

By: Homer

H.B. No. 3053

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the exemption from the permitting requirements of the
3 Texas Commission on Environmental Quality of certain municipal
4 solid waste management facilities that are used in the transfer of
5 municipal solid waste to a solid waste processing or disposal
6 facility.

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

8 SECTION 1. Section 361.111(a), Health and Safety Code, as
9 added by Section 5, Chapter 802, Section 2.08, Chapter 899, and
10 Section 10, Chapter 1045, Acts of the 73rd Legislature, Regular
11 Session, 1993, is reenacted and amended to read as follows:

12 (a) The commission shall exempt from permit requirements a
13 municipal solid waste management facility that is used in the
14 transfer of municipal solid waste to a solid waste processing or
15 disposal facility from:

16 (1) a municipality with a population of less than
17 50,000;

18 (2) a county with a population of less than 85,000;

19 (3) a facility used in the transfer of municipal solid
20 waste that transfers or will transfer 125 tons a day or less; or

21 (4) a materials recovery facility, other than a grease
22 trap waste or grit trap waste recycling facility, that recycles for
23 reuse more than 10 percent of its incoming nonsegregated waste
24 stream if the remaining nonrecyclable waste is transferred to a

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1 permitted Type I landfill not farther than 50 miles from the
2 materials recovery facility.

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