

By: Keffer

H.B. No. 3315

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of reuse and recycling of produced water from oil and gas activities.

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

SECTION 1. Title 2, Water Code is amended by adding Chapter 39, entitled "Use of Produced Water from Oil and Gas Activities", to read as follows:

Sec. 39.001. DEFINITIONS. In this chapter:

(1) "Produced water" means water produced in connection with activities associated with the exploration, development, and production of oil or gas or geothermal resources. "Produced water" is also referred to as "brine," "saltwater," "hydraulic fracturing flowback fluid" or "formation fluid."

(2) "Produced water reuse" means to process and use either treated or untreated produced water in connection with activities associated with the exploration, development and production of oil or gas or geothermal resources. For purposes of this chapter, injection of produced water or other oil and gas waste into an oil and gas reservoir for purposes of enhanced recovery does not qualify as reuse.

(3) "Produced water recycling" means to process and use treated or untreated produced water as a product.

(3) "Treated produced water" means produced water that has been treated using water treatment technologies to remove

1 impurities.

2 Sec. 39.002. POLICY AND PURPOSE. It is the policy of this
3 state that water produced in the exploration, development and
4 production of oil or gas or geothermal resources is a potential
5 water source to address future water needs of Texas. The purpose of
6 the chapter is to encourage reuse and recycling of water produced in
7 connection with the exploration, development, and production of oil
8 or gas or geothermal resources

9 Sec. 39.003. PRODUCED WATER. Notwithstanding Section
10 26.131, produced water only becomes a waste if it is abandoned or
11 disposed of rather than reused or recycled.

12 Sec. 39.004. PRODUCED WATER REUSE. Notwithstanding Section
13 26.131, produced water may be transported between leases for
14 treatment or reuse.

15 Sec. 39.005. PRODUCED WATER RECYCLING. Treated produced
16 water may be used for any use to the extent it complies with
17 applicable state public health and water quality standards for the
18 intended use.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2013.