

By: Dutton

H.B. No. 858

A BILL TO BE ENTITLED

AN ACT

relating to the carcinogenic risk level used in the development of certain environmental remediation benchmarks.

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

SECTION 1. Subchapter B, Chapter 361, Health and Safety Code, is amended by adding Section 361.042 to read as follows:

Sec. 361.042. MINIMUM CARCINOGENIC RISK LEVEL. (a) In this section, "carcinogenic risk level," "protective concentration level," and "risk-based exposure limit" have the meanings assigned by 30 T.A.C. Section 350.4, as that section existed on January 1, 2021.

(b) The commission shall set each carcinogenic risk level used by the commission in the development of a protective concentration level, risk-based exposure limit, or any other remediation standard used in connection with this chapter or a rule adopted under this chapter, including the Texas Risk Reduction Program (30 T.A.C. Chapter 350) or a similar program established by the commission, at a rate not greater than one in one million.

SECTION 2. As soon as practicable after the effective date of this Act, the Texas Commission on Environmental Quality shall adopt or modify any rules necessary to implement the change in law made by this Act.

SECTION 3. This Act takes effect September 1, 2021.