

By: Zaffirini

S.B. No. 781

A BILL TO BE ENTITLED

AN ACT

relating to a limitation on the location of solid waste facilities.

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

SECTION 1. Section 361.101, Health and Safety Code, is amended to read as follows:

Sec. 361.101. PROHIBITION ON PERMIT FOR FACILITY ON RECHARGE ZONE OF CERTAIN AQUIFERS [~~SOLE SOURCE AQUIFER~~]. The commission by rule shall prohibit the issuance of a permit for a new hazardous waste landfill, municipal solid waste facility, land treatment facility, surface impoundment, or waste pile, or areal expansion of such a facility, if the facility is to be located on the recharge zone of:

(1) a sole source aquifer; or

(2) an aquifer that is:

(A) designated by the Texas Water Development Board as a major aquifer; and

(B) a source of water for a municipality that:

(i) has a population of at least one million; and

(ii) is located more than 100 miles from the Gulf of Mexico.

SECTION 2. The changes in law made by this Act apply only to an application for the issuance of a permit pending before the Texas Commission on Environmental Quality on or after the effective date

1 of this Act. A permit issued before the effective date of this Act
2 is governed by the law in effect when the permit was issued, and the
3 former law is continued in effect for that purpose.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2017.