

## **BILL ANALYSIS**

C.S.H.B. 1765  
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Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Texas law currently requires a demonstration of financial assurance by certain transporters of waste materials. For example, used oil transporters and medical waste transporters are required to maintain financial assurance under Texas Commission on Environmental Quality (TCEQ) rules. Grit waste and grease trap waste transporters are not required to maintain financial assurance under current Texas law. CSHB 1765 addresses this issue by mandating financial assurance as a condition of issuing a permit or registration for the collection, transportation, or processing of grit trap or grease trap waste.

Accidental and intentional discharges of grit and grease trap waste are a frequent occurrence in Texas counties and cities. The surrounding communities are impacted environmentally and economically from these discharges. A financial assurance requirement by the TCEQ will ensure the costs associated with grit and grease discharges are born by the waste transporter.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

#### **SECTION 1.**

Directs the TCEQ to require financial assurance as a condition for issuing a permit or registration for the collection, transportation, or processing of grit trap waste or grease trap waste. In determining the amount of financial assurance, the TCEQ must consider the degree and duration of risk associated with the type of waste.

If TCEQ requires financial assurance as a condition of a permit or registration, provision of that financial assurance also satisfies any requirement for financial assurance also satisfies any requirement for financial assurance under 368.

#### **SECTION 2.**

Sets effective date.

### **EFFECTIVE DATE**

This Act takes effect September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

CSHB 1765 limits the legislation to grit trap waste and grease trap waste. The substitute also requires financial assurance as a condition of a permit or registration, provision of that financial assurance also satisfies any requirement for financial assurance under 368.

