

1-1 By: Van de Putte S.B. No. 1280
1-2 (In the Senate - Filed March 6, 2007; March 19, 2007, read
1-3 first time and referred to Committee on Natural Resources;
1-4 April 30, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 11, Nays 0; April 30, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1280 By: Jackson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to requirements concerning the storage of combustible
1-11 recyclable materials, including compost and mulch.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter C, Chapter 361, Health and Safety
1-14 Code, is amended by adding Section 361.1191 to read as follows:

1-15 Sec. 361.1191. REQUIREMENTS CONCERNING THE STORAGE OF
1-16 COMBUSTIBLE MATERIALS. (a) This section:

1-17 (1) applies only to a facility that stores combustible
1-18 materials; and

1-19 (2) does not apply to a facility operating under a
1-20 municipal solid waste permit or to a facility owned or operated by a
1-21 local government.

1-22 (b) The commission by rule shall require a recycling
1-23 facility to grind, begin composting, recycle, or transfer to
1-24 another facility for recycling:

1-25 (1) at least 50 percent, by weight or volume, of the
1-26 processed and unprocessed recyclable materials received by the
1-27 facility within 12 months of receiving the materials; and

1-28 (2) during each 12-month period, at least 50 percent,
1-29 by weight or volume, of the processed and unprocessed recyclable
1-30 materials that have accumulated at the facility.

1-31 (c) The commission by rule shall limit the size of a pile of
1-32 processed or unprocessed recyclable materials including composting
1-33 materials or mulch allowed at a solid waste processing facility,
1-34 including a recycling facility that handles compost or mulch. A
1-35 rule adopted under this subsection must conform to the
1-36 International Fire Code, as published by the International Code
1-37 Council, as the code existed on May 1, 2007.

1-38 (d) If the commission determines that a facility is not in
1-39 compliance with a requirement prescribed by this section, the
1-40 commission, in a manner determined by the commission, shall conduct
1-41 an annual review and inspection of the facility.

1-42 (e) A rule adopted by the commission under this section does
1-43 not become effective until the first anniversary of the date on
1-44 which the rule was adopted.

1-45 SECTION 2. This Act takes effect September 1, 2007.

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