

By: West

H.B. No. 1594

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requirements for emergency response plans relating to
3 pipeline safety.

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

5 SECTION 1. Section 117.012, Natural Resources Code, is
6 amended by amending Subsections (h), (i), and (k) and adding
7 Subsections (l) and (m) to read as follows:

8 (h) The commission shall require operators or their
9 designated representatives to communicate and conduct liaison
10 activities with fire, police, and other appropriate public
11 emergency response officials. The liaison activities must be
12 conducted by meetings in person except as provided by this section.
13 An operator or the operator's representative may conduct required
14 community liaison activities as provided by Subsection (i) only if
15 the operator or the operator's representative has made an effort,
16 by one of the following methods, [~~the following efforts~~] to conduct
17 a community liaison meeting in person with the officials:

18 (1) mailing a written request for a meeting in person
19 to the appropriate officials by certified mail, return receipt
20 requested;

21 (2) sending a request for a meeting in person to the
22 appropriate officials by facsimile transmission; or [~~and~~]

23 (3) making one or more telephone calls or e-mail
24 message transmissions to the appropriate officials to request a

1 meeting in person.

2 (i) If the operator or operator's representative cannot
3 arrange a meeting in person after complying with Subsection (h),
4 the operator or the operator's representative shall make an effort,
5 by one of the following methods, [~~the following efforts~~] to conduct
6 community liaison activities by means of a telephone conference
7 call with the officials:

8 (1) mailing a written request for a telephone
9 conference to the appropriate officials by certified mail, return
10 receipt requested;

11 (2) sending a request for a telephone conference to
12 the appropriate officials by facsimile transmission; or [~~and~~]

13 (3) making one or more telephone calls or e-mail
14 message transmissions to the appropriate officials to request a
15 telephone conference.

16 (k) The commission by rule shall require the owner or
17 operator of each interstate or intrastate hazardous liquid or
18 carbon dioxide pipeline facility any part of which is located
19 within 1,000 feet of a public school building containing
20 classrooms, or within 1,000 feet of another public school facility
21 where students congregate, to:

22 (1) develop an emergency response plan in consultation
23 with the fire department in whose jurisdiction the school is
24 located or another local emergency response entity;

25 (2) provide in writing the following parts of a
26 pipeline emergency response plan that are relevant to the school:

27 (A) a description and map of the pipeline

1 facilities that are within 1,000 feet of the school building or
2 facility;

3 (B) a list of any product transported in the
4 segment of the pipeline that is within 1,000 feet of the school
5 facility;

6 (C) the designated emergency number for the
7 pipeline facility operator;

8 (D) information on the state's excavation
9 one-call system; and

10 (E) information on how to recognize, report, and
11 respond to a product release [~~develop an emergency response plan in~~
12 ~~consultation with the fire department in whose jurisdiction the~~
13 ~~school is located or another local emergency response entity]; and~~

14 (3) mail a copy of the items by certified mail, return
15 receipt requested, to the superintendent of the school district in
16 which the school building or facility is located [~~(2) present the~~
17 ~~plan.~~

18 [~~(A) at the first annual budget meeting of the~~
19 ~~board of trustees of the school district in which the school is~~
20 ~~located after the plan is developed; and~~

21 [~~(B) at subsequent annual budget meetings of the~~
22 ~~board of trustees of the school district on the request of the~~
23 ~~board].~~

24 (1) A pipeline operator or the operator's representative
25 shall appear at a regularly scheduled meeting of the school board to
26 explain the items listed in Subsection (k) if requested by the
27 school board.

1 (m) The commission may not require the release of parts of
2 an emergency response plan that describe the technical details of
3 vulnerabilities of the pipeline to an act of terrorism. Security
4 sensitive information shall be made available for review by but not
5 provided to the school board.

6 SECTION 2. This Act takes effect September 1, 2003.