

By: Garza

H.B. No. 3602

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a restriction on permits authorizing direct discharges
3 of waste or pollutants into water in certain areas associated with
4 the Barton Springs segment of the Edwards Aquifer.

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

6 SECTION 1. Subchapter B, Chapter 26, Water Code, is amended
7 by adding Section 26.0463 to read as follows:

8 Sec. 26.0463. MINIMUM REQUIREMENTS FOR POLLUTION REMOVAL
9 FOR STORMWATER ENTERING THE EDWARDS AQUIFER. (a) In this section,
10 "water treatment facility" means a facility that utilizes best
11 management practices approved by the Commission on Environmental
12 Quality in a water pollution abatement plan for the purpose of
13 filtering out and removing pollutants such as total suspended
14 solids from stormwater runoff from commercial, residential,
15 industrial or retail developments that are located within the
16 recharge zone of the Edwards Aquifer.

17 (b) The commission may not:

18 (1) approve the use or installation of a new water
19 treatment facility in a water pollution abatement plan unless the
20 water treatment facility has been shown to remove 85% or more of the
21 total suspended solids from the stormwater runoff required to be
22 treated prior to its discharge into the recharge zone of the Edwards
23 Aquifer.

24 SECTION 2. The change in law made by this Act applies only

1 to an application for a permit or permit amendment that is submitted
2 to the Texas Commission on Environmental Quality on or after the
3 effective date of this Act. An application for a permit or permit
4 amendment that was submitted to the Texas Commission on
5 Environmental Quality before the effective date of this Act is
6 governed by the law in effect at the time the application was filed,
7 and the former law is continued in effect for that purpose.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2011.