

BILL ANALYSIS

Senate Research Center

S.B. 1588
By: Haywood
Natural Resources
4-2-97
As Filed

DIGEST

Currently, the Waste Reduction Policy Act of 1991 does not apply to any energy production facility regulated by the Railroad Commission of Texas. The U.S. Environmental Protection Agency has proposed adding electric utilities to the list of facilities subject to Section 313, Title III, Superfund Amendments and Reauthorization Act of 1986. If that occurs, state law would require these facilities to prepare a source reduction and waste minimization plan whether they are generating any hazardous waste or not. These plans would be in addition to the federal planning requirements under Pollution Prevention Act of 1990. This bill would change certain reporting requirements to prevent the requirements from being duplicative or redundant of existing federal requirements.

PURPOSE

As proposed, S.B. 1588 sets forth provision relating to source reduction and waste minimization plans for electrical energy production and transmission.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 361.504, Health and Safety Code, to provide that except as provided by Subsection (b), this subchapter applies to the following persons: facilities, rather than persons, subject to Section 313, Title III, Superfund Amendments and Reauthorization Act of 1986 (U.S.C. Section 11023), excluding Standard Industrial Classification Code 49, whose releases exceed the levels established under Section 361.503(b).

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.