

By: Hegar

S.B. No. 1479

A BILL TO BE ENTITLED

AN ACT

relating to the coordination of uranium mining permitting activities by the Railroad Commission of Texas and the Texas Commission on Environmental Quality.

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

SECTION 1. Section 131.354, Natural Resources Code, is amended by adding Subsection (f) to read as follows:

(f) The commission and the Texas Commission on Environmental Quality shall:

(1) share information relating to permits for exploration activities;

(2) each provide to the other agency information at the request of the other agency;

(3) cooperate to allocate responsibilities under this section for an issue, project, or project type for which agency responsibilities are not stated in statute or rule;

(4) share information and take appropriate investigative steps to determine appropriate jurisdiction under this section, as necessary; and

(5) coordinate as necessary to resolve disputes.

SECTION 2. Section 131.356, Natural Resources Code, is amended to read as follows:

Sec. 131.356. NOTIFICATION BY COMMISSION. (a) At the time the commission receives an application for an exploration permit,

1 the commission shall provide written notice of the exploration
2 permit application to:

3 (1) each groundwater conservation district in the area
4 in which the permitted exploration will occur;

5 (2) the mayor and health authority of each
6 municipality in the area in which the permitted exploration will
7 occur;

8 (3) the county judge and health authority of each
9 county in the area in which the permitted exploration will occur;
10 [~~and~~]

11 (4) each member of the legislature who represents the
12 area in which the proposed exploration will occur; and

13 (5) the Texas Commission on Environmental Quality.

14 (b) At the time the commission issues an exploration permit
15 under this subchapter, the commission shall provide written notice
16 of the exploration permit to:

17 (1) each groundwater conservation district in the area
18 in which the permitted exploration will occur;

19 (2) the mayor and health authority of each
20 municipality in the area in which the permitted exploration will
21 occur;

22 (3) the county judge and health authority of each
23 county in the area in which the permitted exploration will occur;
24 [~~and~~]

25 (4) each member of the legislature who represents the
26 area in which the proposed exploration will occur; and

27 (5) the Texas Commission on Environmental Quality.

SECTION 3. Section 131.357(a), Natural Resources Code, is amended to read as follows:

(a) A person issued an exploration permit under this subchapter that authorizes exploration in a groundwater conservation district shall provide to the district and the Texas Commission on Environmental Quality:

(1) pre-exploration water quality information from:

(A) each existing well located in the district that is tested by the person before exploration; and

(B) the following wells, as applicable:

(i) each existing well located inside the area subject to the exploration permit, if there are fewer than 10 existing wells located inside that area; or

(ii) 10 existing wells that are distributed as evenly as possible throughout the area subject to the exploration permit, if there are at least 10 existing wells located inside that area;

(2) pre-mining water quality information from:

(A) each existing well in the jurisdiction of the groundwater conservation district that the person tests during exploration; and

(B) cased exploration wells completed under the exploration permit issued under this subchapter; and

(3) well logs that do not contain confidential information as described by Section 131.048.

SECTION 4. Section 131.356(a), Natural Resources Code, as amended by this Act, applies only to an application for an

1 exploration permit filed on or after the effective date of this Act.
2 An application for an exploration permit filed before the effective
3 date of this Act is subject to the law in effect on the date of
4 filing, and that law is continued in effect for that purpose.

5 SECTION 5. Sections 131.356(b) and 131.357(a), Natural
6 Resources Code, as amended by this Act, apply only to an exploration
7 permit issued on or after the effective date of this Act. An
8 exploration permit issued before the effective date of this Act is
9 subject to the law in effect on the date of issuance, and that law is
10 continued in effect for that purpose.

11 SECTION 6. This Act takes effect September 1, 2011.