

1-1 By: Nichols S.B. No. 275  
1-2 (In the Senate - Filed November 12, 2008; February 11, 2009,  
1-3 read first time and referred to Committee on Natural Resources;  
1-4 April 23, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 23, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 275 By: Jackson

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

1-10 relating to the application of new requirements for commercial  
1-11 underground injection control wells to be adopted by the Texas  
1-12 Commission on Environmental Quality.

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

1-14 SECTION 1. (a) As soon as practicable after the effective  
1-15 date of this Act, the Texas Commission on Environmental Quality  
1-16 shall adopt rules regulating the surface facilities associated with  
1-17 new commercial wells that propose to accept nonhazardous industrial  
1-18 waste for which a permit has not been issued on or before the  
1-19 effective date of this Act. In this section:

1-20 (1) "Commercial well" means a Class I injection well,  
1-21 as defined by commission rule, that a person may use to dispose of  
1-22 hazardous or nonhazardous industrial solid wastes for a charge.  
1-23 The term does not include:

1-24 (A) an injection well that is part of an  
1-25 integrated waste management unit of a captured facility; or

1-26 (B) an injection well at which only waste from  
1-27 facilities owned or effectively controlled by the same person is  
1-28 disposed.

1-29 (2) "Captured facility" means a manufacturing or  
1-30 production facility that generates an industrial solid waste or  
1-31 hazardous waste that is routinely stored, processed, or disposed of  
1-32 on a shared basis in an integrated waste management unit owned by,  
1-33 operated by, and located within a contiguous manufacturing complex.

1-34 (b) The rules adopted under Subsection (a) of this section  
1-35 may not apply to an application for a permit for an injection well:

1-36 (1) used solely for the sequestration or capture of  
1-37 carbon dioxide; or

1-38 (2) for which the surface facilities are associated  
1-39 with a well for which a permit is issued before the effective date  
1-40 of this Act.

1-41 SECTION 2. The Texas Commission on Environmental Quality  
1-42 shall provide that the rules adopted under Section 1 of this Act  
1-43 apply to every application for a permit for a new commercial  
1-44 underground injection control well that proposes to accept  
1-45 industrial or municipal waste that is filed on or after the  
1-46 effective date of this Act.

1-47 SECTION 3. This Act takes effect immediately if it receives  
1-48 a vote of two-thirds of all the members elected to each house, as  
1-49 provided by Section 39, Article III, Texas Constitution. If this  
1-50 Act does not receive the vote necessary for immediate effect, this  
1-51 Act takes effect September 1, 2009.

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