

BILL ANALYSIS

Senate Research Center
80R5785 JJT-D

S.B. 1621
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Natural Resources
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statute requires that the Texas Commission on Environmental Quality (TCEQ) establish rules governing the permitting of recycling facilities that assure that adequate financial resources are available for the satisfactory operation and closure of those facilities. However, there are no financial assurances related to facilities being required to have sufficient resources to deal with certain disasters or threats to the facilities.

As proposed, S.B. 1621 requires that TCEQ adopt rules to ensure that the owner or operator of a recycling facility has in place sufficient financial assurance to cover the potential cost necessary to fight and extinguish a fire at the facility.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Commission on Environmental Quality is modified in SECTION 1 (Section 361.119, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Natural Resource Conservation Commission (TNRCC), the following amendments affect the Texas Commission on Environmental Quality (TCEQ), as the successor agency to TNRCC.]

SECTION 1. Amends Section 361.119, Health and Safety Code, by amending Subsection (f) and adding Subsection (g), as follows:

(f) Requires TCEQ to adopt rules to ensure that the owner or operator of a recycling facility, including a composting or mulching facility, has in place sufficient financial assurance to cover the potential costs necessary to fight and extinguish a fire at the facility, as determined by TCEQ in addition to other financial assurances.

(g) Makes conforming changes.

SECTION 2. Effective date: September 1, 2007.