

BILL ANALYSIS

C.S.H.B. 2598
By: Kuempel
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties explain that certain states have reclassified steel slag as a solid waste and that this has resulted in the prohibited use of steel slag in various applications. The parties note that steel slag is used in road construction and in oil and gas operating pads, and they point to its uses as a replacement for agricultural lime and in a variety of feedlot and hog confinement applications. The parties assert that the reclassification as a solid waste is inaccurate and has restricted steel slag's marketability. C.S.H.B. 2598 seeks to keep steel slag from being defined as a solid waste in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 2598 amends the Health and Safety Code to prohibit the Texas Commission on Environmental Quality from considering steel slag as solid waste if the steel slag is an intended output or result of the use of an electric arc furnace to make steel, introduced into the stream of commerce, and managed as an item of commercial value, including through a controlled use in a manner constituting disposal, and not as discarded material.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2598 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Subchapter B, Chapter 361, Health and Safety Code, is amended by adding Section 361.040 to read as follows:	SECTION 1. Subchapter B, Chapter 361, Health and Safety Code, is amended by adding Section 361.040 to read as follows:

Sec. 361.040. TREATMENT OF STEEL SLAG AS SOLID WASTE. The commission may not consider steel slag as solid waste if the steel slag is:

(1) an intended output or result of the use of an electric arc furnace to make steel;

(2) sold and distributed in the stream of commerce for consumption, use, or further processing into another desired commodity; and

(3) managed as an item of commercial value in a controlled manner and not as discarded material or in a manner constituting disposal.

SECTION 2. This Act takes effect September 1, 2015.

Sec. 361.040. TREATMENT OF STEEL SLAG AS SOLID WASTE. The commission may not consider steel slag as solid waste if the steel slag is:

(1) an intended output or result of the use of an electric arc furnace to make steel;

(2) introduced into the stream of commerce; and

(3) managed as an item of commercial value, including through a controlled use in a manner constituting disposal, and not as discarded material.

SECTION 2. Same as introduced version.