

By: Van de Putte

S.B. No. 1621

A BILL TO BE ENTITLED

AN ACT

relating to financial assurance required of certain recycling facilities.

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

SECTION 1. Section 361.119, Health and Safety Code, is amended by amending Subsection (f) and adding Subsection (g) to read as follows:

(f) The commission shall adopt rules to ensure that the owner or operator of a recycling facility, including a composting or mulching facility, has in place:

(1) sufficient financial assurance conditioned on satisfactorily operating and closing the facility and consistent with the requirements of Section 361.085 for a solid waste facility other than a facility for the disposal of hazardous waste; and

(2) sufficient financial assurance to cover the potential costs necessary to fight and extinguish a fire at the facility, as determined by the commission.

(g) Subsection (f) [~~This subsection~~] applies only to an owner or operator of a recycling facility:

(1) at which combustible material is stored outdoors;
or

(2) that poses a significant risk to public health and safety as determined by the commission.

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