

## **BILL ANALYSIS**

C.S.H.B. 2455  
By: Talton  
Environmental Regulation  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, state law treats any quantity of used oil present in water discharge as a violation. The standard used by enforcement agencies is a visible sheen on the surface of discharge. Below a certain level discharges of used oil do not represent great potential for water quality problems.

C.S.H.B. 2455 provides an exception to the prohibition of discharging used oil into water in the state if the concentration of used oil resulting from the discharge as it enters the water in the state is less than fifteen parts per million following the discharge. The bill establishes a minimum measurable level of discharge that can be considered a violation.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2455 amends the Water Code to provide that a person does not commit an offense of discharging a waste or pollutant into water if the waste or pollutant consists of used oil and the concentration of used oil in the waste stream as it enters the water is less than 15 parts per million following the discharge and the person is authorized to discharge storm water under a general permit issued under the Water Code.

The bill provides that a person does not commit an offense of discharging used oil into a drainage system, surface water, ground water, watercourse, or marine water if the concentration of used oil in the waste stream as it enters the water is less than 15 parts per million following the discharge and the person is authorized to discharge storm water under a general permit issued under the Water Code.

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute requires that the person discharging used oil or waste be authorized to discharge storm water under a general permit issued under the Water Code in order to qualify for the exception from the offense. The substitute provides that the exception to an offense for discharging used oil does not apply to discharge of oil into a sewer or septic tank.