

HB1189\_L.015

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB21-1189 be amended as follows:

1 Amend printed bill, page 5, after line 20 insert:

2           "(j) "NOTIFICATION THRESHOLD" MEANS ACUTE EXPOSURE LEVELS  
3 WITH AN AVERAGING TIME OF ONE HOUR AS ESTABLISHED BY THE DIVISION  
4 PURSUANT TO SUBSECTION (5)(a)(III) OF THIS SECTION."

5 Reletter succeeding paragraphs accordingly.

6 Page 7, line 26, strike "will" and substitute "will, AS SOON AS POSSIBLE,".

7 Page 8, line 2, strike "incident;" and substitute "incident OR AN  
8 EXCEEDANCE OF A NOTIFICATION THRESHOLD IDENTIFIED BY A FENCELINE  
9 MONITORING SYSTEM;".

10 Page 8, after line 2 insert:

11           "(b.5) FOR TWO YEARS, MAINTAIN A RECORD OF ALL  
12 COMMUNICATIONS MADE THROUGH AN EMERGENCY NOTIFICATION  
13 SERVICE, INCLUDING WHETHER ANY OTHER ACTION WAS TAKEN IN  
14 RESPONSE TO THE INCIDENT OR EXCEEDANCE OF A NOTIFICATION  
15 THRESHOLD, WHICH RECORD MUST BE AVAILABLE TO THE PUBLIC;".

16 Page 8, after line 16 insert:

17           "(III) THE DIVISION SHALL ESTABLISH NOTIFICATION THRESHOLDS  
18 FOR EACH COVERED AIR TOXIC. IN ESTABLISHING THE NOTIFICATION  
19 THRESHOLDS, THE DIVISION SHALL TAKE A PRECAUTIONARY APPROACH TO  
20 ASSURE PROTECTION OF PUBLIC HEALTH. THE NOTIFICATION THRESHOLDS:

21           (A) SHALL BE BASED ON SCIENTIFIC RESEARCH THAT IS PUBLICLY  
22 AVAILABLE AND PEER-REVIEWED ABOUT THE POTENTIAL HUMAN HEALTH  
23 IMPACTS OF SHORT-TERM EXPOSURES TO POLLUTANTS;

24           (B) MAY BE BASED ON ACUTE EXPOSURE LEVELS OR GUIDELINES  
25 UTILIZED BY A FEDERAL AGENCY OR ANOTHER STATE; AND

26           (C) SHALL BE INCLUDED IN THE FENCELINE MONITORING PLAN OF  
27 EACH COVERED FACILITY."

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