

BILL ANALYSIS

Senate Research Center

H.B. 4300
By: Herrero (Williams)
Natural Resources
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the operator of a natural gas pipeline or other pipeline is required to hold an annual meeting with emergency responders to provide information relating to pipeline facilities and responding to a pipeline emergency. The law requires a pipeline operator to conduct a meeting in person, which must be set up through mailing a written request, sending a facsimile transmission, or making at least one phone call. If a meeting cannot be conducted in person, an operator must try to conduct the meeting by phone using such methods to set up the meeting. If a meeting cannot be conducted in person or over the phone, the pipeline operator may then send the information to the emergency responder in order to satisfy the requirement to conduct these liaison activities.

Texas adopted the existing statute prior to major changes in federal and state regulatory policy that redefined public awareness requirements of pipeline operators. The bill amends current law to permit pipeline operators greater flexibility in conduction liaison activities. Proposed changes will bring Texas law more in line with new federal and state regulatory requirements and will allow operators to get key pipeline safety information to emergency responders in a more efficient, expedited, and less burdensome manner.

H.B. 4300 amends current law relating to safety rules for certain pipeline facilities and public awareness.

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 121.2015(c) and (d), Utilities Code, as follows:

(c) Authorizes the operator or the operator's representative, if the operator or operator's representative cannot arrange a meeting in person after complying with Subsection (b) (relating to requiring the railroad commission to require operators or their designated representatives to communicate and conduct liaison activities with certain emergency response officials), to conduct community liaison activities by one of the following methods: holding a telephone conference with the appropriate officials; or delivering the community liaison information required to be conveyed by certified mail, return receipt requested. Deletes existing text requiring the operator or the operator's representative, if the operator or operator's representative cannot arrange a meeting in person after complying with Subsection (b), to make an effort to conduct community liaison activities by means of a telephone conference call with officials by one of the following methods: mailing a written request for a telephone conference to the appropriate officials by certified mail, return receipt requested; sending a request for a telephone conference to the appropriate officials by facsimile transmission; or making one or more telephone calls or e-mail message transmissions to the appropriate officials to request a telephone conference. Deletes existing text of Subsection (d) authorizing the community liaison information required to be conveyed, if the operator or the operator's representative has made the efforts required by Subsections (b) and (c) but has not successfully arranged a meeting in person or a telephone conference, to be delivered by mailing the information by certified mail, return receipt requested.

SECTION 2. Amends Sections 117.012(i) and (j), Natural Resources Code, as follows:

(i) Authorizes the operator or the operator's representative, if the operator or operator's representative cannot arrange a meeting in person after complying with Subsection (h) (relating to requiring the railroad commission to require operators or their designated representatives to communicate and conduct liaison activities with certain emergency response officials), to conduct community liaison activities by one of the following methods: holding a telephone conference with the appropriate officials or delivering the community liaison information required to be conveyed by certified mail, return receipt requested. Deletes existing text requiring the operator or the operator's representative, if the operator or operator's representative cannot arrange a meeting in person after complying with Subsection (h), to make an effort, by one of the following methods, to conduct community liaison activities by means of a telephone conference call with officials: mailing a written request for a telephone conference to the appropriate officials by certified mail, return receipt requested; sending a request for a telephone conference to the appropriate officials by facsimile transmission; or making one or more telephone calls or e-mail message transmissions to the appropriate officials to request a telephone conference. Deletes existing text of Subsection (j) authorizing the community liaison information required to be conveyed, if the operator or the operator's representative has made the efforts required by Subsections (h) and (i) but has not successfully arranged a meeting in person or a telephone conference, to be delivered by mailing the information by certified mail, return receipt requested.

SECTION 3. Effective date: September 1, 2009.