

By: Allen

H.B. No. 3982

A BILL TO BE ENTITLED

AN ACT

relating to notice and safety requirements applicable to certain LP-Gas containers.

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

SECTION 1. Subchapter D, Chapter 113, Natural Resources Code, is amended by adding Section 113.085 to read as follows:

Sec. 113.085. NOTICE OF INTENT TO OBTAIN PERMIT OR PERMIT REVIEW; HEARING. (a) For a proposed installation or modification of an LP-gas container located at a bulk storage terminal, as defined by Section 26.3442, Water Code, the commission shall require the applicant to mail a notice to:

(1) all owners of real property located 150 yards or less from the location of the proposed installation or modification activities; and

(2) the state representative of the state legislative district in which the installation or modification activities are proposed to be performed.

(b) The notice must:

(1) contain information about the proposed installation or modification activities as required by the commission; and

(2) be sent by registered or certified mail, return receipt requested, or by another form of mail that provides proof of delivery.

1 (c) A person who resides in a residence located 150 yards or
2 less from the location of the proposed installation or modification
3 activities may request that the commission, in cooperation with the
4 applicant, hold a public hearing in the county in which the
5 installation or modification activities are proposed to be
6 performed to:

7 (1) inform the public about the application; and

8 (2) obtain public input regarding the application.

9 SECTION 2. Chapter 113, Natural Resources Code, is amended
10 by adding Subchapter N to read as follows:

11 SUBCHAPTER N. SAFETY STANDARDS FOR CERTAIN LP-GAS CONTAINERS

12 Sec. 113.451. APPLICABILITY. This subchapter applies only
13 to an LP-gas container located at a bulk storage terminal as defined
14 by Section 26.3442, Water Code.

15 Sec. 113.452. LEAK DETECTION AND REPAIR PROTOCOL. The
16 commission shall establish a leak detection and repair protocol to
17 protect a surrounding community from the release of substances from
18 an LP-gas container at a bulk storage terminal in the event of an
19 accident or natural disaster. The protocol must include:

20 (1) periodic monitoring of each LP-gas container to
21 identify any leaks or necessary repairs; and

22 (2) identification of a public notification system the
23 facility may use to notify persons who reside 150 yards or less from
24 the LP-gas container of an emergency.

25 Sec. 113.453. RISK MANAGEMENT PLAN. A license holder that
26 operates an LP-gas container at a bulk storage terminal shall
27 develop a risk management plan and post the risk management plan on

1 the facility's publicly available Internet website.

2 Sec. 113.454. EMERGENCY RESPONSE PLAN. A license holder
3 that operates an LP-gas container at a bulk storage terminal shall
4 develop an emergency response plan. The emergency response plan
5 must:

6 (1) identify the person to notify in the event of an
7 emergency;

8 (2) describe the types of incidents for which the fire
9 department must be notified, including leaks, fire, or damage to an
10 LP-gas container; and

11 (3) describe the method by which the community will be
12 notified of an emergency.

13 Sec. 113.455. COMMUNITY OUTREACH. A license holder that
14 operates an LP-gas container at a bulk storage terminal shall
15 provide to persons who reside 150 yards or less from the LP-gas
16 container:

17 (1) annual updates regarding the status of the
18 container; and

19 (2) information regarding safety protocols to be
20 followed in an emergency.

21 SECTION 3. This Act takes effect September 1, 2023.