

BILL ANALYSIS

Senate Research Center
76R10347 MXM-F

H.B. 1074
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Natural Resources
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Engrossed

DIGEST

Currently, water and wastewater permit holders must inform the Texas Natural Resource Conservation Commission (TNRCC) of a spill or accidental discharge, within 24 hours. No requirement exists for the permit holders to notify potentially affected citizens. H.B. 1074 would require the notice given to TNRCC to include certain information that must also be given to local media and local government officials.

PURPOSE

As proposed, H.B. 1074 requires public notification of certain accidental discharges or spills into water.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Natural Resource Conservation Commission in SECTION 1 (Section 26.039(f), Water Code), of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 26.039, Water Code, by amending Subsection (b) and adding Subsections (e) and (f), to require certain notices to the Texas Natural Resource Conservation Commission (TNRCC) to include the location, volume, and content of the discharge of a spill. Requires certain individuals to notify appropriate local government officials and local media, in the event that certain discharges and spills have occurred. Requires TNRCC to specify, by rule, the conditions under which an individual must comply with Subsection (e) and prescribe procedures for giving the required notice. Requires the rules to state the content of the notice and the manner of giving notice. Requires TNRCC to consider certain factors in determining the rules.

SECTION 2. (a) Effective date: September 1, 1999.

(b) Requires TNRCC to adopt the rules by December 1, 1999.

(c) Makes application of this Act prospective to January 1, 2000.

SECTION 3. Emergency clause.