

By: Armbrister

S.B. No. 1281

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the regulation and permitting of a commercial
3 industrial solid waste facility connected to a publicly owned
4 treatment works facility.

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

6 SECTION 1. Subchapter C, Chapter 361, Health and Safety
7 Code, is amended by adding Section 361.0901 to read as follows:

8 Sec. 361.0901. REGULATION AND PERMITTING OF CERTAIN
9 COMMERCIAL INDUSTRIAL SOLID WASTE FACILITIES. (a) In this
10 section, "publicly owned treatment works" means any device or
11 system used in the treatment, recycling, or reclamation of
12 municipal sewage or industrial waste of a liquid nature that is
13 owned by a state or by a municipality as defined by Section 502(4),
14 Federal Water Pollution Control Act (33 U.S.C. Section 1362). The
15 term includes a sewer, pipe, or other conveyance only if the sewer,
16 pipe, or conveyance conveys wastewater to a publicly owned
17 treatment works providing treatment.

18 (b) A commercial industrial solid waste facility may not
19 receive industrial solid waste for discharge into a publicly owned
20 treatment works facility without first obtaining from the
21 commission a permit under this chapter or a permit under Chapter 26,
22 Water Code.

23 SECTION 2. (a) The Texas Commission on Environmental
24 Quality shall adopt rules regarding permits for commercial

1 industrial solid waste facilities as required by Section 361.0901,
2 Health and Safety Code, as added by this Act, not later than
3 February 1, 2006.

4 (b) A commercial industrial solid waste facility may not
5 accept industrial solid waste on or after June 1, 2006, unless the
6 facility obtains a permit as required by Section 361.0901, Health
7 and Safety Code, as added by this Act.

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