

BILL ANALYSIS

Senate Research Center
76R4683 MI-F

H.B. 1283
By: Counts (Brown)
Natural Resources
4/12/1999
Engrossed

DIGEST

Currently, the holder of a general permit for wastewater discharge cannot discharge more than 500,000 gallons of water into surface water in any 24-hour period. H.B. 1283 removes this cap and allows the holder of a general permit to discharge over 500,000 gallons of wastewater in a 24-hour period. H.B. 1283 would also provide the Texas Natural Resource Conservation Commission discretion regarding the notice of intent requirement.

PURPOSE

As proposed, H.B. 1283 amends the regulation of general permits for the discharge of wastewater.

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 26.040, Water Code, by amending Subsections (a), (b), and (e), adding a new Subsection (f), relettering existing Subsections (f)-(k), and amending existing Subsection (g), relettered as Subsection (h), to authorize the Texas Natural Resource Conservation Commission (commission) to issue a general permit to authorize the discharge of waste into or adjacent to water in the state by category of dischargers in a particular geographical area of the state or in the entire state if the dischargers in the category discharge storm water or take certain other actions. Requires the commission to designate one or more newspapers of statewide or regional circulation and to publish notice of the proposed statewide general permit in each designated newspaper in addition to the Texas Register, for a statewide general permit. Authorizes a general permit to provide that a discharger who is not covered by an individual permit may obtain authorization to discharge waste under a general permit by submitting to the commission written notice intent to be covered by the general permit. Authorizes a general permit to authorize a discharger to begin discharging under the general permit immediately on filing a complete and accurate notice of intent, or it may specify a date or period of time, rather than on the 31st day, after the commission receives the discharger's notice of intent on which the discharger may begin discharging unless the executive director before that time notifies the discharger that it is not eligible for the authorization under the general permit. Authorizes a general permit to authorize a discharger to discharge without submitting a notice of intent if the commission finds that a notice of intent requirement would be inappropriate. Provides that the general permit remains in effect until the date on which the commission takes final action on the proposed renewal, if before a general permit expires the commission proposes to renew that general permit. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.