

By: Zaffirini

S.B. No. 1509

A BILL TO BE ENTITLED

AN ACT

relating to the land application of certain sludge.

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

SECTION 1. Section 361.121(a)(3), Health and Safety Code, is amended to read as follows:

(3) "Responsible person" means the person with ultimate responsibility for the land application of the sewage [~~Class B~~] sludge at a land application unit. The responsible person is:

(A) the owner of the land application unit if the sludge being land applied was generated outside this state; or

(B) the person who is land applying the sludge if the sludge being land applied was generated in this state.

SECTION 2. Sections 361.121(b) and (d), Health and Safety Code, are amended to read as follows:

(b) A responsible person may not apply sewage [~~Class B~~] sludge on a land application unit unless:

(1) the sludge has been disinfected to a high degree;  
and

(2) the responsible person has obtained a permit for that land application unit issued by the commission under this section on or after September 1, 2003.

(d) In each permit, the commission shall prescribe the conditions under which it is issued, including:

- 1 (1) the duration of the permit;
- 2 (2) the location of the land application unit;
- 3 (3) the maximum quantity of sewage [~~Class B~~] sludge  
4 that may be applied or disposed of under the permit;
- 5 (4) any monitoring and reporting requirements  
6 prescribed by the commission for the permit holder; and
- 7 (5) a requirement that the permit holder must report  
8 to the commission any noncompliance by the permit holder with the  
9 permit conditions or applicable commission rules.

10 SECTION 3. Sections 361.121(a)(1) and (i), Health and  
11 Safety Code, are repealed.

12 SECTION 4. This Act takes effect September 1, 2003, and  
13 applies only to sludge applied on a land application unit on or  
14 after that date. Sludge applied on a land application unit before  
15 the effective date of this Act is covered by the law in effect on the  
16 date the sludge is applied, and the former law is continued in  
17 effect for that purpose.