

By: Dunnam

H.B. No. 3657

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the consideration of the cumulative effects of
3 emissions from proposed facilities in actions by the Texas
4 Commission on Environmental Quality on applications for certain air
5 contaminant emissions permits or permit amendments.

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

7 SECTION 1. Section 382.0518, Health and Safety Code, is
8 amended by adding Subsection (b-1) to read as follows:

9 (b-1) In making its finding under Subsection (b)(2) as to
10 whether emissions from a proposed facility will contravene the
11 intent of this chapter, the commission shall consider the
12 cumulative effects on the public's health and physical property of
13 the expected emissions from the proposed facility together with the
14 expected emissions from any other proposed facilities for which an
15 application for a permit or permit amendment under this section is
16 pending with the commission.

17 SECTION 2. The change in law made by this Act applies to an
18 application for a permit or permit amendment under Section
19 382.0518, Health and Safety Code, that is pending with the Texas
20 Commission on Environmental Quality on the effective date of this
21 Act or is filed with the commission on or after the effective date
22 of this Act.

23 SECTION 3. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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