

## **BILL ANALYSIS**

Senate Research Center

H.B. 3071  
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Natural Resources  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Permits issued by the Texas Commission on Environmental Quality (TCEQ) may become inactive over time. As a result, individuals or entities may acquire nearby properties for residential development, and local governments, including public school districts, may purchase adjacent land for public use.

A recent case involved the submission of an application to TCEQ for the development of a municipal solid waste processing facility on a site that had previously been issued a state waste management facility permit over four decades ago. That landfill permit had since become inactive, and the applicant's proposal sought to reactivate the permit to establish a six-acre recycling center. If the application had been approved by state officials, the applicant would have built the recycling center to accept up to 450 tons of construction and demolition waste per day—including metals, woods, lumber, green waste, plastics, and concrete. However, in the two decades since the site's landfill permit was active, the surrounding area has experienced significant residential development and local residents have expressed concerns regarding their environment, health, safety, and quality of life.

H.B. 3071 seeks to address this issue by requiring the TCEQ to cancel a permit issued for a municipal solid waste landfill facility under certain conditions.

H.B. 3071 amends current law relating to cancellation of certain solid waste disposal permits issued by the Texas Commission on Environmental Quality.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter C, Chapter 361, Health and Safety Code, by adding Section 361.1201, as follows:

Sec. 361.1201. CANCELLATION OF CERTAIN LANDFILL PERMITS. (a) Provides that this section applies only to a facility that is located in a county with a population of more than 2.1 million and the extraterritorial jurisdiction of the county's principal municipality with a population of more than 900,000.

(b) Requires the Texas Commission on Environmental Quality (TCEQ) to cancel a permit issued for a municipal solid waste landfill facility if the facility has not accepted waste for a period of 25 consecutive years and, if the permit was issued to the owner of the facility, the person to whom the permit was issued no longer owns the facility.

(c) Prohibits TCEQ, if it cancels a permit under this section, from approving a subsequent permit application for a municipal solid waste landfill facility that was the subject of the cancelled permit.

SECTION 2. Effective date: September 1, 2025.