

By: Flynn

H.B. No. 2721

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the procedure used by the Texas Commission on
3 Environmental Quality in acting on certain applications for a
4 permit, permit amendment, or permit renewal for a nuclear electric
5 generation facility.

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

7 SECTION 1. Subchapter M, Chapter 5, Water Code, is amended
8 by adding Section 5.559 to read as follows:

9 Sec. 5.559. NUCLEAR ELECTRIC GENERATION FACILITY
10 PERMITTING. (a) The commission by rule shall implement reasonably
11 streamlined processes for acting on an application for a permit,
12 permit amendment, or permit renewal under Chapter 26 for a nuclear
13 electric generation facility.

14 (b) Notwithstanding Section 26.021 or any other law, the
15 commission may not refer any matter before the commission relating
16 to an application for a permit, permit amendment, or permit renewal
17 described by Subsection (a) to the State Office of Administrative
18 Hearings.

19 (c) The permit processes authorized by this section must
20 provide for acting on an application for a permit, permit
21 amendment, or permit renewal not later than the first anniversary
22 of the date the executive director determines the application to be
23 administratively complete.

24 SECTION 2. Subchapter D, Chapter 11, Water Code, is amended

1 by adding Section 11.156 to read as follows:

2 Sec. 11.156. NUCLEAR ELECTRIC GENERATION FACILITY
3 PERMITTING. Section 5.559 applies to an application for a permit,
4 permit amendment, or permit renewal under this chapter for a
5 nuclear electric generation facility in the same manner as that
6 section applies to an application for a permit, permit amendment,
7 or permit renewal under Chapter 26 for such a facility.

8 SECTION 3. Not later than January 1, 2010, the Texas
9 Commission on Environmental Quality shall adopt rules under
10 Sections 5.559 and 11.156, Water Code, as added by this Act.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2009.