

BILL ANALYSIS

S.B. 1520
By: Uresti
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Observers note that the Texas Commission on Environmental Quality review of an application for a municipal or commercial nonhazardous liquid processing facility is limited to whether the provisions of the application meet the technical requirements established in agency rules and policy regarding location, geology, hydrology, construction, processing methodology, and similar requirements.

S.B. 1520 seeks to address matters relating to the consideration of applications for permits for certain commercial solid waste processing or treatment facilities.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

S.B. 1520 amends the Health and Safety Code to prohibit the Texas Commission on Environmental Quality (TCEQ) from issuing, amending, extending, or renewing a permit for certain commercial solid waste processing or treatment facilities unless TCEQ determines that the applicant possesses adequate technical, managerial, and financial ability to operate the facility safely and in compliance with all applicable legal requirements and requires TCEQ to consider, at a minimum, specified evidence relating to the applicant's ability to comply with all applicable legal requirements.

S.B. 1520 makes its provisions applicable only to the application for the issuance, amendment, extension, or renewal of a permit for a commercial facility that accepts nonhazardous liquid waste from municipal or industrial sources for processing or treatment. The bill makes its provisions inapplicable to a facility owned or operated by or affiliated with a local government, including a facility leased to or from a local government, or a person who holds a permit to dispose of hazardous, municipal, or industrial solid waste.

S.B. 1520 requires TCEQ by rule to adopt standards for making a determination that the applicant possesses adequate technical, managerial, and financial ability to operate the facility safely and in compliance with all applicable legal requirements. The bill authorizes TCEQ to impose conditions on the issuance, amendment, extension, or renewal of a permit designed to increase the likelihood of the applicant's operation of the facility safely and in compliance with all applicable legal requirements.

EFFECTIVE DATE

September 1, 2011.