

BILL ANALYSIS

Senate Research Center

S.B. 635
By: Brown
Natural Resources
2-21-97
As Filed

DIGEST

Currently, the Railroad Commission of Texas (RRC) is authorized to use the Oil-Field Cleanup Fund (fund) to control or clean up oil and gas wastes that are causing or are likely to cause pollution of surface and subsurface waters. It is unclear in the statutory language of the Natural Resources Code whether or not the fund can be used for conducting site investigations and assessments of contaminated areas by the RRC or whether RRC could recover such costs from the responsible party. This bill would authorize money in the fund to be used for conducting such investigations and assessments by RRC and provide that expenditures from the fund for such use may be recovered by RRC from the responsible party.

PURPOSE

As proposed, S.B. 635 authorizes money in the Oil-Field Cleanup Fund (fund) to be used for conducting site investigations and assessments of contaminated areas by the Railroad Commission of Texas (RRC). Additionally, the bill provides that expenditures from the fund for such site investigations and assessments may be recovered by RRC from the responsible party.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 91.112(a), Natural Resources Code, to authorize that money in the Oil-Field Cleanup Fund (fund) to be used by the Railroad Commission (RRC) or its employees or agents for, among other items, conducting a site investigation or environmental assessment to evaluate the nature and extent of contamination caused by oil and gas wastes or other substances or materials regulated by RRC under Section 91.101, Natural Resources Code, and the measures that should be taken to control or clean up such wastes, substances, or materials. Makes conforming changes.

SECTION 2. Amends Section 91.113, Natural Resource Code, to make conforming changes.

SECTION 3. Emergency clause.
Effective date: 90 days after adjournment.