

AN ACT

relating to permits for the commercial composting of certain solid wastes.

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

SECTION 1. Section 361.428, Health and Safety Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) A person may not commercially compost grease trap waste, as defined by the commission, unless the person has first obtained a permit for composting grease trap waste issued by the commission under this section on or after September 1, 2003.

(e) The permit to compost grease trap waste must meet the minimum standards of a permit issued under rules adopted under Subsection (b).

SECTION 2. (a) The Texas Commission on Environmental Quality shall:

(1) not later than November 1, 2003:

(A) adopt any rules necessary for the implementation of this Act; and

(B) notify any person known by the commission to be engaged in the business of composting grease trap waste to submit an application for a permit under Section 361.428(d), Health and Safety Code, as added by this Act; and

(2) not later than January 1, 2004, begin issuing permits for the commercial composting of grease trap waste under

1 Sections 361.428(d) and (e), Health and Safety Code, as added by  
2 this Act.

3 (b) This Act does not prohibit a person who is engaged in the  
4 business of composting grease trap waste on the effective date of  
5 this Act from continuing to engage in that business if the person:

6 (1) submits an application for a permit under Section  
7 361.428(d), Health and Safety Code, as added by this Act, not later  
8 than the 30th day after receiving notice from the Texas Commission  
9 on Environmental Quality under Subsection (a)(1)(B) of this  
10 section; and

11 (2) receives the permit from the commission on or  
12 before June 1, 2004.

13 SECTION 3. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2003.

David Dewhurst

President of the Senate

Jim Collins

Speaker of the House

I certify that H.B. No. 1791 was passed by the House on May 2, 2003, by the following vote: Yeas 126, Nays 0, 2 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 1791 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Patricia Shaw

Secretary of the Senate

APPROVED:

20 JUN '03

Date

Rick Peary

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:30 PM O'CLOCK

JUN 20 2003  
Heather Shea  
Secretary of State