

## **BILL ANALYSIS**

Senate Research Center  
81R2019 JAM-D

S.B. 275  
By: Nichols  
Natural Resources  
3/22/2009  
As Filed

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

The Texas Commission on Environmental Quality (TCEQ) has authority over the Underground Injection Control Program, which oversees the disposal of certain wastewater into the ground via deep injection wells. TCEQ has rules governing the wells, but not for the surface facilities that receive and store the waste prior to injection.

As proposed, S.B. 275 requires TCEQ to adopt rules governing all aspects of the management and operation of a new commercial underground injection control well, including the regulation of surface facilities associated with the well, that proposes to accept industrial or municipal waste for which a permit has not been issued.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Requires the Texas Commission on Environmental Quality (TCEQ), as soon as practicable after the effective date of this Act, to adopt rules governing all aspects of the management and operation of a new commercial underground injection control well, including the regulation of surface facilities associated with the well, that proposes to accept industrial or municipal waste for which a permit has not been issued on or before the effective date of this Act.

SECTION 2. (a) Requires TCEQ to suspend the permitting process for any pending application for a permit for a new commercial underground injection control well that proposes to accept industrial or municipal waste until the rules adopted under Section 1 of this Act take effect.

(b) Requires TCEQ to provide that the rules adopted under Section 1 of this Act apply to every application for a permit for a new commercial underground injection control well that proposes to accept industrial or municipal waste that is filed on or after the effective date of this Act and every application for a permit for a new commercial underground injection control well that proposes to accept industrial or municipal waste that is pending on the effective date of this Act.

(c) Authorizes TCEQ to allow an applicant who filed such an application that is pending on the effective date of this Act to amend the application to conform to the rules adopted under Section 1 of this Act.

SECTION 3. Effective date: upon passage or September 1, 2009.