

By: Burnam

H.B. No. 380

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 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 1.8 million.

(b) A gathering or transmission pipeline may not be constructed within 50 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:

1 (A) operates at a pressure that does not exceed
2 50 percent of the pipeline's specified minimum yield strength;

3 (B) is equipped with automatic shutoff valves;
4 and

5 (C) is buried at least 12 inches deeper than
6 required by all other applicable state and federal regulations.

7 (c) The operator of a gathering or transmission pipeline
8 shall monitor the pipeline with a supervisory control and data
9 acquisition system unless:

10 (1) the operator demonstrates to the railroad
11 commission that use of the system would be infeasible or
12 economically impractical; and

13 (2) the operator conducts a leak survey of the
14 pipeline at least once every three months.

15 (d) The pipe used in a gathering or transmission pipeline
16 must be constructed of materials that meet the requirements of 49
17 C.F.R. Part 192. The railroad commission may not issue a permit
18 that exempts a pipeline from the requirements of this subsection.

19 (e) A gathering or transmission pipeline must be protected
20 from corrosion in the manner required by 49 C.F.R. Part 192. A
21 pipeline integrity assessment by in-line inspection, a pressure
22 test, or a direct assessment as defined by railroad commission
23 rules of a gathering or transmission pipeline must be conducted
24 every three years.

25 (f) The railroad commission shall adopt rules to implement
26 this section.

27 (g) This section and railroad commission rules adopted to

1 implement this section shall be enforced in the same manner as
2 Section 121.201 and safety standards or other rules prescribed or
3 adopted under that section.

4 SECTION 2. (a) As soon as practicable after the effective
5 date of this Act, the Railroad Commission of Texas shall adopt rules
6 to implement Section 121.2017, Utilities Code, as added by this
7 Act.

8 (b) Sections 121.2017(b) and (d), Utilities Code, as added
9 by this Act, apply only to a pipeline constructed on or after the
10 effective date of this Act.

11 (c) A pipeline subject to this Act that is in existence on
12 the effective date of this Act is not required to be brought into
13 compliance with Section 121.2017(e), Utilities Code, as added by
14 this Act, until January 1, 2016.

15 SECTION 3. This Act takes effect January 1, 2014.