

## **BILL ANALYSIS**

Senate Research Center  
81R5230 JTS-D

S.B. 760  
By: Davis, Wendy et al.  
Natural Resources  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Texas Commission on Environmental Quality (TCEQ) has set forth goals for nitrogen oxides emissions reductions from cement kilns in certain nonattainment areas. Current chosen technologies, however, may not provide the most effective reductions for the cost. TCEQ has identified other technologies available to reduce emissions, but information on cement application of these technologies is limited. This bill creates a pilot test in a nonattainment or a near nonattainment area on selective catalytic reduction technology on a dry process cement kiln, which has been successful in other industries to greatly reduce the nitrous oxides emissions.

As proposed, S.B. 760 creates a pilot test of a selective catalytic reduction technology for the reduction of nitrogen oxides emissions. This bill also requires that a report of the pilot test be delivered to the legislature not later than January 1, 2011.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. SELECTIVE CATALYTIC REDUCTION TECHNOLOGY PILOT. (a) Requires the Texas Commission on Environmental Quality (TCEQ) to 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. Requires TCEQ to select a selective catalytic reduction technology vendor to provide the selective catalytic reduction technology needed to conduct the testing required by this subsection.

(b) Requires TCEQ to design, supervise, and monitor the testing required by Subsection (a) of this section in consultation with the selective catalytic reduction technology vendor selected by TCEQ, the owner or operator of the cement kiln stack selected for testing under Subsection (a) of this section, and representatives of a regional council of government of the region in which the cement kiln is located, and verify the accuracy of the results of the testing.

(c) Authorizes TCEQ to accept and hold a gift or grant conditioned for its use for testing advanced controls for nitrogen oxides emissions from cement kilns in a nonattainment or near nonattainment area and use such gifts or grants without an appropriation for the pilot test under this section.

(d) Requires TCEQ, if this Act takes effect before July 31, 2009, to, not later than July 31, 2009, select a dry process cement kiln stack for testing as required under Subsection (a) of this section; not later than August 31, 2009, select a selective catalytic reduction technology vendor as required under Subsection (a) of this section; and not later than November 30, 2009, begin testing the selective catalytic reduction technology.

(e) Requires TCEQ, if this Act takes effect on or after July 31, 2009, not later than September 30, 2009, to select a dry process cement kiln stack for testing as required under Subsection (a) of this section; not later than October 31, 2009, to select a selective

catalytic reduction technology vendor as required under Subsection (a) of this section; and not later than January 1, 2009 [*sic*], to begin testing the selective catalytic reduction technology.

(f) Requires TCEQ, not later than December 31, 2010, to complete the selective catalytic reduction technology testing required under Subsection (a) of this section; and not later than January 1, 2011, to prepare and deliver to each member of the legislature a report describing the results of the testing, including whether any reduction in nitrogen oxides emissions resulted from the use of the selective catalytic reduction technology; and the costs involved in the installation, use, and maintenance of the selective catalytic reduction technology.

SECTION 2. EFFECTIVE DATE. Effective date: upon passage or September 1, 2009.