

BILL ANALYSIS

Senate Research Center
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S.B. 689
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Natural Resources
2/16/2001
As Filed

DIGEST AND PURPOSE

Under current law, the state and federal definitions of a hazardous waste are not equivalent. This difference compromises the state's ability to operate the federal regulatory program delegated to the state, imposes potentially inconsistent state and federal requirements on regulated entities, and results in gaps in enforcement authority. As proposed, S.B. 689 incorporates into the state statute the federal criteria for defining a hazardous waste and establishes the authority of the Texas Natural Resource Conservation Commission to define hazardous waste by rule, consistent with, but not more stringent than any federal definition.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Natural Resource Conservation Commission in SECTION 1 (Section 361.003, Health and Safety Code) and to the Railroad Commission of Texas in SECTION 2 (Section 91.601, Natural Resources Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subdivision (12), Section 361.003, Health and Safety Code, to redefine "hazardous waste," referring to rulemaking authority already awarded to the Texas Natural Resource Conservation Commission.

SECTION 2. Amends Subdivision (1), Section 91.601, Natural Resources Code, to redefine "oil and gas hazardous waste," referring to rulemaking authority already awarded to the Railroad Commission of Texas.

SECTION 3. Effective date: upon passage or September 1, 2001.