

By: Nichols

S.B. No. 429

A BILL TO BE ENTITLED

AN ACT

relating to notification of applications for permits for certain injection wells.

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

SECTION 1. Section 27.017, Water Code, is amended to read as follows:

Sec. 27.017. RECOMMENDATIONS FROM OTHER ENTITIES. (a) The executive director shall submit to the [~~Texas~~] Department of State Health Services and to other persons which the commission may designate copies of every application received in proper form. These entities may make recommendations to the commission concerning any aspect of the application within 30 days.

(b) If an application is received in proper form for a permit for an injection well to dispose of industrial and municipal waste and the proposed location of the injection well is in the territory of a groundwater conservation district, the executive director shall submit a copy of the application to the governing body of the groundwater conservation district. The groundwater conservation district may make recommendations to the commission concerning any aspect of the application in the same manner as an entity to which the executive director submitted a copy of the application under Subsection (a).

SECTION 2. Section 27.018, Water Code, is amended by adding Subsection (e) to read as follows:

1       (e) In addition to the requirements of Subsection (c),  
2 before any testimony is heard in a contested case regarding an  
3 application for a permit for an injection well to dispose of  
4 industrial and municipal waste that is proposed to be located in the  
5 territory of a groundwater conservation district, the record of the  
6 proceeding must include evidence that:

7           (1) a copy of each draft permit proposed by the  
8 executive director was provided to the governing body of the  
9 groundwater conservation district; and

10           (2) notice of the contested case hearing was mailed to  
11 the governing body of the groundwater conservation district.

12       SECTION 3. The changes in law made by this Act apply only in  
13 regard to the provision of copies of and proceedings on an  
14 application for a permit for an injection well to dispose of  
15 industrial and municipal waste that is proposed to be located in the  
16 territory of a groundwater conservation district that is received  
17 in proper form by the Texas Commission on Environmental Quality on  
18 or after the effective date of this Act.

19       SECTION 4. 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, 2011.