

BILL ANALYSIS

S.B. 2379
By: Schwertner
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under the rules of the Texas Commission on Environmental Quality (TCEQ), a waste injection well cannot be authorized if the well transects or terminates in the Edwards Aquifer in Williamson County. This prohibition applies to recently proposed aquifer storage and recovery (ASR) injection wells that would transect the Edwards Aquifer to inject treated surface water into deeper geologic formations underlying the Edwards Aquifer for purposes of providing much-needed water supply to this high-growth area of the state. S.B. 2379 seeks to authorize the TCEQ to approve an ASR project that includes an ASR injection well that transects the Edwards Aquifer in a specified area of Williamson County for injection of water into a deeper geologic formation underlying the Edwards Aquifer.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

S.B. 2379 amends the Water Code to provide for the authority of the Texas Commission on Environmental Quality (TCEQ) to authorize by rule or permit an aquifer storage and recovery (ASR) project that includes an ASR injection well, defined as a Class V injection well used for the injection of water into a geologic formation as part of an aquifer storage and recovery project, that transects the Edwards Aquifer in the area of Williamson County east of Interstate Highway 35 for the injection of water into a geologic formation that underlies the Edwards Aquifer. The bill specifies that the TCEQ may authorize by permit other injections of water with respect to the Edwards Aquifer that are authorized under current law. The bill requires the TCEQ to adopt rules to implement the bill's provisions not later than March 1, 2024.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.