

Amend **HB 3827** (Senate committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) As soon as practicable after the effective date of this Act, the Texas Commission on Environmental Quality shall adopt rules regulating the surface facilities associated with new commercial wells that propose to accept nonhazardous industrial waste for which a permit has not been issued on or before the effective date of this Act. In this section:

(1) "Commercial well" means a Class I injection well, as defined by commission rule, that a person may use to dispose of hazardous or nonhazardous industrial solid wastes for a charge. The term does not include:

(A) an injection well that is part of an integrated waste management unit of a captured facility; or

(B) an injection well at which only waste from facilities owned or effectively controlled by the same person is disposed.

(2) "Captured facility" means a manufacturing or production facility that generates an industrial solid waste or hazardous waste that is routinely stored, processed, or disposed of on a shared basis in an integrated waste management unit owned by, operated by, and located within a contiguous manufacturing complex.

(b) The rules adopted under Subsection (a) of this section may not apply to an application for a permit for an injection well:

(1) used solely for the sequestration or capture of carbon dioxide; or

(2) for which the surface facilities are associated with a well for which a permit is issued before the effective date of this Act.

(c) The Texas Commission on Environmental Quality shall provide that the rules adopted under Subsection (a) apply to every application for a permit for a new commercial underground injection control well that proposes to accept industrial or municipal waste that is filed on or after the effective date of this Act.