

By: Burnam

H.B. No. 3591

A BILL TO BE ENTITLED

AN ACT

relating to the control of emissions from crude oil and condensate storage tanks in certain areas of this state.

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

SECTION 1. Subchapter B, Chapter 382, Health and Safety Code, is amended by adding Section 382.0203 to read as follows:

Sec. 382.0203. CONTROL OF EMISSIONS FROM CRUDE OIL AND CONDENSATE STORAGE TANKS. (a) The commission by rule shall regulate the emissions of volatile organic compounds from a storage tank or tank battery located in an area designated as a nonattainment area for a national ambient air quality standard for ozone within the meaning of Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407) that is used:

(1) to store crude oil or condensate before custody transfer; or

(2) at a pipeline breakout station.

(b) The owner or operator of a storage tank or tank battery described by Subsection (a) shall ensure that flashed gases are routed to a vapor recovery system or control device if:

(1) for a storage tank or tank battery in operation before September 1, 2010, the tank or tank battery has the potential to emit an aggregate of 10 or more tons of volatile organic compounds in any 12-month period if emissions were not controlled;

and

1           (2) for a storage tank or tank battery that begins  
2 operation on or after September 1, 2010, the tank or tank battery  
3 has the potential to emit an aggregate of five or more tons of  
4 volatile organic compounds in any 12-month period if emissions were  
5 not controlled.

6           (c) Rules adopted under Subsection (a) apply to a storage  
7 tank or tank battery under Subsection (b)(1) only on and after  
8 September 1, 2011.

9           SECTION 2. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2009.