

By: Seliger

S.B. No. 2235

A BILL TO BE ENTITLED

AN ACT

relating to the names of persons included on a permit or license for certain solid waste facilities under the Solid Waste Disposal Act.

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

SECTION 1. Section 361.003, Health and Safety Code, is amended by adding Subdivision (21-a) to read as follows:

(21-a) "Operator" means the holder of the permit or license who is responsible for the overall operation of a solid waste facility.

SECTION 2. Sections 361.087 and 361.157, Health and Safety Code, are amended to read as follows:

Sec. 361.087. CONTENTS OF PERMIT. A permit issued under this subchapter must include:

(1) the name and address of each person who owns the land on which the solid waste facility is located and the person who is or will be the operator ~~[or person in charge of the facility]~~;

(2) a legal description of the land on which the facility is located; and

(3) the terms and conditions on which the permit is issued, including the duration of the permit.

Sec. 361.157. CONTENTS OF LICENSE. A license for a solid waste facility issued by a county must include:

(1) the name and address of each person who owns the land on which the solid waste facility is located and the person who

1 is or will be the operator [~~or person in charge of the facility~~];

2 (2) a legal description of the land on which the
3 facility is located; and

4 (3) the terms and conditions on which the license is
5 issued, including the duration of the license.

6 SECTION 3. The changes in law to Sections 361.003, 361.087,
7 and 361.157, Health and Safety Code, as amended by this Act, do not
8 affect the status as of the effective date of this Act of any permit
9 or license for, holder of a permit or license for, or owner or
10 operator of a solid waste facility under Chapter 361, Health and
11 Safety Code. The Texas Commission on Environmental Quality shall
12 amend the commission's rules as necessary for the commission's
13 permitting actions taken after the effective date of this Act to
14 conform to those sections, as amended.

15 SECTION 4. This Act takes effect September 1, 2009.