

BILL ANALYSIS

Senate Research Center

S.B. 1130
By: Hinojosa
Natural Resources
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law requires a pipeline company to report any leaks or ground contamination that is caused by its own equipment. However, no law requires a company to report contamination caused by another company. Often when a pipeline company is laying new pipe, the company will use an existing easement where other preexisting pipelines have already been placed. In this situation, the pipeline company may come across pollution that was caused from leaks in the preexisting pipe.

As proposed, S.B. 1130 requires a pipeline company to report pollution that it observes or detects when it is in the process of the placement, repair, replacement or maintenance of any pipeline.

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 Chapter 118, Natural Resources Code, by adding Section 118.006, as follows:

Sec. 118.006. CONTAMINATION REPORT. (a) Requires an operator to which Section 188.001 [sic] applies, if the operator observes or detects in the process of the placement, repair, replacement, or maintenance of a pipeline, any petroleum-based contamination of soil or water in proximity to the pipeline, to file a report with the commission [presumably the Railroad Commission of Texas] and the landowner within 24 hours of the observation.

(b) Requires the operator, when contamination is discovered, to allow the excavation to remain open for a minimum of two business days.

(c) Requires the operator, if the commission or the Texas Commission on Environmental Quality does not withdraw a soil sample within two business days of the discovery of the contamination, to obtain a sample of the contaminated soil or groundwater and provide it to an accredited laboratory to test total petroleum hydrocarbons and benzene.

(d) Requires results from the test to be submitted to the commission.

(e) Provides that an operator that files a contamination report is released from all liability to the state for the cleanup of contamination covered by the report, except for any contamination caused by the operator.

SECTION 2. Provides that Section 118.006(e), Natural Resource [sic] Code, as added by this Act, is an exercise of authority under Section 66(c), Article III, Texas Constitution, and it takes effect only if this Act receives a vote of three-fifths of all members elected to each house, as provided by Subsection (e) of that section.

SECTION 3. Effective date: September 1, 2005.