

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

HB 790/a

March 13, 2001

Mr. President:

Your CONSERVATION COMMITTEE, to whom has been referred

HOUSE BILL 790, as amended

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. Strike House Floor Amendments 2 and 3.
2. On page 1, line 13, strike "REGIONAL AUTHORITY," and insert in lieu thereof "THE".
3. On page 2, line 16, strike the comma and the second occurrence of "the" and strike "regional authority".
4. On page 3, line 3, strike "classified" and insert in lieu thereof "listed".
5. On page 5, line 16, strike "in the", strike lines 17 and 18 and strike line 19 up to the semicolon and insert in lieu thereof:

"to emit a regulated air contaminant under its physical and operational design, provided any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its physical and operational design only if the limitation or the effect it would have on emissions is enforceable by the department or the regional agency pursuant to the Air Quality Control Act or the federal act".
6. On page 6, line 3, strike "the regional authority" and insert in lieu thereof "region two".
7. On page 6, lines 4 through 7, strike Subsection P in its entirety.

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8. Reletter the succeeding subsections accordingly.
9. On page 7, line 22, strike "a" and "regional authority" and insert in lieu thereof "region two".
10. On page 9, line 5, after the period insert "No more than three members may be residents of the same county."
11. On page 13, line 11, strike "AUTHORITY" and insert in lieu thereof "AGENCY--VEHICLE EMISSION".
12. On page 14, line 24, strike "authority" and insert in lieu thereof "agency".
13. On page 16, line 3, strike "Any two or more" and strike lines 4 through 7 in their entirety.
14. On page 16, line 20, strike "authority" and insert in lieu thereof "agency".
15. On page 17, line 19, strike the second "the" and on line 20, strike "regional authority" and insert in lieu thereof "region two".
16. On page 23, line 2, strike "authority's" and insert in lieu thereof "agency's".
17. On page 23, line 12, strike "authority's" and insert in lieu thereof "agency's".
18. On page 23, line 24, strike "local authorities, region two" and insert in lieu thereof "political subdivisions of the state, the regional agency".
19. On page 24, line 2, after "between" strike the remainder of the line, strike lines 3 and 4 and strike line 5 through "and".

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20. On page 24, line 5, after "department" insert "and any one or more of these entities".

21. On page 29, line 21, before "additional" insert "allowance for".

22. On page 30, line 25, after "modification" insert a colon and the subparagraph designation "(a)".

23. On page 30, line 25, after "applicable" insert "standards, regulations or".

24. On page 31, line 1, strike the comma and insert in lieu thereof "or" and insert a semicolon after "act".

25. On page 31, strike lines 2 through 9 in their entirety and strike line 10 through "sought".

26. On page 31, line 10, before "will" insert the subparagraph designation "(b)".

27. On page 31, line 12, strike "a" and "regional".

28. On page 31, line 13, strike "authority" and insert in lieu thereof "region two".

29. On page 31, line 15, after "(c)" insert "will violate".

30. On page 31, line 16, strike "will be violated." and insert in lieu thereof "; and".

31. On page 31, between lines 16 and 17, insert the following new paragraph:

"(2) an operating permit if the source will not meet the applicable standards, regulations or requirements pursuant to the Air Quality Control Act or the federal act."

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32. On page 31, line 20, after "permit" strike the comma and insert in lieu thereof a colon and the subparagraph designation "(a)".

33. On page 31, line 23, before "requirements" insert "standards, regulations and".

34. On page 31, line 23, after "Act" strike the comma and insert in lieu thereof "and".

35. On page 31, line 23, after "act" insert a semicolon and strike lines 24 and 25 in their entirety.

36. On page 32, strike line 1 through "of" and insert in lieu thereof the subparagraph designation "(b)".

37. On page 32, line 5, strike "operating".

38. On page 32, line 7, strike "(b)" and insert in lieu thereof "(c)".

39. On page 32, line 9, strike "(c) imposition of" and insert in lieu thereof "(d)".

40. On page 32, line 12, strike "(d)" and insert in lieu thereof "(e)".

41. On page 32, line 13, strike the period and insert in lieu thereof "; and".

42. On page 32, between lines 13 and 14, insert the following new paragraph:

"(2) for an operating permit, terms and conditions sufficient to ensure compliance with the applicable standards, regulations and requirements pursuant to the Air Quality Control Act and the federal act."

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43. On page 38, line 9, strike "new".
 44. On page 38, line 18, strike "new".
 45. On page 38, line 19, strike "the" and "regional authority" and insert in lieu thereof "region two".
 46. On page 46, line 1, after "order" insert "within one year after the violation was known by the department or the regional agency".
 47. On page 48, line 24, strike "AUTHORITY" and insert in lieu thereof "AGENCY--LIMITATION OF ACTIONS".
 48. On page 49, line 13, strike "authority" and insert in lieu thereof "agency".
 49. On page 49, line 17, strike the closing quotation mark.
 50. On page 49, between lines 17 and 18, insert the following new subsection:

"C. No action for civil penalty shall be commenced more than five years from the date the violation was known by the department or regional agency. "".
 51. On page 55, line 15, strike "regional authority, ".
 52. On page 55, line 23, strike "regional authority, ".,
- and thence referred to the JUDICIARY COMMITTEE.

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Respectfully submitted,

Carlos R. Cisneros, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Duran, Sanchez, M

Absent: None

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