86R4319 SLB-F

By:  King of Uvalde H.B. No. 817

A BILL TO BE ENTITLED

AN ACT

relating to a restriction on permits authorizing direct discharges of waste or pollutants into water in certain areas of the Edwards Aquifer.

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

SECTION 1.  Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0462 to read as follows:

Sec. 26.0462.  RESTRICTION ON PERMITS FOR DIRECT DISCHARGES OF WASTE OR POLLUTANTS INTO WATER IN CERTAIN ZONES OF EDWARDS AQUIFER. (a) The commission may not:

(1)  issue a new permit authorizing the direct discharge of waste or pollutants into any water in the contributing zone associated with the portion of the recharge zone of the Edwards Aquifer that is within the Nueces River basin; or

(2)  amend a permit issued before September 1, 2019, to authorize an increase in the amount of waste or pollutants that may be directly discharged into any water described by Subdivision (1).

(b)  This section does not affect the authority of the commission to authorize stormwater and certain non-stormwater discharges as specified in:

(1)  the commission's individual permits for municipal separate storm sewer systems; and

(2)  the commission's general permits for stormwater and associated non-stormwater discharges.

SECTION 2.  The change in law made by this Act applies only to an application for a permit or permit amendment that is submitted to the Texas Commission on Environmental Quality on or after the effective date of this Act. An application for a permit or permit amendment that was submitted to the Texas Commission on Environmental Quality before the effective date of this Act is governed by the law in effect at the time the application was filed, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.