

SB 449 - AS AMENDED BY THE SENATE

03/21/2024 1120s

2024 SESSION

24-3059

12/06

SENATE BILL **449**

AN ACT relative to the permit issuance timeline for state air permits.

SPONSORS: Sen. Watters, Dist 4; Sen. Perkins Kwoka, Dist 21; Sen. Altschiller, Dist 24; Sen. Pearl, Dist 17

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill provides the commissioner 180 days to act upon an air pollution control permit application.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~in brackets and struckthrough~~.
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to the permit issuance timeline for state air permits.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Application for Air Pollution Control Permit; Commissioner's Requirement to Act. Amend
2 RSA 125-C:12, II to read as follows:

3 II. ***Notwithstanding RSA 541-A:29 and RSA 541-A:29-a, [The] the*** commissioner shall
4 act upon a permit application [~~within a reasonable period of time~~] ***for all sources, except affected***
5 ***sources, within a reasonable period of time and does not exceed 180 days from receipt of a***
6 ***complete application, unless the applicant agrees in writing to extend the time period.***
7 ***Applications for affected sources shall be subject to the time limits established pursuant to***
8 ***Title V, Clean Air Act, including 40 C.F.R. 70.4(b)(4) and 70.7(b)(4), July 1, 2023.*** Prior to
9 such action, the commissioner shall provide notice of the application by publication in at least one
10 newspaper of general circulation. The commissioner shall also provide an opportunity for a hearing
11 to interested persons. The requirement of public notice and hearing shall not apply to such devices
12 or sources that will have, in the opinion of the commissioner, an insignificant effect on air quality.
13 The commissioner may adopt rules relative to the requirements of public notice and hearing for such
14 devices or sources.

15 2 Effective Date. This act shall take effect 60 days after its passage.