

By: Nichols

S.B. No. 275

A BILL TO BE ENTITLED

AN ACT

relating to the application of new requirements for commercial underground injection control wells to be adopted by the Texas Commission on Environmental Quality.

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

SECTION 1. (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,

1 operated by, and located within a contiguous manufacturing complex.

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

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

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

9 SECTION 2. The Texas Commission on Environmental Quality
10 shall provide that the rules adopted under Section 1 of this Act
11 apply to every application for a permit for a new commercial
12 underground injection control well that proposes to accept
13 industrial or municipal waste that is filed on or after the
14 effective date of this Act.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2009.