

By: Reynolds

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to the analysis of inspection and maintenance requirements for air quality permits issued by the Texas Commission on Environmental Quality for certain oil and gas facilities.

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

SECTION 1. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.051965 to read as follows:

Sec. 382.051965. ANALYSIS OF INSPECTION AND MAINTENANCE REQUIREMENTS FOR OIL AND GAS FACILITIES. (a) This section applies only to a rule or requirement:

(1) relating to a permit by rule or a standard permit for a facility described by Section 382.051961(a); and

(2) that:

(A) is a rule or requirement of the commission in effect on September 1, 2021; or

(B) is a proposed or approved federal rule or requirement that may be implemented before March 31, 2022.

(b) The commission shall examine rules and requirements described by Subsection (a) governing:

(1) inspection and maintenance programs, including programs that use optical gas imaging, for the detection and repair of leaks from all valves, pump seals, flanges, compressor seals, pressure relief valves, open-ended lines, tanks, and other process and operation components of the facility that could result in

1 fugitive emissions;

2 (2) the use of venting and flaring;

3 (3) emissions of volatile organic compounds from
4 storage tanks that have the potential to emit more than one ton of
5 volatile organic compounds per year;

6 (4) emissions of nitrogen oxides from compressor
7 engines with more than 100 horsepower;

8 (5) maintenance requirements and best practices for
9 compressor stations; and

10 (6) emissions from and maintenance of pneumatic
11 devices and controllers between a wellhead and a natural gas
12 processing plant.

13 (c) The commission shall prepare a report that:

14 (1) addresses issues raised concerning the rules or
15 requirements described by Subsection (b); and

16 (2) suggests options for improving safety, preventing
17 air emissions from oil and gas equipment, including methane and
18 other useful products, and reducing emissions from facilities
19 described by Subsection (a)(1).

20 (d) In suggesting options for improvement for the purposes
21 of Subsection (c)(2), the commission may consider both regulatory
22 and incentive approaches, including approaches taken in other
23 leading oil and gas producing states that would lead to
24 improvements in air quality and public health.

25 (e) The commission may cooperate with the Railroad
26 Commission of Texas in developing the report and obtaining public
27 comment under Subsection (f).

1 (f) Not later than April 1, 2022, the commission shall issue
2 and make available for public comment a preliminary report. The
3 commission may hold meetings to consider public comment. After
4 considering public comment, if any, but not later than September 1,
5 2022, the commission shall post on its Internet website the final
6 report.

7 (g) Nothing in this section prevents the commission from
8 adopting rules on the issues contained in the study.

9 (h) This section expires August 31, 2023.

10 SECTION 2. This Act takes effect on the 91st day after the
11 last day of the legislative session.