

By: Zaffirini

S.B. No. 2393

A BILL TO BE ENTITLED

AN ACT

relating to limitations of the issuance of permits for municipal solid waste landfill facilities.

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 361.1232 to read as follows:

Sec. 361.1232. LIMITATION ON ISSUANCE OF PERMIT BASED ON CAPACITY. The commission may not issue a permit for a new municipal solid waste landfill facility or an areal expansion of an existing municipal solid waste landfill facility unless:

(1) the commission determines that permitted facilities conveniently located near the proposed new or expanded facility do not have a projected capacity to dispose of the volume of waste projected for the area for 30 years following the date of application for the permit; or

(2) the governing body of the municipality or county in which the landfill facility is located first approves by resolution or order the issuance of the permit.

SECTION 2. Section 361.1232, Health and Safety Code, as added by this Act, applies only to an application for the issuance or amendment of a permit for a municipal solid waste landfill facility that is pending before the Texas Commission on Environmental Quality on or after the effective date of this Act. A permit for a municipal solid waste landfill facility that is issued

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

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