

BILL ANALYSIS

H.B. 1079
By: Smith
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that uranium mining operations are regulated by a number of state and federal authorities in order to ensure the safety of the general public, the environment, and industry workers, and that mine operators are subject to certain contested case hearing requirements as part of the application process in Texas for a mine permit and other authorizations. Such parties contend, however, that certain contested case hearing requirements relating to subsequent production area authorizations are unnecessary and redundant and place a burden on business and the state. H.B. 1079 seeks to ease that burden by establishing provisions relating to the procedural requirements for action by the Texas Commission on Environmental Quality on applications for production area authorizations.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1079 amends the Water Code to remove the exceptions to the statutory provision specifying that an application submitted after September 1, 2007, for an authorization to allow the holder of a permit for mining of uranium to conduct mining and restoration activities in production zones within the boundary established in the permit is an uncontested matter not subject to a contested case hearing or the hearing requirements of the Administrative Procedure Act.

H.B. 1079 repeals Sections 27.0513(e) and (f), Water Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.