

Effective Date: November 4, 2004

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

Rule Project No. 2004-002-037-AD
House Bill 1823: Financial Assurance for Recycling Facilities

Chapter 37
Financial Assurance
Subchapter J

Chapter 328
Waste Minimization and Recycling
Subchapter A

Chapter 330
Municipal Solid Waste
Subchapters A and K

Chapter 332
Composting
Subchapters C and D

Chapter 335
Industrial Solid Waste and Municipal Hazardous Waste
Subchapter A

1. Purpose. This change transmittal provides the page(s) that reflect changes and additions to the Texas Commission on Environmental Quality (commission) Volume of Permanent Rules.
2. Explanation of Change. On October 13, 2004, the commission adopted amendments to §§37.901, 37.911, 37.921, and 37.931. Sections 37.911 and 37.921 were adopted *with changes* to the proposed text as published in the April 23, 2004 issue of the *Texas Register* (29 TexReg 3909). Sections 37.901 and 37.931 were adopted *without changes* and were not republished.

The commission also adopted amendments to §328.4 and §328.5. Section 328.5 was adopted *with change* to the proposed text as published in the April 23, 2004 issue of the *Texas Register* (29 TexReg 3923). Section 328.4 was adopted *without change* and was not republished.

The commission also adopted amendments to §330.3 and §330.280. The commission also adopted the repeal of §330.282 and simultaneously adopted new §330.282. Section 330.282 was adopted *with change* to the proposed text as published in the April 23, 2004 issue of the *Texas Register* (29 TexReg 3926). Section 330.3 and 330.280 were adopted *without changes* and were not republished.

The commission also adopted amendments to §332.34 and §332.47. Sections 332.34 and 332.47 were adopted *without changes* to the proposed text as published in the April 23, 2004 issue of the *Texas Register* (29 TexReg 3930), and were not republished.

The commission also adopted an amendment to §335.24. Section 335.24 was adopted *with change* to the proposed text as published in the April 23, 2004 issue of the *Texas Register* (29 TexReg 3935).

3. Effect of Change.

These rules would require the owner or operator of a recycling facility that stores combustible material outdoors or that poses a significant risk to public health and safety to have sufficient financial assurance to properly operate and close a facility.