

BILL ANALYSIS

Senate Research Center
81R2650 JTS-D

S.B. 458
By: Gallegos
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Commission on Environmental Quality (TCEQ) issues air permits to facilities that emit pollutants. These permits are usually good for long periods of time, with some air quality permits being effective a decade before renewal. Therefore, TCEQ often is unable to amend air quality permits to combat emissions in specific areas for years at a time.

As proposed, S.B. 458 allows TCEQ to establish more stringent conditions for air quality permits at any time in order to avoid a condition of air pollution.

[**Note:** While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality, as the successor agency to TNRCC.]

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 382.0513, Health and Safety Code, as follows:

Sec. 382.0513. PERMIT CONDITIONS. (a) Creates this subsection from existing text.

(b) Authorizes the Texas Natural Resource Conservation Commission (TNRCC) to, at any time, establish and enforce conditions for operating under a permit that are more stringent than the conditions in an issued or amended permit if TNRCC determines that the more stringent conditions are necessary to avoid a condition of air pollution.

SECTION 2. Effective date: September 1, 2009.