

By: Zaffirini

S.B. No. 2155

A BILL TO BE ENTITLED

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

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

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

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

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

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

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

24 (c) A violation of this section is subject to an

1 administrative penalty imposed by the commission under Section
2 7.051, Water Code.

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