88R12801 ANG-D

By:  Allen H.B. No. 3982

A BILL TO BE ENTITLED

AN ACT

relating to notice and safety requirements applicable to certain LP-Gas containers.

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

SECTION 1.  Subchapter D, Chapter 113, Natural Resources Code, is amended by adding Section 113.085 to read as follows:

Sec. 113.085.  NOTICE OF INTENT TO OBTAIN PERMIT OR PERMIT REVIEW; HEARING. (a) For a proposed installation or modification of an LP-gas container located at a bulk storage terminal, as defined by Section 26.3442, Water Code, the commission shall require the applicant to mail a notice to:

(1)  all owners of real property located 150 yards or less from the location of the proposed installation or modification activities; and

(2)  the state representative of the state legislative district in which the installation or modification activities are proposed to be performed.

(b)  The notice must:

(1)  contain information about the proposed installation or modification activities as required by the commission; and

(2)  be sent by registered or certified mail, return receipt requested, or by another form of mail that provides proof of delivery.

(c)  A person who resides in a residence located 150 yards or less from the location of the proposed installation or modification activities may request that the commission, in cooperation with the applicant, hold a public hearing in the county in which the installation or modification activities are proposed to be performed to:

(1)  inform the public about the application; and

(2)  obtain public input regarding the application.

SECTION 2.  Chapter 113, Natural Resources Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. SAFETY STANDARDS FOR CERTAIN LP-GAS CONTAINERS

Sec. 113.451.  APPLICABILITY. This subchapter applies only to an LP-gas container located at a bulk storage terminal as defined by Section 26.3442, Water Code.

Sec. 113.452.  LEAK DETECTION AND REPAIR PROTOCOL. The commission shall establish a leak detection and repair protocol to protect a surrounding community from the release of substances from an LP-gas container at a bulk storage terminal in the event of an accident or natural disaster. The protocol must include:

(1)  periodic monitoring of each LP-gas container to identify any leaks or necessary repairs; and

(2)  identification of a public notification system the facility may use to notify persons who reside 150 yards or less from the LP-gas container of an emergency.

Sec. 113.453.  RISK MANAGEMENT PLAN. A license holder that operates an LP-gas container at a bulk storage terminal shall develop a risk management plan and post the risk management plan on the facility's publicly available Internet website.

Sec. 113.454.  EMERGENCY RESPONSE PLAN. A license holder that operates an LP-gas container at a bulk storage terminal shall develop an emergency response plan. The emergency response plan must:

(1)  identify the person to notify in the event of an emergency;

(2)  describe the types of incidents for which the fire department must be notified, including leaks, fire, or damage to an LP-gas container; and

(3)  describe the method by which the community will be notified of an emergency.

Sec. 113.455.  COMMUNITY OUTREACH. A license holder that operates an LP-gas container at a bulk storage terminal shall provide to persons who reside 150 yards or less from the LP-gas container:

(1)  annual updates regarding the status of the container; and

(2)  information regarding safety protocols to be followed in an emergency.

SECTION 3.  This Act takes effect September 1, 2023.