

Amend CSHB 2694 as follows:

(1) Rename ARTICLE 4. COMPLIANCE, ENFORCEMENT, AND PERMITTING

(2) On page 32, insert an appropriately numbered section to read as follows:

Sections 382.0518(d) and (e), Health and Safety Code, are amended to read as follows:

(d) If the commission finds that the emissions from the proposed facility will contravene the standards under Subsection (b) or will contravene the intent of this chapter, the commission shall deny ~~[may not grant]~~ the permit, permit amendment, or special permit. However, if the application for the permit, permit amendment, or special permit has not been the subject of a contested case hearing and the commission makes the finding described by this subsection, the commission ~~[and]~~ shall set out in a report to the applicant its specific objections to the submitted plans of the proposed facility and may grant or deny the application as provided by Subsection (e).

(e) If the person applying for a permit, permit amendment, or special permit makes the alterations in the person's plans and specifications to meet the commission's specific objections, the commission shall grant the permit, permit amendment, or special permit. If the person fails or refuses to alter the plans and specifications, the commission shall deny ~~[may not grant]~~ the permit, permit amendment, or special permit. The commission may refuse to accept a person's new application until the commission's objections to the plans previously submitted by that person are satisfied.

(3) The change in law made by this Act applies to an application for a permit, permit amendment, or special permit that is pending with the Texas Commission on Environmental Quality on the effective date of this Act or is filed with the commission on or after the effective date of this Act.