

By: Nichols

S.B. No. 430

A BILL TO BE ENTITLED

AN ACT

relating to written notice to a groundwater conservation district of groundwater contamination.

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

SECTION 1. Section 5.236(a), Water Code, is amended to read as follows:

(a) If the executive director acquires information that confirms that a potential public health hazard exists because usable groundwater has been or is being contaminated, the executive director, not later than the 30th day after the date on which the executive director acquires the information confirming contamination, shall give written notice of the contamination to the following persons:

(1) the county judge and the county health officer, if any, in each county in which the contamination has occurred or is occurring;

(2) any person under the commission's jurisdiction who is suspected of contributing to the contamination; ~~and~~

(3) any other state agency with jurisdiction over any person who is suspected of contributing to the contamination; and

(4) a groundwater conservation district, if the contamination has occurred or is occurring in the jurisdiction of the district.

SECTION 2. This Act applies only to groundwater

1 contamination about which the executive director of the Texas  
2 Commission on Environmental Quality acquires information on or  
3 after the effective date of this Act. Groundwater contamination  
4 about which the executive director of the Texas Commission on  
5 Environmental Quality acquires information before the effective  
6 date of this Act is governed by the law in effect on the date the  
7 information is acquired, and the former law is continued in effect  
8 for that purpose.

9 SECTION 3. This Act takes effect September 1, 2011.