

1-1 By: Averitt S.B. No. 1673  
1-2 (In the Senate - Filed March 8, 2007; March 21, 2007, read  
1-3 first time and referred to Committee on Natural Resources;  
1-4 April 3, 2007, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 11, Nays 0; April 3, 2007,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1673 By: Averitt

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the period after which a preconstruction permit issued  
1-11 or renewed by the Texas Commission on Environmental Quality under  
1-12 the Texas Clean Air Act is subject to review.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (a), Section 382.055, Health and  
1-15 Safety Code, is amended to read as follows:

1-16 (a) A preconstruction permit issued or renewed by the  
1-17 commission is subject to review to determine whether the authority  
1-18 to operate should be renewed according to the following schedule:

1-19 (1) a preconstruction permit issued before December 1,  
1-20 1991, is subject to review not later than 15 years after the date of  
1-21 issuance;

1-22 (2) a preconstruction permit issued on or after  
1-23 December 1, 1991, is subject to review:

1-24 (A) every 10 years after the date of issuance; or

1-25 (B) on the filing of an application for an  
1-26 amendment to the permit, if:

1-27 (i) the applicant is subject to Section  
1-28 382.056;

1-29 (ii) the application is filed with the  
1-30 commission not more than three years before the date the permit is  
1-31 scheduled to expire; and

1-32 (iii) the applicant does not object to  
1-33 having the permit subjected to review at that time; and

1-34 (3) for cause, a preconstruction permit issued on or  
1-35 after December 1, 1991, for a facility at a nonfederal source may  
1-36 contain a provision requiring the permit to be renewed at the end of  
1-37 the ~~[a]~~ period specified by the permit, which may not exceed ~~[a]~~  
1-38 ~~between five and~~ 10 years.

1-39 SECTION 2. This Act takes effect immediately if it receives  
1-40 a vote of two-thirds of all the members elected to each house, as  
1-41 provided by Section 39, Article III, Texas Constitution. If this  
1-42 Act does not receive the vote necessary for immediate effect, this  
1-43 Act takes effect September 1, 2007.

1-44 \* \* \* \* \*