

By: Bonnen

H.B. No. 1252

A BILL TO BE ENTITLED

AN ACT

relating to revisions of renewal timeframes for air quality permits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 382.055(a), Health and Safety Code, is amended to read as follows:

(a) A preconstruction permit issued or renewed by the commission is subject to review to determine whether the authority to operate should be renewed according to the following schedule:

(1) a preconstruction permit issued before December 1, 1991, is subject to review not later than 15 years after the date of issuance;

(2) a preconstruction permit issued on or after December 1, 1991, is subject to review every 10 years after the date of issuance or during a permit amendment, that required public notice, which was submitted to the TCEQ no more than 36 months before the date of permit expiration; and

(3) for cause, a preconstruction permit issued on or after December 1, 1991, for a facility at a nonfederal source may contain a provision requiring the permit to be renewed at a period as determined by the commission but no longer than 10 years ~~[or between five and 10 years]~~

SECTION 2. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members

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1 elected to each house, as provided by Section 39, Article III, Texas
2 Constitution. If this Act does not receive the vote necessary for
3 immediate effect, this Act takes effect September 1, 2007.