

AN ACT

relating to the treatment and recycling for beneficial use of drill cuttings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 123.001, Natural Resources Code, is amended by adding Subdivision (4) to read as follows:

(4) "Treatment" means a manufacturing, mechanical, thermal, or chemical process other than sizing, shaping, diluting, or sorting.

SECTION 2. Chapter 123, Natural Resources Code, is amended by adding Section 123.0015 to read as follows:

Sec. 123.0015. BENEFICIAL USE. (a) For the purposes of this chapter, a use of drill cuttings is considered to be beneficial if the cuttings are used:

(1) in the construction of oil and gas lease pads or oil and gas lease roads; or

(2) as part of a legitimate commercial product.

(b) The commission by rule shall define "legitimate commercial product" for the purposes of this chapter.

(c) The commission by rule shall adopt criteria for beneficial uses to ensure that a beneficial use of recycled drill cuttings under this chapter is at least as protective of public health, public safety, and the environment as the use of an equivalent product made without recycled drill cuttings.

1 SECTION 3. Section 123.005, Natural Resources Code, is
2 amended to read as follows:

3 Sec. 123.005. COMMISSION RULES, PERMITS, AND ORDERS FOR
4 TREATMENT AND BENEFICIAL USE. (a) The commission shall adopt rules
5 to govern the treatment and beneficial use of drill cuttings.

6 (b) A rule adopted by the commission under this chapter or a
7 permit or order issued by the commission regarding the treatment
8 and beneficial use of drill cuttings must be at least as protective
9 of public health, public safety, and the environment as a rule,
10 permit, or order, respectively, adopted or issued by the commission
11 regarding the disposal of drill cuttings.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1541 passed the Senate on April 19, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 16, 2017, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1541 passed the House, with amendment, on May 9, 2017, by the following vote: Yeas 145, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor