

By: Chisum

H.B. No. 3251

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the provision for notice and comment for pollution  
3 control projects.

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

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

7 Section 382.0568 (a) The commission shall provide an  
8 opportunity for a public hearing and the submission of public  
9 comment and send notice of a decision on an application for a permit  
10 amendment application required under this chapter for an electric  
11 generating facility that is seeking such authorization to comply  
12 with Section 112 of the federal Clean Air Act Amendments of 1990  
13 (Pub.L. No. 101-549) in the same manner as provided by Section  
14 382.0561.

15 (b) A person affected by a decision of the commission to  
16 issue or deny a permit under this Section may move for rehearing and  
17 is entitled to judicial review under Section 382.032.

18 SECTION 2. This Act takes effect immediately if it receives  
19 a vote of two-thirds of all the members elected to each house, as  
20 provided by Section 39, Article III, Texas Constitution. If this  
21 Act does not receive the vote necessary for immediate effect, this  
22 Act takes effect September 1, 2011.