

By: Averitt

S.B. No. 1673

A BILL TO BE ENTITLED

AN ACT

relating to the renewal of certain 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:

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

(B) at the time the commission 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 under Paragraph (A); 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 not to exceed 10 years as determined by the commission [~~of between five and 10 years~~].

SECTION 2. The change in law made by this Act to Section

1 382.055, Health and Safety Code, applies only to a preconstruction  
2 permit for which an application for a permit amendment is filed on  
3 or after the effective date of this Act. An application for a permit  
4 amendment filed before the effective date of this Act is subject to  
5 the law in effect on the date of filing, and that law is continued in  
6 effect for that purpose.

7 SECTION 3. 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.