

BILL ANALYSIS

Senate Research Center
81R1492 JAM-D

S.B. 273
By: Nichols
Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Commission on Environmental Quality (TCEQ) has jurisdiction over the Underground Injection Control Program, which oversees the underground disposal of wastewater in deep wells. Well operators are currently required to conduct regular mechanical soundness tests on the casing of these wells.

As proposed, S.B. 273 requires the holder of a permit for an injection well requiring on-site monitoring wells and soil testing to submit to TCEQ a report of groundwater and soil quality on a regular schedule. This bill gives TCEQ authority to write rules governing the frequency and nature of these tests.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 3 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 27.051(a), Water Code, to authorize the Texas Commission on Environmental Quality (TCEQ) to grant an application in whole or in part and to issue the permit if it finds that the applicant for an injection well that, for a charge, will dispose of industrial or municipal waste will use on-site monitoring wells to monitor and analyze groundwater quality in accordance with rules adopted by TCEQ and that the applicant for an injection well that, for a charge, will dispose of industrial or municipal waste will conduct shallow soil test in accordance with rules adopted by TCEQ. Makes nonsubstantive changes.

SECTION 2. Amends Subchapter D, Chapter 27, Water Code, by adding Section 27.057, as follows:

Sec. 27.057. REPORTING REQUIREMENTS. Requires the holder of a permit for an injection well requiring on-site monitoring wells and soil testing under Sections 27.051(a)(8) to submit to TCEQ a report of groundwater and soil quality on a regular schedule as required by TCEQ rules and immediately when a change in quality is detected.

SECTION 3. Requires TCEQ, as soon as practicable after the effective date of this Act, to adopt rules to implement Sections 27.051(a)(8) and (9) and Section 27.057, Water Code, as added by this Act.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: upon passage or September 1, 2009.