

By: Peña

H.B. No. 3760

A BILL TO BE ENTITLED

AN ACT

relating to permitting and restrictions on the operations of scrap metal recycling facilities.

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

SECTION 1. Chapter 382, Health and Safety Code, is amended by adding Sections 382.069 and 382.0691 to read as follows:

Sec. 382.069 DEFINITIONS. In this chapter,

(1) "Scrap metal recycling facility" has the meaning assigned by Section 375.001(9), Health and Safety Code.

(2) "Best available control technology" means an emission limitation based on the maximum degree of reduction of each pollutant subject to regulation under this chapter emitted from or which results from any major emitting facility, which the commission, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such facility through application of production processes and available methods, systems, and techniques.

Sec. 382.0691 PERMIT FOR SCRAP METAL RECYCLING FACILITY

A scrap metal recycling facility applying for a permit under Section 382.0518 or 382.0519, a standard permit under Section 382.05195 or 382.05198, or a permit by rule under Section 382.05196 must meet best available technology requirements

1 as determined by the commission.

2 SECTION 2. The change in law made by this Act applies only
3 to an application for a permit to operate a scrap metal recycling
4 facility that is filed on or after the effective date of this Act.
5 An application for a permit filed before this effective date of this
6 Act is governed by the law in effect on the date of filing.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive vote necessary for immediate effect, this Act
11 takes effect September 1, 2015.