

By: Weber

H.B. No. 4012

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the procedure for acting on an application for an air
3 contaminant emissions permit, permit amendment, or permit renewal
4 review for an electric generating facility.

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

6 SECTION 1. Subchapter C, Chapter 382, Health and Safety
7 Code, is amended by adding Section 382.0568 to read as follows:

8 Sec. 382.0568. ELECTRIC GENERATING FACILITY. (a) This
9 section applies only to an application for a permit or permit
10 amendment under Section 382.0518 or a permit renewal review under
11 Section 382.055 for an electric generating facility. This section
12 does not apply to an application for a permit for a project
13 described by Section 382.0565 or 382.0566.

14 (b) The commission by rule shall implement reasonably
15 streamlined processes for acting on an application.

16 (c) The commission shall take final action on an application
17 not later than 12 months after the date the executive director
18 declares the application to be administratively complete.

19 (d) The permit processes authorized by this section are not
20 subject to the requirements relating to a contested case hearing
21 under this chapter, Chapter 5, Water Code, or Subchapters C-G,
22 Chapter 2001, Government Code.

23 SECTION 2. Not later than January 1, 2010, the Texas
24 Commission on Environmental Quality shall adopt rules under Section

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1 382.0568, Health and Safety Code, as added by this Act.

2 SECTION 3. This Act takes effect September 1, 2009.