By:  Reynolds H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to the analysis of inspection and maintenance requirements for air quality permits issued by the Texas Commission on Environmental Quality for certain oil and gas facilities.

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

SECTION 1.  Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.051965 to read as follows:

Sec. 382.051965.  ANALYSIS OF INSPECTION AND MAINTENANCE REQUIREMENTS FOR OIL AND GAS FACILITIES. (a) This section applies only to a rule or requirement:

(1)  relating to a permit by rule or a standard permit for a facility described by Section 382.051961(a); and

(2)  that:

(A)  is a rule or requirement of the commission in effect on September 1, 2021; or

(B)  is a proposed or approved federal rule or requirement that may be implemented before March 31, 2022.

(b)  The commission shall examine rules and requirements described by Subsection (a) governing:

(1)  inspection and maintenance programs, including programs that use optical gas imaging, for the detection and repair of leaks from all valves, pump seals, flanges, compressor seals, pressure relief valves, open-ended lines, tanks, and other process and operation components of the facility that could result in fugitive emissions;

(2)  the use of venting and flaring;

(3)  emissions of volatile organic compounds from storage tanks that have the potential to emit more than one ton of volatile organic compounds per year;

(4)  emissions of nitrogen oxides from compressor engines with more than 100 horsepower;

(5)  maintenance requirements and best practices for compressor stations; and

(6)  emissions from and maintenance of pneumatic devices and controllers between a wellhead and a natural gas processing plant.

(c)  The commission shall prepare a report that:

(1)  addresses issues raised concerning the rules or requirements described by Subsection (b); and

(2)  suggests options for improving safety, preventing air emissions from oil and gas equipment, including methane and other useful products, and reducing emissions from facilities described by Subsection (a)(1).

(d)  In suggesting options for improvement for the purposes of Subsection (c)(2), the commission may consider both regulatory and incentive approaches, including approaches taken in other leading oil and gas producing states that would lead to improvements in air quality and public health.

(e)  The commission may cooperate with the Railroad Commission of Texas in developing the report and obtaining public comment under Subsection (f).

(f)  Not later than April 1, 2022, the commission shall issue and make available for public comment a preliminary report. The commission may hold meetings to consider public comment. After considering public comment, if any, but not later than September 1, 2022, the commission shall post on its Internet website the final report.

(g)  Nothing in this section prevents the commission from adopting rules on the issues contained in the study.

(h)  This section expires August 31, 2023.

SECTION 2.  This Act takes effect on the 91st day after the last day of the legislative session.