

1-1 By: Van de Putte S.B. No. 1281
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. 1281 By: Estes

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

1-10 relating to certain permit requirements concerning solid waste
1-11 facilities, including recycling facilities, that are located on the
1-12 recharge or transition zone of a sole source aquifer.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subchapter C, Chapter 361, Health and Safety
1-15 Code, is amended by adding Section 361.125 to read as follows:

1-16 Sec. 361.125. PERMIT REQUIREMENTS FOR MUNICIPAL SOLID WASTE
1-17 FACILITY ON RECHARGE OR TRANSITION ZONE OF SOLE SOURCE AQUIFER.

1-18 (a) In this section:

1-19 (1) "Recharge zone" and "transition zone" have the
1-20 meanings assigned by 30 T.A.C. Section 213.3.

1-21 (2) "Sole source aquifer" means an aquifer that is the
1-22 sole or principal source of drinking water for an area designated
1-23 under Section 1424(e), Safe Drinking Water Act of 1974 (42 U.S.C.
1-24 Section 300h-3(e)).

1-25 (b) The commission by rule shall:

1-26 (1) impose heightened standards for the issuance of a
1-27 permit for a municipal solid waste facility, including a recycling
1-28 facility, under this chapter if the facility is located on the
1-29 recharge zone or transition zone of a sole source aquifer;

1-30 (2) require a municipal solid waste facility,
1-31 including a recycling facility, that is located on the recharge
1-32 zone of a sole source aquifer to install groundwater protection
1-33 features, such as liners and monitoring wells, specified by the
1-34 commission; and

1-35 (3) require a recycling facility that is located on
1-36 the recharge zone or transition zone of a sole source aquifer to
1-37 establish fire lanes between piles of combustible materials.

1-38 SECTION 2. This Act takes effect September 1, 2007.

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