

**FORTY-SIXTH LEGISLATURE
FIRST SESSION, 2003**

February 21, 2003

Mr. Speaker:

Your ENERGY AND NATURAL RESOURCES COMMITTEE, to whom has been referred

HOUSE BILL 654

has had it under consideration and reports same WITHOUT RECOMMENDATION amended as follows:

1. On pages 3 and 4, strike Subsection F in its entirety and insert in lieu thereof the following new subsection:

"F. Within thirty days of submission of an application for a permit for the discharge of a water contaminant or for the disposal or re-use of septage or sludge, the applicant shall provide notice to the general public in a form prescribed by the department and by the following methods:

(1) certified mail to an owner of record as indicated by the most recent property tax schedule of a property located:

(a) within one hundred feet of the source or proposed source of discharge or re-use if the source or proposed source is or will be located in a class A or H class county or in a municipality with a population of more than two hundred thousand five hundred persons; or

(b) within one-half mile of the source of discharge or proposed source of discharge or re-use if the source is not located or is not proposed to be located in a class A or H class county or in a municipality with a population of more than two hundred thousand five hundred persons;

(2) certified mail to a municipality and a county where the source or proposed source of discharge or re-use is or will be located;

(3) certified mail to a municipality, county and Indian tribe, chapter or pueblo that has a boundary located within ten miles of the source or proposed source of discharge or re-use;

FORTY-SIXTH LEGISLATURE
FIRST SESSION, 2003

Page 2

(4) publication in English and, as appropriate, in Spanish in a classified or legal advertisements section of a newspaper of general circulation in the county where the source or proposed source of discharge or re-use is or will be located and in a different section of the same newspaper calculated to give effective public notice; and

(5) posting at a minimum of four publicly accessible and conspicuous places, including the entrance to the property on which the source or proposed source of discharge or re-use is located.".,

and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

James Roger Madalena, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 11 For 0 Against
Yes: 11
Excused: None
Absent: None