

By: Reynolds

H.B. No. 1535

Substitute the following for H.B. No. 1535:

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C.S.H.B. No. 1535

A BILL TO BE ENTITLED

AN ACT

relating to the permitting of certain small commercial development and county park sewage collection, treatment, and disposal systems as on-site sewage disposal systems.

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

SECTION 1. Subchapter D, Chapter 366, Health and Safety Code, is amended by adding Section 366.0513 to read as follows:

Sec. 366.0513. SMALL COMMERCIAL DEVELOPMENT AND COUNTY PARK SYSTEMS. (a) A small commercial development sewage collection, treatment, and disposal system may be permitted as an on-site sewage disposal system under this chapter if the system:

(1) is located on property jointly owned by the property owners served by the system, as described by the county deed records;

(2) produces not more than 5,000 gallons a day on an annual average basis;

(3) serves an area that does not exceed 15 acres;

(4) is designed to serve two or more sewage-generating units on separate tracts of land;

(5) collects sewage only from commercial or institutional facilities or business parks;

(6) is located more than 2,000 feet from the nearest reservoir used for municipal water supply, unless the owner of the reservoir consents in writing;

1 (7) is approved by the governing body of any
2 municipality:

3 (A) that provides wastewater utility service to
4 the property where the system is located at the time of the request
5 for the permit; and

6 (B) in whose boundaries or extraterritorial
7 jurisdiction the property is located;

8 (8) includes an interceptor for any facility engaged
9 in food service activities, if required by commission rule or local
10 ordinance or code;

11 (9) does not accept waste streams from industrial
12 users subject to general pretreatment regulations under 40 C.F.R.
13 Part 403; and

14 (10) is professionally managed by an entity with the
15 appropriate authorization required by the commission to manage the
16 system.

17 (b) A sewage collection, treatment, and disposal system
18 that serves a county park may be permitted as an on-site sewage
19 disposal system under this chapter if the system:

20 (1) is located on property owned or operated by the
21 county;

22 (2) produces not more than 5,000 gallons a day on an
23 annual average basis;

24 (3) collects only sewage generated at the park; and

25 (4) meets the requirements of Subsections
26 (a)(6)-(10).

27 SECTION 2. This Act takes effect immediately if it receives

C.S.H.B. No. 1535

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2013.