

BILL ANALYSIS

Senate Research Center

S.B. 1378
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Natural Resources
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As Filed

DIGEST AND PURPOSE

Under current law, the Texas Commission on Environmental Quality has jurisdiction over discharge into underground injection wells in the state. S.B. 1378 establishes provisions that streamline permitting procedures for the disposal of brine from desalination operations under a Class I injection well.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 (Section 27.021, Water Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 27, Water Code, by adding Section 27.021, as follows:

Sec. 27.021. PERMIT FOR DISPOSAL OF BRINE FROM DESALINATION OPERATIONS IN CLASS I WELLS. (a) Authorizes the Texas Commission on Environmental Quality (TCEQ) to issue a permit to dispose of brine produced by a desalination operation in a Class I injection well if the applicant for the permit meets all the requirements for the issuance of a permit to dispose of hazardous waste in a Class I injection well.

(b) Requires TCEQ by rule to provide for public notice and comment on an application for a permit authorized by this section. Provides that an application for a permit authorized by this section is not subject to the hearing requirements of Chapter 2001 (Administrative Procedure), Government Code, notwithstanding Section 27.018 of this code.

SECTION 2. Effective date: September 1, 2003.