

By: Swinford

H.B. No. 9

A BILL TO BE ENTITLED

AN ACT

relating to certain environmental reports.

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

SECTION 1. Section 363.064(a), Health and Safety Code, is amended to read as follows:

(a) A regional or local solid waste management plan must:

(1) include a description and an assessment of current efforts in the geographic area covered by the plan to minimize production of municipal solid waste, including sludge, and efforts to reuse or recycle waste;

(2) identify additional opportunities for waste minimization and waste reuse or recycling;

(3) include a description and assessment of existing or proposed community programs for the collection of household hazardous waste;

(4) make recommendations for encouraging and achieving a greater degree of waste minimization and waste reuse or recycling in the geographic area covered by the plan;

(5) encourage cooperative efforts between local governments in the siting of landfills for the disposal of solid waste;

(6) consider the need to transport waste between municipalities, from a municipality to an area in the jurisdiction of a county, or between counties, particularly if a technically

1 suitable site for a landfill does not exist in a particular area;

2 (7) allow a local government to justify the need for a  
3 landfill in its jurisdiction to dispose of the solid waste  
4 generated in the jurisdiction of another local government that does  
5 not have a technically suitable site for a landfill in its  
6 jurisdiction;

7 (8) establish recycling rate goals appropriate to the  
8 area covered by the plan;

9 (9) recommend composting programs for yard waste and  
10 related organic wastes that may include:

11 (A) creation and use of community composting  
12 centers;

13 (B) adoption of the "Don't Bag It" program for  
14 lawn clippings developed by the Texas Agricultural Extension  
15 Service; and

16 (C) development and promotion of education  
17 programs on home composting, community composting, and the  
18 separation of yard waste for use as mulch;

19 (10) include an inventory of municipal solid waste  
20 landfill units, including:

21 (A) landfill units no longer in operation;

22 (B) the exact boundaries of each former landfill  
23 unit or, if the exact boundaries are not known, the best  
24 approximation of each unit's boundaries;

25 (C) a map showing the approximate boundaries of  
26 each former landfill unit, if the exact boundaries are not known;

27 (D) the current owners of the land on which the

1 former landfill units were located; and

2 (E) the current use of the land;

3 (11) assess the need for new waste disposal capacity;

4 and

5 (12) include a public education program[~~, and~~

6 [~~(13) include waste reduction in accordance with the~~  
7 ~~goal established under Section 361.0201(d), to the extent that~~  
8 ~~funds are available].~~

9 SECTION 2. The heading to Section 5.178, Water Code, is  
10 amended to read as follows:

11 Sec. 5.178. ANNUAL REPORTS; BIENNIAL APPENDICES  
12 [~~APPENDIXES~~].

13 SECTION 3. Section 5.178(b), Water Code, is amended to read  
14 as follows:

15 (b) The report due by December 1 of an even-numbered year  
16 shall include, in addition:

17 (1) the commission's recommendations for necessary and  
18 desirable legislation; and

19 (2) the following reports:

20 (A) the assessments and reports required by  
21 Section [~~Sections~~] 361.0219(c) [~~, 361.0232, 361.510, 371.063, and~~  
22 ~~382.141~~], Health and Safety Code;

23 (B) the reports required by Section 26.0135(d)  
24 [~~of this code~~] and Section 5.02, Chapter 133, Acts of the 69th  
25 Legislature, Regular Session, 1985; and

26 (C) a summary of the analyses and assessments  
27 required by Section 5.1773 [~~of this code~~].

1           SECTION 4. (a)     Sections 361.020, 361.0201, 361.0232,  
2 361.0233, 361.0234, 361.040(d), 361.0871(c), 361.510, 371.063,  
3 382.141, Health and Safety Code, are repealed.

4           (b)    Section 5.178(c), Water Code, is repealed.

5           SECTION 5. This Act takes effect on the 91st day after the  
6 last day of the legislative session.