

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

3.24.11

DRAFT

LLS NO. 11-0932.01 Thomas Morris

HOUSE BILL

HOUSE SPONSORSHIP

McNulty,

SENATE SPONSORSHIP

Morse,

SHORT TITLE: "Approve Regional Haze Air Quality Plan"

DEADLINES: File by: 4/1/2011

A BILL FOR AN ACT

101 CONCERNING LEGISLATIVE APPROVAL OF THE REGIONAL HAZE
102 ELEMENT OF THE STATE IMPLEMENTATION PLAN, AND, IN
103 CONNECTION THEREWITH, POSTPONING THE AUTOMATIC
104 EXPIRATION OF THE PORTION OF THE PLAN THAT CONSISTS OF
105 RULES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The air quality control commission adopted a regional haze state

implementation plan (SIP) on January 7, 2011. The bill approves the regional haze SIP and postpones the automatic expiration under the "State Administrative Procedure Act" of the portion of the rules on regional haze that are contained in the SIP.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general
3 assembly hereby finds and declares that:

4 (a) A hearing regarding the changes to the state implementation
5 plan contained in the January 14, 2011, report from the air quality control
6 commission to the general assembly was requested pursuant to section
7 25-7-133 (2) (b), Colorado Revised Statutes; and

8 (b) For any additions or changes to the state implementation plan
9 to be federally enforceable, the automatic expiration under the "State
10 Administrative Procedure Act" of rules that are contained in the state
11 implementation plan must be postponed by the general assembly.

12 (2) It is the intent of the general assembly to approve the additions
13 and changes to the state implementation plan described in the January 14,
14 2011, report from the air quality control commission to allow for
15 submission of the plan to the federal environmental protection agency for
16 federal enforceability by approving the additions and changes to the plan
17 and postponing the automatic expiration of the rules contained in the plan.

18 **SECTION 2.** 25-7-133.5 (2), Colorado Revised Statutes, is
19 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

20 **25-7-133.5. Approval or rescission of specific revisions to state**
21 **implementation plan (SIP) after 1996.** (2) Pursuant to section
22 25-7-133, the following revisions to the state implementation plan (SIP),
23 which were adopted by the air quality control commission on the dates

1 indicated and received by the legislative council for review, are approved
2 for incorporation into the state implementation plan:

3 (bb) (I) THE "COLORADO VISIBILITY AND REGIONAL HAZE STATE
4 IMPLEMENTATION PLAN FOR THE TWELVE MANDATORY CLASS I FEDERAL
5 AREAS IN COLORADO", ADOPTED BY THE AIR QUALITY CONTROL
6 COMMISSION ON JANUARY 7, 2011.

7 (II) THE AUTOMATIC EXPIRATION OF THE RULES CONTAINED IN THE
8 PLAN SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (bb) THAT
9 WERE ADOPTED ON JANUARY 7, 2011, AND THAT ARE THEREFORE
10 SCHEDULED FOR EXPIRATION ON MAY 15, 2012, IS POSTPONED, EFFECTIVE
11 MAY 15, 2011.

12 **SECTION 3. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety.

