

By: Hegar

S.B. No. 1711

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of sediment control ponds to satisfy
3 environmental and safety regulations at surface mining operations
4 in the state.

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

6 SECTION 1. Section 11.142(d), Water Code, is amended as
7 follows:

8 (d) Without obtaining a permit, a person may construct or
9 maintain a reservoir for the sole purpose of sediment control and
10 divert and use the water to satisfy environmental and safety
11 regulations for fire or dust suppression, applicable to [as part
12 of] a surface coal mining operation under the Texas Surface Coal
13 Mining and Reclamation Act (Article 5920-11, Vernon's Texas Civil
14 Statutes).

15 SECTION 2. Not later than January 1, 2010, the Texas
16 Commission on Environmental Quality shall adopt rules as necessary
17 to implement Sections 11.142(d), Water Code, as amended by this
18 Act.

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