

## **BILL ANALYSIS**

Senate Research Center  
79R4984 JTS-D

S.B. 758  
By: Armbrister  
Natural Resources  
3/30/2005  
As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Commingling used oil with solid waste is prohibited except for that which is unavoidable and incidental to the mechanical shredding of motor vehicles, appliances, and other items of scrap. Dismantling of motor vehicles before shredding them is an integral part of the preparation of the vehicle for shredding; however, there exists no exception to the prohibition on commingling for this step. The steps involved in the process of recycling motor vehicles, appliances, and other items of scrap are treated differently with respect to the prohibition against commingling used oil with solid waste.

As proposed, S.B. 758 provides an exception to the prohibition against commingling used oil with solid waste if it is incidental to the dismantling of motor vehicles, appliances, and other items of scrap, in addition to the exception for mechanical shredding that already exists.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 7.176(a) and (c), Water Code, to provide that a person commits an offense if that person knowingly commingles used oil with solid waste to be disposed of in landfills, unless the mixing or commingling is incidental to and the unavoidable result of dismantling or mechanical shredding, rather than mechanical shredding, of motor vehicles or certain other items. Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.