

CHAPTER 398

H.B. No. 1327

AN ACT

relating to amount and disposition of waste treatment inspection fees.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 26.0291(b), Water Code, as amended by Chapter 795, Acts of the 69th Legislature, Regular Session, 1985, is amended to read as follows:

(b) The commission, by rule, shall adopt a fee schedule for determining the amount of the fee to be charged. *The amount of the fee may not exceed \$11,000 for each waste discharge permit held by a permittee. In determining the amount of a fee under this section, the commission may consider permitting factors such as flow volume, toxic pollutant potential, level of traditional pollutants, and heat load. The commission also may consider the designated uses and segment ranking classification of the water affected by discharges from the permitted facility.* ~~[The amounts of the fees in such schedule shall be proportional to the average volume of discharge specified in the permit, beginning at \$100 for a zero discharge or small discharge, and a maximum of \$2,000 for the largest average volume of discharge in the state. The annual fee to be charged each permittee shall be that set by the fee schedule adopted by the commission.]~~

SECTION 2. Section 26.0291(b), Water Code, as amended by Chapter 239, Acts of the 69th Legislature, Regular Session, 1985, is repealed.

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SECTION 3. This Act takes effect September 1, 1987.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 14, 1987, by a non-record vote. Passed by the Senate on May 21, 1987, by a viva-voce vote.

Approved June 17, 1987.

Effective Sept. 1, 1987.