

By: Burnam, Truitt

H.B. No. 1537

Substitute the following for H.B. No. 1537:

By: Gonzalez Toureilles

C.S.H.B. No. 1537

A BILL TO BE ENTITLED

AN ACT

relating to safety requirements applicable to gas pipelines in certain counties.

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

SECTION 1. Subchapter E, Chapter 121, Utilities Code, is amended by adding Section 121.2017 to read as follows:

Sec. 121.2017. SAFETY REQUIREMENTS FOR CERTAIN PORTIONS OF PIPELINES IN CERTAIN POPULOUS COUNTIES. (a) This section applies only to that portion of a gas pipeline that is located or proposed to be located in:

(1) a Class 3 or 4 location as defined by 49 C.F.R. Section 192.5; and

(2) a county that is located wholly or partly above a hydrocarbon-producing geological formation in which during the preceding year the railroad commission issued more than 1,500 drilling permits authorizing gas wells to be completed.

(b) A gathering pipeline may not be constructed within 30 feet of an established permanent structure that is used by human beings on a regular basis unless:

(1) the owner of the structure consents in writing to the construction of the pipeline; or

(2) the pipeline meets enhanced safety requirements in its design, construction, and operation as determined by the railroad commission.

1        (b-1) A transmission pipeline may not be constructed within  
2 50 feet of an established permanent structure that is used by human  
3 beings on a regular basis unless:

4            (1) the owner of the structure consents in writing to  
5 the construction of the pipeline; or

6            (2) the pipeline meets enhanced safety requirements in  
7 its design, construction, and operation as determined by the  
8 railroad commission.

9        (c) A gathering pipeline must use advanced leak detection  
10 measures as determined by the railroad commission.

11        (d) The pipe used in a gathering or transmission pipeline  
12 must be constructed of materials that meet the requirements of 49  
13 C.F.R. Part 192.

14        (e) A gathering or transmission pipeline must be protected  
15 from external corrosion in the manner required by 49 C.F.R. Part  
16 192.

17        (f) A pipeline integrity assessment by in-line inspection,  
18 a pressure test, or a direct assessment as defined by railroad  
19 commission rules of a gathering pipeline must be conducted every  
20 five years.

21        (g) The railroad commission shall adopt rules to implement  
22 this section.

23        (h) This section and railroad commission rules adopted to  
24 implement this section shall be enforced in the same manner as  
25 Section 121.201 and safety standards or other rules prescribed or  
26 adopted under that section.

27        SECTION 2. (a) As soon as practicable after the effective

1 date of this Act, the Railroad Commission of Texas shall adopt rules  
2 to implement Section 121.2017, Utilities Code, as added by this  
3 Act.

4 (b) Sections 121.2017(b)-(d), Utilities Code, as added by  
5 this Act, apply only to a pipeline constructed on or after the  
6 effective date of this Act.

7 (c) A pipeline subject to this Act that is in existence on  
8 the effective date of this Act is not required to be brought into  
9 compliance with Sections 121.2017(e) and (f), Utilities Code, as  
10 added by this Act, until February 4, 2012.

11 SECTION 3. This Act takes effect January 1, 2010.