

By: Watson

S.B. No. 1099

A BILL TO BE ENTITLED

AN ACT

relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain areas associated with the Barton Springs segment of the Edwards Aquifer.

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

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0462 to read as follows:

Sec. 26.0462. RESTRICTION ON PERMITS FOR DIRECT DISCHARGES OF WASTE OR POLLUTANTS INTO WATER IN CERTAIN ZONES OF BARTON SPRINGS SEGMENT OF EDWARDS AQUIFER. (a) The commission may not:

(1) issue a new permit authorizing the direct discharge of waste or pollutants into any water in:

(A) the portion of the recharge zone of the Barton Springs segment of the Edwards Aquifer that is under the jurisdiction of the Barton Springs-Edwards Aquifer Conservation District; or

(B) the contributing zone associated with the recharge zone described by Paragraph (A); or

(2) amend a permit issued before September 1, 2009, to authorize an increase in the amount of waste or pollutants that may be directly discharged into any water described by Subdivision (1).

(b) This section does not affect the authority of the commission to authorize stormwater and certain non-stormwater discharges as specified in:

1           (1) the commission's individual permits for municipal  
2 separate storm sewer systems; and

3           (2) the commission's general permits for stormwater  
4 and associated non-stormwater discharges from small municipal  
5 separate storm sewer systems, industrial facilities, and  
6 construction activities.

7           SECTION 2. The change in law made by this Act applies only  
8 to an application for a permit or permit amendment that is submitted  
9 to the Texas Commission on Environmental Quality on or after the  
10 effective date of this Act. An application for a permit or permit  
11 amendment that was submitted to the Texas Commission on  
12 Environmental Quality before the effective date of this Act is  
13 governed by the law in effect at the time the application was filed,  
14 and the former law is continued in effect for that purpose.

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.