

By: Uresti

S.B. No. 517

A BILL TO BE ENTITLED

1 AN ACT
2 relating to notice of an application for a permit to drill an
3 injection well in the territory of a groundwater conservation
4 district.

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

6 SECTION 1. Subchapter D, Chapter 91, Natural Resources
7 Code, is amended by adding Section 91.118 to read as follows:

8 Sec. 91.118. NOTICE OF INJECTION WELL PERMIT APPLICATION TO
9 GROUNDWATER CONSERVATION DISTRICTS. (a) In this section,
10 "injection well" means a well that is:

11 (1) used to inject a substance into the ground; and
12 (2) not regulated by the commission under Chapter 27,
13 Water Code.

14 (b) If the commission receives an application for a permit
15 for an injection well the proposed location of which is within a
16 10-mile radius of the territory of a groundwater conservation
17 district, the commission shall require the applicant to submit with
18 the application documentation showing that a copy of the
19 application has been submitted to the governing body of the
20 groundwater conservation district.

21 SECTION 2. The heading to Section 27.017, Water Code, is
22 amended to read as follows:

23 Sec. 27.017. NOTICE TO AND RECOMMENDATIONS FROM OTHER
24 ENTITIES.

1 SECTION 3. Section 27.017(b), Water Code, is amended to
2 read as follows:

3 (b) If an application is received in proper form for a
4 permit for an injection well [~~to dispose of industrial and~~
5 ~~municipal waste~~] and the proposed location of the injection well is
6 in within a 10-mile radius of the territory of a groundwater
7 conservation district, the executive director shall submit a copy
8 of the application to the governing body of the groundwater
9 conservation district.

10 SECTION 4. Section 27.018(e), Water Code, is amended to
11 read as follows:

12 (e) In addition to the requirements of Subsection (c),
13 before any testimony is heard in a contested case regarding an
14 application for a permit for an injection well [~~to dispose of~~
15 ~~industrial and municipal waste~~] that is proposed to be located ~~in~~
16 within a 10-mile radius of the territory of a groundwater
17 conservation district, the record of the proceeding must include
18 evidence that:

19 (1) a copy of each draft permit proposed by the
20 executive director was provided to the governing body of the
21 groundwater conservation district; and

22 (2) notice of the contested case hearing was mailed to
23 the governing body of the groundwater conservation district.

24 SECTION 5. Subchapter C, Chapter 27, Water Code, is amended
25 by adding Section 27.0322 to read as follows:

26 Sec. 27.0322. NOTICE TO GROUNDWATER CONSERVATION
27 DISTRICTS. If the proposed location of an injection well to which

1 this subchapter applies is within a 10-mile radius of the territory
2 of a groundwater conservation district, the railroad commission
3 shall require the applicant to submit with the application
4 documentation showing that a copy of the application has been
5 submitted to the governing body of the groundwater conservation
6 district.

7 SECTION 6. Subchapter C-1, Chapter 27, Water Code, is
8 amended by adding Section 27.0441 to read as follows:

9 Sec. 27.0441. NOTICE TO GROUNDWATER CONSERVATION
10 DISTRICTS. If the proposed location of an injection well to which
11 this subchapter applies is within a 10-mile radius of the territory
12 of a groundwater conservation district, the railroad commission
13 shall require the applicant to submit with the application
14 documentation showing that a copy of the application has been
15 submitted to the governing body of the groundwater conservation
16 district.

17 SECTION 7. (a) Not later than March 1, 2016, the Railroad
18 Commission of Texas and the Texas Commission on Environmental
19 Quality shall adopt rules as necessary to implement the change in
20 law made by this Act to Chapter 91, Natural Resources Code, and
21 Chapter 27, Water Code.

22 (b) The change in law made by this Act to Chapter 91, Natural
23 Resources Code, and Chapter 27, Water Code, applies only to a permit
24 application submitted to the Railroad Commission of Texas or the
25 Texas Commission on Environmental Quality on or after the effective
26 date of the rules adopted under Subsection (a) of this section. A
27 permit application submitted before the effective date of the rules

1 adopted under Subsection (a) of this section is governed by the law
2 in effect when the permit application was submitted, and the former
3 law is continued in effect for that purpose.

4 SECTION 8. This Act takes effect September 1, 2015.