

SUBJECT: Requiring pipeline operators to communicate with emergency officials

COMMITTEE: Energy Resources — committee substitute recommended

VOTE: 5 ayes — R. Lewis, Carter, Christian, Crabb, Driver

2 nays — Merritt, Kitchen

2 absent — Hawley, Williams

WITNESSES: For — Cynthia Bishop, Larry Mayes, The Pipeline Group; Morris Burns, Permian Basin Petroleum Association; Tony Franchina, Texas Oil and Gas Association; *Registered but did not testify*: Patrick Nugent, Association of Texas Intrastate National Gas Pipelines; Ken Rigsbee, Phillips Petroleum Company; Bill Stevens, Texas Alliance of Energy Producers

Against — None

On — Mary L. McDaniel, Railroad Commission of Texas

BACKGROUND: The Railroad Commission currently requires pipeline operators and emergency response officials to communicate in face-to-face meetings.

DIGEST: Under CSHB 484, the Railroad Commission would have to require hazardous liquid, carbon dioxide, or gas pipeline operators to communicate and conduct liaison activities with fire, police, and other appropriate emergency response officials.

If an operator were unable to arrange a meeting in person by mailing a written request, sending a request by fax, and making or sending at least one telephone call or e-mail, the operator would have to make the same efforts to arrange a telephone conference. An operator who was unable to arrange a telephone conference could mail the community liaison information to the appropriate officials by certified mail, return receipt requested.

The bill would take effect September 1, 2001.

- SUPPORTERS SAY:** CSHB 484 would provide pipeline operators an alternative means to conduct liaison activities with emergency response officials if they first had made every reasonable effort to arrange a meeting in person. The current commission rule requiring liaison activities to be conducted only by face-to-face meetings is overly restrictive. Operators have held meetings in the evenings and during lunch breaks in order to provide every opportunity for people to attend, but there often is little or no turnout at the meetings. The bill would help to ensure public safety by providing alternative methods for operators to convey the necessary safety information to emergency-response officials.
- OPPONENTS SAY:** The bill would allow pipeline operators to circumvent face-to-face meeting requirements. The bill should include a mechanism to ensure that meetings were held at times when people could attend before allowing operators to conduct liaison activities by telephone or mail.
- NOTES:** The substitute eliminated provisions in the original prohibiting the commission from requiring liaison activities to be conducted by meeting in person.