

By: Lucio III

H.B. No. 3599

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the procedures for acting on applications for certain
3 permits under the Solid Waste Disposal Act.

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

5 SECTION 1. Section 361.0666(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) An applicant for a permit under this chapter for a new
8 facility that accepts municipal solid wastes shall ~~may~~ hold a
9 public meeting in the county in which the proposed facility is to be
10 located. The meeting must be held before the 45th day after the
11 date the application is filed.

12 SECTION 2. Sections 361.0791(a) and (b), Health and Safety
13 Code, are amended to read as follows:

14 (a) Notwithstanding other law, the commission shall ~~may~~
15 hold a public meeting on an application for a new hazardous waste
16 management facility in the county in which the proposed hazardous
17 waste management facility is to be located. The commission, on
18 request of a person affected or as otherwise required by commission
19 rule, shall ~~may~~ hold a public meeting on an application for a
20 Class 3 modification or a major amendment to an existing facility's
21 hazardous waste permit.

22 (b) Notwithstanding other law, the commission shall ~~may~~
23 hold a public meeting on an application for a new municipal solid
24 waste management facility in the county in which the proposed

1 municipal solid waste management facility is to be located.

2 SECTION 3. Section 361.082(d), Health and Safety Code, is
3 amended to read as follows:

4 (d) In addition to the hearing held under this section, the
5 commission shall [~~may~~] hold a public meeting and the applicant
6 shall give notice as provided by Section 361.0791.

7 SECTION 4. Section 361.534, Health and Safety Code, is
8 amended to read as follows:

9 Sec. 361.534. PERMIT HEARING [~~PUBLIC MEETING~~]. (a) The
10 commission shall set a hearing to be held not later than the 30th
11 day after the date the commission receives [~~may hold a public~~
12 ~~meeting on~~] an application under this subchapter.

13 (b) [~~The commission shall hold a public meeting on an~~
14 ~~application under this subchapter:~~

15 [~~(1) on the request of a member of the legislature who~~
16 ~~represents the general area in which the development is proposed to~~
17 ~~be located, or~~

18 [~~(2) if the executive director determines that there~~
19 ~~is substantial public interest in the proposed development.~~

20 [~~(c)~~] The commission by mail shall notify the applicant of
21 the date, time, and place of the hearing not later than the 15th day
22 before the date of the hearing [~~public meeting~~]. The commission
23 shall [~~require the applicant to~~] publish notice of the hearing
24 [~~public meeting~~] in a newspaper that is generally circulated in
25 each county in which the property proposed for development is
26 located. The published notice must appear at least once a week for
27 the two weeks before the date of the hearing [~~public meeting~~].

1 SECTION 5. The changes in law made by this Act apply only to
2 an application that is filed with the Texas Commission on
3 Environmental Quality on or after the effective date of this Act.
4 An application that was filed with the commission before the
5 effective date of this Act is governed by the former law, and that
6 law is continued in effect for that purpose.

7 SECTION 6. This Act takes effect September 1, 2007.