

BILL ANALYSIS

C.S.H.B. 444
By: Creighton
Natural Resources
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, notification is given to certain entities when a permit application is filed for certain injection wells. The entities may then make recommendations regarding the permit application. C.S.H.B. 444 seeks to give notification of applications for permits for certain injection wells to a groundwater conservation district.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 444 amends the Water Code to require the executive director of the Texas Commission on Environmental Quality (TCEQ) to submit a copy of an application for a permit for an injection well under the Injection Well Act to dispose of industrial and municipal waste to the governing body of a groundwater conservation district if the application is received in proper form and the proposed location of the injection well is in the territory of the district. The bill requires the record of a proceeding, before any testimony is heard in a case regarding an application for a permit for an injection well to dispose of industrial and municipal waste that is proposed to be located in the territory of a groundwater conservation district, to include evidence that a copy of each draft permit proposed by the executive director was provided to the governing body of the district and evidence that notice of the contested case hearing was mailed to the governing body of the district, in addition to other requirements relating to testimony in such a contested case.

C.S.H.B. 444 makes conforming and nonsubstantive changes.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 444 omits a provision contained in the original authorizing a groundwater conservation district to make recommendations to the Texas Commission on Environmental Quality (TCEQ) concerning any aspect of an application for an injection well permit in the same manner as the Department of State Health Services and other persons to which the executive director of TCEQ is required to submit a copy of the application.