

HB19-1261

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Garcia

1 Amend reengrossed bill, page 11, after line 7 insert:

2 "(VIII) (A) IN ADDRESSING GREENHOUSE GAS EMISSIONS FROM AN
3 ENERGY-INTENSIVE, TRADE-EXPOSED MANUFACTURING SOURCE, THE
4 COMMISSION SHALL REQUIRE THE SOURCE TO EXECUTE AN ENERGY AND
5 EMISSION CONTROL AUDIT, ACCORDING TO CRITERIA ESTABLISHED BY THE
6 COMMISSION, OF THE SOURCE'S OPERATIONS EVERY FIVE YEARS THROUGH
7 AT LEAST 2035. A QUALIFIED THIRD PARTY, AS DETERMINED BY THE
8 COMMISSION, SHALL CONDUCT THE AUDIT AND SUBMIT THE RESULTS TO
9 THE COMMISSION. IF THE COMMISSION DETERMINES THAT THE SOURCE
10 CURRENTLY EMPLOYS BEST AVAILABLE EMISSION CONTROL TECHNOLOGIES
11 FOR GREENHOUSE GAS EMISSIONS AND BEST AVAILABLE ENERGY
12 EFFICIENCY PRACTICES, THE COMMISSION SHALL NOT IMPOSE A DIRECT
13 NONADMINISTRATIVE COST ON THE SOURCE DIRECTLY ASSOCIATED WITH
14 AT LEAST NINETY-FIVE PERCENT OF THE SOURCE'S GREENHOUSE GAS
15 EMISSIONS ATTRIBUTABLE TO MANUFACTURING A GOOD IN THIS STATE FOR
16 A PERIOD OF FIVE YEARS, IF THE SOURCE'S EMISSIONS ARE NOT GREATER
17 THAN THE EMISSIONS ASSOCIATED WITH USE OF THE BEST AVAILABLE
18 EMISSION CONTROL TECHNOLOGIES AS DETERMINED BY THE COMMISSION.
19 THE COMMISSION SHALL CONSIDER HOW PROGRAM DESIGN AS RELEVANT
20 TO THOSE SOURCES CAN FURTHER MITIGATE THE COST OF REDUCING
21 EMISSIONS FOR SUCH MANUFACTURERS WHILE PROVIDING AN INCENTIVE
22 TO IMPROVE EFFICIENCY AND REDUCE EMISSIONS. SPECIFICALLY, THE
23 COMMISSION SHALL DESIGN THE PROGRAM AS RELEVANT TO THOSE
24 SOURCES SUCH THAT AS THE SOURCES ARE SUBJECT TO EMISSION
25 REDUCTION REQUIREMENTS, THOSE SOURCES WILL HAVE, UNDER THE
26 PROGRAM, A PATHWAY TO OBTAIN EQUIVALENT LOWER-COST EMISSION
27 REDUCTIONS AT OTHER REGULATED SOURCES TO SATISFY THEIR
28 COMPLIANCE OBLIGATIONS.

29 (B) AS USED IN THIS SUBSECTION (1)(e)(VIII),
30 "ENERGY-INTENSIVE, TRADE-EXPOSED MANUFACTURING SOURCE" MEANS
31 AN ENTITY THAT PRINCIPALLY MANUFACTURES IRON, STEEL, ALUMINUM,
32 PULP, PAPER, OR CEMENT AND THAT IS ENGAGED IN THE MANUFACTURE OF
33 GOODS THROUGH ONE OR MORE EMISSIONS-INTENSIVE, TRADE-EXPOSED
34 PROCESSES, AS DETERMINED BY THE COMMISSION."

35 Renumber succeeding subparagraphs accordingly.

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