

BILL ANALYSIS

Senate Research Center
88R4513 ANG-D

S.B. 1529
By: Miles
Natural Resources & Economic Development
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

People deserve to be able to make informed decisions about where they do and will live. Neighborhoods within this state co-exist with industrial facilities. These industrial facilities include peak generation facilities that store substantial amounts of liquid petroleum gas on site. People in neighborhoods adjacent to new and expanding peak shaving facilities deserve the information that would allow them to make the best choices for them and their families.

S.B. 1529 requires entities applying to the Railroad Commission of Texas (RRC) for a proposed permit or proposed permit modification for a liquid propane-gas installation with an aggregate water capacity of more than 10,000 gallons to notify all residents within 500 feet of the installation. The notice mailed by the entity must contain all information required by the Texas Commission on Environmental Quality and must be sent by certified mail with return receipt or some other method to prove the notice was received by the resident. Further, they must maintain proof of notice for a time decided by RRC.

As proposed, S.B. 1529 amends current law relating to notice to property owners regarding certain stationary LP-gas installations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Subchapter M, Chapter 113, Natural Resources Code, to read as follows:

SUBCHAPTER M. REQUIRED NOTICES

SECTION 2. Amends the heading to Section 113.401, Natural Resources Code, to read as follows:

Sec. 113.401. CONSUMER SAFETY NOTIFICATION.

SECTION 3. Amends Subchapter M, Chapter 113, Natural Resources Code, by adding Section 113.402, as follows:

Sec. 113.402. NOTICE FOR CERTAIN STATIONARY LP-GAS INSTALLATIONS.

(a) Requires the Railroad Commission of Texas (RRC), for a proposed installation or modification of a stationary LP-gas installation with an aggregate water capacity of 10,000 gallons or more, to require the applicant to mail notice containing the information required by RRC by registered or certified mail, return receipt requested, or by any other form of mail that provides proof of delivery, to all owners of real property situated within 500 feet of the proposed container location.

(b) Requires the applicant to maintain a record of the proof of delivery for a period of time as determined by RRC.

(c) Authorizes RRC to exempt from the requirements of this section certain installations where LP-gas containers of 10,000 gallons or more aggregate water capacity are used as fuel storage supply for asphalt heating.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: upon passage or September 1, 2023.