

By: Hegar, Olivo, Howard

H.B. No. 3002

Substitute the following for H.B. No. 3002:

By: Smith of Harris

C.S.H.B. No. 3002

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the revocation of certain waste-related permits issued
3 by the Texas Commission on Environmental Quality.

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

5 SECTION 1. Subchapter G, Chapter 7, Water Code, is amended
6 by adding Section 7.3045 to read as follows:

7 Sec. 7.3045. REVOCATION OF CERTAIN PERMITS REGARDING SOLID
8 WASTE. (a) Except as provided by Subsection (b), after notice and
9 hearing, the commission may revoke a permit for a municipal solid
10 waste landfill facility, transfer station, sludge disposal
11 facility, or an injection well if:

12 (1) the facility, station, or well has not begun to
13 receive the waste materials for which the permit was issued on or
14 before the sixth anniversary of the date the permit was issued; and

15 (2) the commissioners court of the county in which the
16 facility, station, or well is located adopts and forwards to the
17 commission a resolution recommending the revocation of the permit.

18 (b) Subsection (a) does not apply to a permit for a
19 municipal solid waste landfill facility, transfer station, sludge
20 disposal facility, or injection well issued to a municipality,
21 county, or other unit of local government.

22 (c) A municipality, county, or other unit of local
23 government may not sell, lease, or transfer a permit for a municipal
24 solid waste landfill facility, transfer station, sludge disposal

1 facility, or injection well to a private entity.

2 SECTION 2. This Act takes effect September 1, 2005.