BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Commission on Environmental Quality (TCEQ) may set a public meeting to provide information to communities affected by proposed or existing facilities that have permits currently under consideration by TCEQ. While representatives from TCEQ attend these meetings to provide information and the public is encouraged to attend and ask questions, the permit applicant is not required to attend or answer questions.

This bill will require a permit applicant to attend the meeting and to address public questions. The bill is meant to provide full transparency of TCEQ permitting application process and allow the public to receive all possible information regarding the impact of facilities permitted by TCEQ.

S.B. 1472 requires a permit applicant or the applicant's designated representative to attend a public meeting and to make a reasonable effort to respond to questions relevant to the permit application at the meeting.

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 382.056, Health and Safety Code, by adding Subsection (k-1), to require a permit applicant [who is applying for a permit issued by the Texas Commission on Environmental Quality under Subchapter C (Permits), Chapter 382 (Clean Air Act)] or the applicant's designated representative to attend a public meeting held under this section and to make a reasonable effort to respond to questions relevant to the permit application at the meeting.

SECTION 2. Provides that Section 382.056(k-1), Health and Safety Code, as added by this Act, applies to a public meeting under Section 382.056 (Notice of Intent to Obtain Permit or Permit Review; Hearing), Health and Safety Code, held on or after September 1, 2009.

SECTION 3. Effective date: September 1, 2009.