

HCS HB 1631 -- AIR CONSERVATION COMMISSION (Richardson)

COMMITTEE OF ORIGIN: Committee on General Laws

This bill requires the Air Conservation Commission to develop emission standards through a unit-by-unit analysis of each existing source of carbon dioxide within the state.

The commission must consider in developing and implementing emission standards for each existing source of carbon dioxide, among other factors, the remaining useful life of the existing source to which the standard applies, consistent with specified federal regulations.

The commission must consider, consistent with its statutory duties to achieve the prevention, abatement, and control of air pollution by all commercially available and economically feasible methods, the overall economic impact from any and all emission standards and compliance schedules developed and implemented under specified federal regulations.

The commission may develop, on a unit-by-unit basis for individual existing sources and emissions of carbon dioxide at these existing sources, consistent with federal regulation, emission standards that are less stringent than applicable federal emission guidelines or longer compliance schedules than those required by federal regulations. This determination must be based on:

- (1) Unreasonable cost of control resulting from plant age, location, or basic process design;
- (2) Physical impossibility of installing necessary control equipment; or
- (3) Other factors specific to the existing source or class of existing sources that make application of a less stringent standard or final compliance time significantly more reasonable.

If any provision of the bill or the application thereof to any person or circumstance is held invalid, the invalidity must not affect other provisions or applications of the bill that can be given effect without the invalid provision or application and to this end these provisions are declared to be severable.