

## **BILL ANALYSIS**

H.B. 3678  
By: Farney  
Environmental Regulation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

According to a recent report, a hauler of septic system waste in a Texas county applied for a registration from the Texas Commission on Environmental Quality (TCEQ) to spread the waste on his own land rather than continuing to pay to take it to a wastewater treatment plant. The applicant's property had rock quarries on either side that had dug down to the shallow aquifer that provides drinking water for businesses and thousands of households. The TCEQ executive director approved the registration, much to the surprise of local residents, and a number of entities and environmental groups filed appeals regarding the registration. The applicant withdrew the registration after press reports about a meeting on the issue attracted an overflow crowd of concerned residents and groundwater district officials. Interested parties, however, contend that the precedent of TCEQ approving the land application of septage waste through the registration process still stands. The parties further contend that the source of material for sludge and septage are virtually the same, therefore, the process for obtaining permission for land application should be the same. The goal of H.B. 3678 is to recognize the similarities between sludge and septage and to provide for the similar regulation under the Solid Waste Disposal Act.

### **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. 3678 amends the Health and Safety Code to redefine "Class B sludge," for purposes of the Solid Waste Disposal Act, to include septage.

### **EFFECTIVE DATE**

September 1, 2013.