

By: Lambert, King of Parker

H.B. No. 2488

Substitute the following for H.B. No. 2488:

By: Darby

C.S.H.B. No. 2488

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the treatment and recycling for beneficial use of drill  
3 cuttings.

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

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

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

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

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

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

17 (2) as part of a legitimate commercial product.

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

20 (c) The commission by rule shall adopt criteria for  
21 beneficial uses to ensure that a beneficial use of recycled drill  
22 cuttings under this chapter is at least as protective of public  
23 health, public safety, and the environment as the use of an  
24 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.