

By: Bohac

H.B. No. 1391

A BILL TO BE ENTITLED

AN ACT

relating to inspections of solid waste facilities conducted by the Texas Commission on Environmental Quality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 361.032, Health and Safety Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) The commission shall inspect a solid waste facility used or proposed to be used to store, process, or dispose of solid waste:

(1) at least once every two years;

(2) for a facility that commits multiple violations of the same statute or rule in a five-year period, at least quarterly for three years beginning on the date of the last violation; and

(3) for a facility that is the subject of three or more complaints in a 30-day period, at least quarterly for 18 months beginning on the date of the last complaint. [~~The commission may inspect and approve solid waste facilities used or proposed to be used to store, process, or dispose of solid waste.~~]

(a-1) The commission may not give notice to the owner or operator of a facility of an inspection to be performed under Subsection (a).

(a-2) The commission shall perform an inspection made in response to a complaint at the same general time of day as the alleged violation is reported to have occurred.

1 SECTION 2. This Act takes effect September 1, 2019.