

By: Zwiener

H.B. No. 205

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the consideration by the Texas Commission on  
3 Environmental Quality of alternative waste collection, treatment,  
4 and disposal options before issuing permits to discharge certain  
5 waste.

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

7 SECTION 1. Section 26.0282, Water Code, is amended to read  
8 as follows:

9 Sec. 26.0282. CONSIDERATION OF NEED AND REGIONAL TREATMENT  
10 OPTIONS. (a) In considering the issuance, amendment, or renewal of  
11 a permit to discharge waste, the commission may deny or alter the  
12 terms and conditions of the proposed permit, amendment, or renewal  
13 based on consideration of need, including the expected volume and  
14 quality of the influent and the availability of existing or  
15 proposed areawide or regional waste collection, treatment, and  
16 disposal systems not designated as such by commission order  
17 pursuant to provisions of this subchapter.

18 (b) The commission may not issue, amend, or renew a permit  
19 to discharge waste unless the applicant demonstrates to the  
20 commission that it is not economically feasible for another holder  
21 of a permit issued under this chapter to collect, treat, and dispose  
22 of the waste proposed to be discharged by the applicant.

23 (c) This section is expressly directed to the control and  
24 treatment of conventional pollutants normally found in domestic

1 wastewater.

2           SECTION 2. Section [26.0282](#), Water Code, as amended by this  
3 Act, applies only to an application for the issuance, amendment, or  
4 renewal of a permit that is filed with the Texas Commission on  
5 Environmental Quality on or after the effective date of this  
6 Act. An application for a permit filed before the effective date  
7 of this Act is governed by the law in effect on the date of the  
8 filing, and the former law is continued in effect for that purpose.

9           SECTION 3. This Act takes effect on the 91st day after the  
10 last day of the legislative session.