

Effective: June 26, 2008

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

Rule Project No. 2007-035-337-PR
House Bill 3220: Dry Cleaner Regulation and Remediation

Chapter 337
Dry Cleaner Environmental Response

Subchapters A, B, D, F, G

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 June 4, 2008, the commission adopted the amendments to §§337.3, 337.4, 337.11, 337.13, 337.14, 337.31, 337.32, and 337.51. The commission also adopted new §§337.16 - 337.18, 337.52, 337.53, and 337.64.

Sections 337.3, 337.4, 337.14, 337.16, 337.18, 337.31, 337.32, 337.51, 337.53, and 337.64 were adopted *without changes* to the proposed text as published in the February 15, 2008 issue of the *Texas Register* (33 TexReg 1260) and were not republished. Sections 337.11, 337.13, 337.17, and 337.52 were adopted *with changes* to the proposed text and were republished.

3. Effects of Change. The adopted rules implement House Bill (HB) 3220, 80th Legislature, 2007, Regular Session, authored by Representative Gary Elkins. HB 3220 amends Texas Health and Safety Code (THSC), Chapter 374, relating to Dry Cleaner Environmental Response. The adopted rules implement the following provisions of HB 3220: 1) the establishment of new registration requirements for owners and preceding owners of real property on which a dry cleaning facility or drop station is or was located who wish to obtain eligibility for Dry Cleaning Facility Release Fund benefits; 2) the provision for an owner of a non-participating drop station to move the business to another location and retain the drop station's non-participating status; and 3) the prohibition against the use of perchloroethylene at sites addressed by corrective action under the Dry Cleaning Facility Release Fund. In addition, certain rule amendments are being adopted to facilitate more efficient administration and enforcement of THSC, Chapter 374.