

BILL ANALYSIS

Senate Research Center
80R6953 JTS-F

S.B. 1673
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, when there is a major amendment to an air quality permit, the permit is subject to public notice, but a major amendment review and a renewal of an air quality permit cannot be conducted at the same time. The public notice process for a major amendment can be lengthy and expensive for the Texas Commission on Environmental Quality (TCEQ). Furthermore, if a major amendment is submitted shortly before a permit expires, TCEQ is essentially conducting the same review process twice.

As proposed, S.B. 1673 provides that if a preconstruction permit amendment requires public notice and the permit is required to be reviewed by TCEQ within the next three years, TCEQ is authorized to review the entire permit at that time.

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. Amends Section 382.055(a), Health and Safety Code, as follows:

- (a) Provides that a preconstruction permit issued by the Texas Commission on Environmental Quality (TCEQ) on or after December 1, 1991, is subject to review every 10 years after the date of issuance or at the time TCEQ considers a permit amendment if the permit amendment requires public notice and the application is filed not more than 36 months before the permit is subject to review based upon the provision providing that such permits are subject to review every 10 years after the date of issuance. Authorizes, for cause, a preconstruction permit issued by TCEQ on or after December 1, 1991, for a facility at a nonfederal source to contain a provision requiring the permit to be renewed at a period not to exceed 10 years as determined by TCEQ, rather than at a period of between five and 10 years.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.