

By: Pitts

H.B. No. 2070

A BILL TO BE ENTITLED

AN ACT

relating to notification of adjoining resident landowners of intent to obtain a permit for the land application of certain sludge.

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

SECTION 1. Section 361.121(c), Health and Safety Code, is amended to read as follows:

(c) The notice and hearing provisions of Subchapter M, Chapter 5, Water Code, as added by Chapter 1350, Acts of the 76th Legislature, Regular Session, 1999, apply to an application under this section for a permit, a permit amendment, or a permit renewal. In addition, at the time published notice of intent to obtain a permit is required under Section 5.552, Water Code, an applicant for a permit, permit amendment, or permit renewal under this section must notify by registered or certified mail each owner of land located within one-quarter mile of the proposed land application unit who lives on that land of the intent to obtain the permit, amendment, or renewal. Notice to landowners must include the information required by Section 5.552(c), Water Code, and information regarding the anticipated date of the first application of the sludge to the proposed land application unit. An owner of land located within one-quarter mile of the proposed land application unit who lives on that land is an affected person for purposes of Section 5.115, Water Code.

SECTION 2. (a) This Act takes effect September 1, 2003.

1           (b) The changes in law made to Section 361.121(c), Health  
2 and Safety Code, by this Act apply to an application to apply Class  
3 B sludge to a land application unit that is:

4                 (1) filed with the Texas Commission on Environmental  
5 Quality on or after September 1, 2003; or

6                 (2) filed with the Texas Commission on Environmental  
7 Quality before September 1, 2003, but not found to be  
8 administratively complete before that date.