

AN ACT

relating to the regulation of the recycling of fluid oil and gas waste.

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

SECTION 1. Section 122.004, Natural Resources Code, is amended to read as follows:

Sec. 122.004. COMMISSION RULES FOR TREATMENT AND BENEFICIAL USE. (a) The commission shall adopt rules to govern the treatment and beneficial use of oil and gas waste.

(b) Rules adopted under this section must:

(1) encourage fluid oil and gas waste recycling for beneficial purposes; and

(2) establish standards for the issuance of permits for commercial recycling of fluid oil and gas waste.

(c) In adopting rules under this section, the commission shall consider previously adopted rules for recycling fluid oil and gas waste.

(d) Rules adopted under this section for commercial recycling of fluid oil and gas waste must establish:

(1) minimum siting standards for fluid recycling pits;

(2) uniform technical, construction, and placement standards;

(3) uniform standards for estimating closure costs;

(4) minimum and maximum bonding and financial security

1 amounts based on factors determined by the commission; and
2 (5) standards for sampling and analysis of fluid oil
3 and gas waste.

4 (e) The commission shall approve or deny an application for
5 a permit issued under rules adopted under this section not later
6 than the 90th day after the date the complete application was
7 received by the commission, unless a protest is filed with the
8 commission, in which case the commission may extend the amount of
9 time to approve or deny the application in order to allow for
10 notice, public comment, and a public hearing on the application. If
11 the commission does not approve or deny the application before that
12 date, the permit application is considered approved and the
13 applicant may operate under the terms specified in the application
14 for a period of one year.

15 (f) An application requesting a variance from the standards
16 adopted under this section must be evaluated and determined to be
17 substantially similar to previous variances approved by the
18 commission.

19 SECTION 2. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 3516 was passed by the House on April 27, 2021, by the following vote: Yeas 144, Nays 2, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3516 was passed by the Senate on May 21, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor