

1 ENGROSSED HOUSE AMENDMENTS

2 TO

3 ENGROSSED SENATE BILL NO. 676

By: Treat, Fields and Jolley of
the Senate

4 and

Echols of the House

5
6 An Act relating to the Oklahoma Clean Air Act;
7 amending 27A O.S. 2011, Section 2-5-104, which
8 relates to the Oklahoma Clean Air Act; defining term;
9 requiring additional procedures necessary to obtain
10 state authority governing certain federal clean air
11 standards; stating requirements and procedures;
12 requiring review by Attorney General and Legislature
13 by certain time period; stating construction;
14 providing for codification; and declaring an
15 emergency.

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AUTHORS: Add the following House Coauthors: Faught, Wood, Roberts
(Sean) and Fisher

AUTHORS: Add the following Senate Coauthors: David and Loveless

AMENDMENT NO. 1. Page 3, lines 8 and 14, after the word "State" and
before "plan" delete "implementation" and insert
"compliance"

AMENDMENT NO. 2. Page 4, line 12 through Page 8, line 11, delete
all of Section 2 and insert a new Section 2 to
read

"SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2-5-119 of Title 27A, unless
there is created a duplication in numbering, reads as follows:

1 A. A proposed state compliance plan under Section 111 of the
2 federal Clean Air Act shall meet the following requirements in order
3 to be a valid state compliance plan under state law:

4 1. May make use of components including, but not limited to,
5 administrative rules, commitments of private companies, and grant
6 initiatives that are adequately balanced with the costs that would
7 be imposed on industry and consumers in the state by those
8 components;

9 2. Consider any impact on municipal or other local regulation
10 efforts in a manner that is consistent with Section 2-5-103 of Title
11 27A of the Oklahoma Statutes;

12 3. Include adequate planning for any increased future
13 enforcement and monitoring needs under the plan;

14 4. Consider and adequately balance its impact on small business
15 and any existing small business assistance program consistent with
16 Section 2-5-115 of Title 27A of the Oklahoma Statutes;

17 5. Does not violate any other provision of law, including but
18 not limited to the Oklahoma Clean Air Act and the federal Clean Air
19 Act; and

20 6. Consider the lowest reasonable energy costs for Oklahoma
21 energy consumers while maintaining electric grid reliability and the
22 delivery of reliable energy to consumers.

1 B. The Department of Environmental Quality shall develop a
2 proposed state compliance plan with input from the Public Utility
3 Division of the Corporation Commission.

4 C. A proposed state compliance plan under Section 111 of the
5 federal Clean Air Act shall not be officially submitted to the
6 Environmental Protection Agency or other federal agency tasked with
7 administering the federal Clean Air Act, until the following process
8 and requirements have occurred:

9 1. The Department of Environmental Quality shall submit the
10 proposed state compliance plan to the Office of the Attorney General
11 no later than two (2) months before the date the proposed state
12 compliance plan is to be submitted to the United States
13 Environmental Protection Agency or other federal agency tasked with
14 administering the federal Clean Air Act; and

15 2. The Office of the Attorney General shall determine whether
16 the proposed state compliance plan meets the requirements of
17 subsection A of this section including but not limited to whether
18 the proposed state compliance plan complies with the Oklahoma Clean
19 Air Act and the federal Clean Air Act. If the Office of the
20 Attorney General determines that the proposed state compliance plan
21 does not meet the requirements of subsection A of this section, it
22 shall notify the Department of Environmental Quality, the Governor,
23 the Speaker of the House of Representatives and the President Pro
24 Tempore of the Senate.

