

By: Averitt

S.B. No. 1673

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the period after which a preconstruction permit issued
3 or renewed by the Texas Commission on Environmental Quality under
4 the Texas Clean Air Act is subject to review.

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

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

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

11 (1) a preconstruction permit issued before December 1,
12 1991, is subject to review not later than 15 years after the date of
13 issuance;

14 (2) a preconstruction permit issued on or after
15 December 1, 1991, is subject to review:

16 (A) every 10 years after the date of issuance; or

17 (B) on the filing of an application for an
18 amendment to the permit, if:

19 (i) the applicant is subject to Section
20 382.056;

21 (ii) the application is filed with the
22 commission not more than three years before the date the permit is
23 scheduled to expire; and

24 (iii) the applicant does not object to

1 having the permit subjected to review at that time; and

2 (3) for cause, a preconstruction permit issued on or
3 after December 1, 1991, for a facility at a nonfederal source may
4 contain a provision requiring the permit to be renewed at the end of
5 the [a] period specified by the permit, which may not exceed [of
6 ~~between five and~~ 10 years.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.