

By: Phillips

H.B. No. 2130

A BILL TO BE ENTITLED

AN ACT

relating to the notification requirement concerning a permit application for applying Class B sludge on a land application unit.

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-half [~~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-half [~~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. Section 361.121(c), Health and Safety Code, as

1 amended by this Act, applies only to an application for a permit,  
2 amendment to a permit, or permit renewal for applying Class B sludge  
3 on a land application unit filed with the Texas Commission on  
4 Environmental Quality on or after the effective date of this Act.  
5 An application filed with the Texas Commission on Environmental  
6 Quality before the effective date of this Act is governed by the law  
7 in effect at the time the application is filed, and the current law  
8 is continued in effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2005.