

BILL ANALYSIS

C.S.H.B. 2554
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Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Texas Commission on Environmental Quality (TCEQ) is currently developing rules regarding nonhazardous industrial solid waste facilities. CSHB 2554 would require TCEQ to adopt such rules as soon as practicable. In addition, CSHB 2554 would require a suspension by TCEQ of the permitting process for any pending applications for new commercial landfill facilities that propose to accept nonhazardous industrial solid waste until rules are adopted. The rules, when complete, will apply to all permits pending on the effective date or filed on or after the effective date. TCEQ may allow applicants with pending permits to amend their applications to conform to the new rules adopted.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

SECTION 1. Requires TCEQ to adopt rules, as soon as practicable, governing all aspects of the management and operation of new commercial landfill facilities that propose to accept nonhazardous industrial solid waste.

SECTION 2. Requires TCEQ to suspend all pending permits for new commercial landfill facilities that propose to accept nonhazardous industrial solid waste. Requires TCEQ to apply the new rules required by SECTION 1, to all permits pending on the effective date and all permits applied for on or after the effective date. TCEQ may allow applicants with pending applications for permits to conform to the new rules.

SECTION 3. Sets effective date.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 2554 provides clearer language towards the intent of the legislation. The references towards "nonhazardous industrial solid waste facilities" have replaced with "new commercial landfill facilities that propose to accept nonhazardous industrial solid waste."

SECTION 2 has been divided up into two subsections.