

By: Burnam

H.B. No. 1126

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) This section applies only to a storage tank or tank battery that is:

(1) used to store crude oil or condensate:

(A) before custody transfer; or

(B) at a pipeline breakout station; and

(2) located in a county that is located wholly or partly above a hydrocarbon-producing geological formation that underlies all or part of two counties:

(A) that are adjacent to one another; and

(B) each of which has a population of more than 1.4 million.

(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, 2012, the tank or tank battery has the potential to emit an aggregate of 10 or more tons of volatile organic

1 compounds in any 12-month period if emissions were not controlled;  
2 and

3 (2) for a storage tank or tank battery that begins  
4 operation on or after September 1, 2012, the tank or tank battery  
5 has the potential to emit an aggregate of five or more tons of  
6 volatile organic compounds in any 12-month period if emissions were  
7 not controlled.

8 (c) A vapor recovery system used under this section must be  
9 operated and maintained in a manner that ensures a 95 percent  
10 minimum control efficiency between the internal and external  
11 atmospheres of the tank or tanks.

12 (d) The commission shall adopt rules to implement this  
13 section. Rules adopted under this section apply to a storage tank  
14 or tank battery under Subsection (b)(1) only on and after September  
15 1, 2013.

16 SECTION 2. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2011.