

SUBJECT: Determining the amount of foreign air contaminants in Texas cities

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 6 ayes — Landgraf, Guerra, K. Bell, Kuempel, J. Lopez, Meza
0 nays
3 absent — Dean, Morales Shaw, Reynolds

WITNESSES: For — Jason Isaac, Texas Public Policy Foundation (*Registered, but did not testify*; Bill Oswald, Koch Companies; Mark Vickery, Texas Association of Manufacturers; Shea Pearson, Texas Chemical Council; Shana Joyce, Texas Oil & Gas Association; Susan Stewart)

Against — None

On — (*Registered, but did not testify*: Donna Huff, Texas Commission on Environmental Quality)

BACKGROUND: Some have suggested that data related to foreign emission sources could help to address foreign air pollution that may be impacting air quality in some areas of the state and contributing to nonattainment areas for national air quality standards.

DIGEST: CSHB 4932 would require the Texas Commission on Environmental Quality (TCEQ) to request the amount of foreign emissions that are detected or estimated to be at each federal air quality monitoring site located in each nonattainment area in Texas. This information would have to be requested from the Administrator of the EPA by October 1, 2023.

If TCEQ did not receive this information within 180 days of the request, it would be required to estimate the amount of relevant foreign emissions. TCEQ could contract with a third party to conduct the estimate.

The bill would require TCEQ's executive director to report to TCEQ,

based on the information collected, a recommendation on whether to revise the state implementation plan to account for the amount of foreign emissions in each nonattainment area.

CSHB 4932 would expire September 1, 2027. The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

NOTES:

The fiscal impact to the state cannot be determined because the determination of whether the bill requires the analysis of foreign emissions is unknown. The cost of estimating foreign emissions independently, or through a third-party entity, is unknown.