of an emissions event resulting in the emission of a reportable quantity of air contaminants as determined by commission rule; [~~and~~]

(3) to report to the commission in a single report for each emissions event, not later than two weeks after the occurrence of an emissions event that, as determined in accordance with commission rules, results in the emission of a reportable quantity of air contaminants or an emission that affects an area beyond the site of the regulated entity [~~as determined by commission rule~~], all information necessary to evaluate the emissions event, including:

1 (A) the name of the owner or operator of the
2 reporting regulated entity;

3 (B) the location of the reporting regulated
4 entity;

5 (C) the date and time the emissions began;

6 (D) the duration of the emissions;

7 (E) the nature and measured or estimated quantity
8 of air contaminants emitted, including the method of calculation
9 of, or other basis for determining, the quantity of air
10 contaminants emitted;

11 (F) the processes and equipment involved in the
12 emissions event;

13 (G) the cause of the emissions; and

14 (H) any additional information necessary to
15 evaluate the emissions event; and

16 (4) to notify the commission and any local air
17 pollution control agency with jurisdiction over the regulated
18 entity in a single report for each emissions event, as soon as
19 practicable but not later than one hour after discovery of the
20 emissions event, of an emissions event that:

21 (A) results in the emission of less than a
22 reportable quantity of air contaminants; and

23 (B) as determined by commission rule, affects or
24 is likely to affect an area beyond the site of the regulated entity,
25 including through smoke, odor, measured contaminants, or the
26 deposition of contaminants in the area.

27 SECTION 2. This Act takes effect September 1, 2011.