

## **BILL ANALYSIS**

H.B. 912  
By: Isaac  
Environmental Regulation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerned parties report that it has become increasingly expensive and time-consuming for many communities to navigate the Texas Commission on Environmental Quality (TCEQ) permitting process for wastewater discharge permits. Delays in the permitting process could hinder the state's ability to effectively and responsibly manage population growth as more people move to Texas. Many believe that the time and expense of the permitting process drive up the cost of providing wastewater treatment and, therefore, the utility rates paid by Texas citizens.

Parties that may be negatively impacted or affected by a proposed wastewater discharge permit are rightfully permitted by law to protest such a permit and have their concerns brought to the attention of TCEQ. However, in some cases municipalities have used the law to protest another municipality's wastewater discharge permit, which puts TCEQ in a difficult position by pitting one division of government against another. Clear guidelines for the dismissal of protests filed by a municipality are needed to speed the permitting process and save TCEQ, municipalities, and taxpayers time, money, and effort. H.B. 912 seeks to provide this clarity.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 912 amends the Water Code to require the Texas Commission on Environmental Quality (TCEQ) to dismiss a protest if the protest is filed by a municipality that is subject to less stringent wastewater treatment requirements than the requirements established by an applicable wastewater discharge permit. The bill defines "protest" as a request that TCEQ hold a contested case hearing on an application for a wastewater discharge permit, a request that TCEQ reconsider the decision of the executive director of TCEQ to issue a wastewater discharge permit, a motion requesting that TCEQ overturn the executive director's issuance of a wastewater discharge permit, or a motion requesting that TCEQ review its decision denying a request for a contested case hearing on an application for a wastewater discharge permit or approving an application for a wastewater discharge permit after a contested case hearing has been conducted.

### **EFFECTIVE DATE**

September 1, 2015.