

BILL ANALYSIS

Senate Research Center
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S.B. 93
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Natural Resources
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, Texas law requires that certain information be included on a liquid-waste manifest. However, there is not a standard statewide form for a liquid-waste manifest. As a result of the lack of uniform liquid-waste manifest, confusion has been created among liquid hauling companies' forms which leads to inaccurate or missing information in a manifest. The inaccuracy in transporters' annual reports to the Texas Commission on Environmental Quality (TCEQ) regarding the amount of waste that has been transported results in less income for the state, as the fees transporters are required to pay are based on the accuracy of the reports. Further, the lack of a uniform manifest system facilitates illegal dumping throughout the state's deserts, rivers, and property. Inaccurate or missing data on current manifests cannot accurately account for all liquid waste and whether or not it is properly disposed, processed, or stored in an authorized facility or site.

As proposed, S.B. 93 creates a pre-numbered statewide uniform manifest system to accompany liquid-waste shipments from cradle-to-grave. S.B. 93 requires a person who generates, collects, conveys, transports, processes, stores, or disposes of certain liquid wastes to keep records and to use a uniform manifest system as prescribed by TCEQ to ensure that the waste is properly tracked and transported to an appropriate processing, storage, or disposal facility or site.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 (Section 361.034, Health and Safety Code).

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 361, Health and Safety Code, by adding Section 361.034, as follows:

Sec. 361.034. RECORDS AND MANIFESTS REQUIRED FOR CERTAIN LIQUID WASTES. (a) Requires the Texas Commission on Environmental Quality (commission), by rule, to require a person who generates, collects, conveys, transports, processes, stores, or disposes of sewage sludge, water treatment sludge, grit trap waste, or grease trap waste to keep records and use a uniform manifest as prescribed by commission rule to ensure that the waste is transported to an appropriate processing, storage, or disposal facility or site permitted or authorize for that purpose.

(b) Provides that the rules must require the person who generates, transports and disposes of the waste to retain, for not less than three years, a copy of a transportation manifest that records the generator, transporter, and disposal site and method.

(c) Provides that the rules must require that aggregate amounts of waste recorded on the manifests required under this section match the amounts of waste reported to the commission annually. Authorizes the commission to require copies of manifests to be submitted with reports to the commission or at other times.

SECTION 2. Requires the Texas Commission on Environmental Quality to adopt rules under Section 361.034, Health and Safety Code, as added by this Act, as soon as practicable so that the rules take effect not later than March 1, 2006.

SECTION 3. Effective date: upon passage or September 1, 2005.