

CHAPTER 299

H.B. No. 814

AN ACT

relating to a permit application to locate a hazardous waste disposal site.

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

SECTION 1. Section 4(e)(4)(B), Solid Waste Disposal Act (Article 4477-7, Vernon's Texas Civil Statutes), is amended to read as follows:

1668

(B) The state agency by rule shall establish procedures for public notice and any public hearing authorized under this paragraph. To improve the timeliness of notice to the public pertaining to any public hearing authorized under this paragraph, public notice of receipt of the permit application shall be provided at the time a permit application is ruled administratively complete by the department or the *commission* [~~department of water resources~~]. *An applicant shall submit any portion of an application that the department or the commission determines is necessary to make the application administratively complete within 270 days of receiving notice from the department or the commission that the additional information or material is needed. Unless there are extenuating circumstances, if an applicant does not submit an administratively complete application as required by this paragraph, the application shall be considered withdrawn.* A hearing on a permit involving a solid waste facility for hazardous industrial solid waste must include one session held in the county in which the solid waste facility is located. Hearings under this paragraph shall be conducted in accordance with the hearing rules adopted by the state agency and the applicable provisions of the Administrative Procedure and Texas Register Act, as amended (Article 6252-13a, Vernon's Texas Civil Statutes).

SECTION 2. This Act takes effect November 1, 1987.

SECTION 3. 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 May 20, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 814 on May 30, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 28, 1987, by a viva-voce vote.

Approved June 11, 1987.

Effective Nov. 1, 1987.