86R14177 SLB-D

By:  Zaffirini S.B. No. 2155

A BILL TO BE ENTITLED

AN ACT

relating to the retention of soil samples and records related to a permit for a municipal solid waste facility issued by the Texas Commission on Environmental Quality; creating an administrative penalty.

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

SECTION 1.  Subchapter C, Chapter 361, Health and Safety Code, is amended by adding Section 361.127 to read as follows:

Sec. 361.127.  RETENTION OF SAMPLES AND RECORDS RELATING TO MUNICIPAL SOLID WASTE FACILITY. (a) The commission shall adopt rules to govern the retention of soil samples and other physical evidence and records of that evidence in relation to a permitted municipal solid waste facility or proposed municipal solid waste facility for which an application has been submitted.

(b)  Rules adopted under this section must require retention of:

(1)  soil samples and other physical evidence taken in relation to a permit application for a municipal solid waste facility until a final action has been taken by the commission on the application; and

(2)  records of soil samples or other physical evidence taken in relation to a permit issued for a municipal solid waste facility until the closure of the facility.

(c)  A violation of this section is subject to an administrative penalty imposed by the commission under Section 7.051, Water Code.

SECTION 2.  This Act takes effect September 1, 2019.