

BILL ANALYSIS

Senate Research Center

S.B. 1692
By: Duncan
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently the fee supporting the petroleum storage tank remediation program is scheduled to expire at the end of the 2007 fiscal year. However, obligations to the fund continue, including support for the state lead program administered by the Texas Commission on Environmental Quality (TCEQ) and implementation of the regulatory component of the program. The fee and remediation program sites eligible for reimbursement can transfer to the state lead program with the approval of the executive director of TCEQ.

As proposed, S.B. 1692 extends the expiration date of the petroleum storage tank state-lead program in its current form with half of the current fees.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 6 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 26.351(f), Water Code, to require the person performing corrective action under this section, if the release was reported to the Texas Commission on Environmental Quality (TCEQ) on or before December 22, 1998, to submit a site closure request to the executive director no later than September 1, 2009, rather than September 1, 2007, for sites that require either a corrective action plan or groundwater monitoring, have met all other deadlines under this subsection, and have submitted annual progress reports that demonstrate progress toward meeting closure requirements.

SECTION 2. Amends Section 26.3573(r-1), Water Code, to redefine "state-lead program" to extend certain dates by two years.

SECTION 3. Amends Section 26.3573(s), Water Code, to prohibit the petroleum storage tank remediation account from being used to reimburse any person for corrective action contained in a reimbursement claim filed with the TCEQ after March 1, 2010, rather than March 1, 2008.

SECTION 4. Amends Section 26.3574(b), Water Code, to require each operator of a bulk facility on withdrawal from bulk of a petroleum product to collect from the person who orders the withdrawal a fee in a certain amount. Deletes existing text detailing fee amounts established for a period extending from September 1, 2001 to August 31, 2007.

SECTION 5. Amends Section 26.361, Water Code, to provide that the reimbursement program established under this subchapter expires September 1, 2010, rather than September 1, 2008, notwithstanding any other provision of this subchapter. Makes a conforming change.

SECTION 6. Authorizes TCEQ to adopt rules implementing the changes in law effected by this Act.

SECTION 7. Effective date: September 1, 2007.