

Suspend the Rules and Pass the Bill, S. 2276, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

114TH CONGRESS
2D SESSION

S. 2276

AN ACT

To amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Protecting our Infrastructure of Pipelines and Enhanc-
6 ing Safety Act of 2016” or the “PIPES Act of 2016”.

7 (b) TABLE OF CONTENTS.—The table of contents of
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Authorization of appropriations.
- Sec. 3. Regulatory updates.
- Sec. 4. Natural gas integrity management review.
- Sec. 5. Hazardous liquid integrity management review.
- Sec. 6. Technical safety standards committees.
- Sec. 7. Inspection report information.
- Sec. 8. Improving damage prevention technology.
- Sec. 9. Workforce management.
- Sec. 10. Information-sharing system.
- Sec. 11. Nationwide integrated pipeline safety regulatory database.
- Sec. 12. Underground gas storage facilities.
- Sec. 13. Joint inspection and oversight.
- Sec. 14. Safety data sheets.

- Sec. 15. Hazardous materials identification numbers.
- Sec. 16. Emergency order authority.
- Sec. 17. State grant funds.
- Sec. 18. Response plans.
- Sec. 19. Unusually sensitive areas.
- Sec. 20. Pipeline safety technical assistance grants.
- Sec. 21. Study of materials and corrosion prevention in pipeline transportation.
- Sec. 22. Research and development.
- Sec. 23. Active and abandoned pipelines.
- Sec. 24. State pipeline safety agreements.
- Sec. 25. Requirements for certain hazardous liquid pipeline facilities.
- Sec. 26. Study on propane gas pipeline facilities.
- Sec. 27. Standards for certain liquefied natural gas pipeline facilities.
- Sec. 28. Pipeline odorization study.
- Sec. 29. Report on natural gas leak reporting.
- Sec. 30. Review of State policies relating to natural gas leaks.
- Sec. 31. Aliso Canyon natural gas leak task force.

1 SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

2 (a) GAS AND HAZARDOUS LIQUID.—Section
3 60125(a) of title 49, United States Code is amended—

4 (1) in paragraph (1) by striking “there is au-
5 thorized to be appropriated to the Department of
6 Transportation for each of fiscal years 2012 through
7 2015, from fees collected under section 60301,
8 \$90,679,000, of which \$4,746,000 is for carrying
9 out such section 12 and \$36,194,000 is for making
10 grants.” and inserting the following: “there is au-
11 thorized to be appropriated to the Department of
12 Transportation from fees collected under section
13 60301—

14 “(A) \$124,500,000 for fiscal year 2016, of
15 which \$9,000,000 shall be expended for car-
16 rying out such section 12 and \$39,385,000
17 shall be expended for making grants;

1 “(B) \$128,000,000 for fiscal year 2017 of
2 which \$9,000,000 shall be expended for car-
3 rying out such section 12 and \$41,885,000
4 shall be expended for making grants;

5 “(C) \$131,000,000 for fiscal year 2018, of
6 which \$9,000,000 shall be expended for car-
7 rying out such section 12 and \$44,885,000
8 shall be expended for making grants; and

9 “(D) \$134,000,000 for fiscal year 2019, of
10 which \$9,000,000 shall be expended for car-
11 rying out such section 12 and \$47,885,000
12 shall be expended for making grants.”;

13 (2) in paragraph (2) by striking “there is au-
14 thorized to be appropriated for each of fiscal years
15 2012 through 2015 from the Oil Spill Liability
16 Trust Fund to carry out the provisions of this chap-
17 ter related to hazardous liquid and section 12 of the
18 Pipeline Safety Improvement Act of 2002 (49
19 U.S.C. 60101 note; Public Law 107–355),
20 \$18,573,000, of which \$2,174,000 is for carrying
21 out such section 12 and \$4,558,000 is for making
22 grants.” and inserting the following: “there is au-
23 thorized to be appropriated from the Oil Spill Liabil-
24 ity Trust Fund to carry out the provisions of this
25 chapter related to hazardous liquid and section 12 of

1 the Pipeline Safety Improvement Act of 2002 (49
2 U.S.C. 60101 note; Public Law 107–355)—

3 “(A) \$22,123,000 for fiscal year 2016, of
4 which \$3,000,000 shall be expended for car-
5 rying out such section 12 and \$8,067,000 shall
6 be expended for making grants;

7 “(B) \$22,123,000 for fiscal year 2017, of
8 which \$3,000,000 shall be expended for car-
9 rying out such section 12 and \$8,067,000 shall
10 be expended for making grants;

11 “(C) \$23,000,000 for fiscal year 2018, of
12 which \$3,000,000 shall be expended for car-
13 rying out such section 12 and \$8,067,000 shall
14 be expended for making grants; and

15 “(D) \$23,000,000 for fiscal year 2019, of
16 which \$3,000,000 shall be expended for car-
17 rying out such section 12 and \$8,067,000 shall
18 be expended for making grants.”; and

19 (3) by adding at the end the following:

20 “(3) UNDERGROUND NATURAL GAS STORAGE
21 FACILITY SAFETY ACCOUNT.—To carry out section
22 60141, there is authorized to be appropriated to the
23 Department of Transportation from fees collected
24 under section 60302 \$8,000,000 for each of fiscal
25 years 2017 through 2019.”.

1 (b) OPERATIONAL EXPENSES.—There are authorized
2 to be appropriated to the Secretary of Transportation for
3 the necessary operational expenses of the Pipeline and
4 Hazardous Materials Safety Administration the following
5 amounts:

6 (1) \$21,000,000 for fiscal year 2016.

7 (2) \$22,000,000 for fiscal year 2017.

8 (3) \$22,000,000 for fiscal year 2018.

9 (4) \$23,000,000 for fiscal year 2019.

10 (c) ONE-CALL NOTIFICATION PROGRAMS.—

11 (1) IN GENERAL.—Section 6107 of title 49,
12 United States Code, is amended to read as follows:

13 **“§ 6107. Funding**

14 “Of the amounts made available under section
15 60125(a)(1), the Secretary shall expend \$1,058,000 for
16 each of fiscal years 2016 through 2019 to carry out sec-
17 tion 6106.”.

18 (2) CLERICAL AMENDMENT.—The analysis for
19 chapter 61 of title 49, United States Code, is
20 amended by striking the item relating to section
21 6107 and inserting the following:

“6107. Funding.”.

22 (d) PIPELINE SAFETY INFORMATION GRANTS TO
23 COMMUNITIES.—The first sentence of section 60130(c) of
24 title 49, United States Code, is amended to read as fol-
25 lows: “Of the amounts made available under section 2(b)

1 of the PIPES Act of 2016, the Secretary shall expend
2 \$1,500,000 for each of fiscal years 2016 through 2019
3 to carry out this section.”

4 (e) PIPELINE INTEGRITY PROGRAM.—Section 12(f)
5 of the Pipeline Safety Improvement Act of 2002 (49
6 U.S.C. 60101 note) is amended by striking “2012 through
7 2015” and inserting “2016 through 2019”.

8 **SEC. 3. REGULATORY UPDATES.**

9 (a) PUBLICATION.—

10 (1) IN GENERAL.—The Secretary of Transpor-
11 tation shall publish an update on a publicly available
12 Web site of the Department of Transportation re-
13 garding the status of a final rule for each out-
14 standing regulation, and upon such publication no-
15 tify the Committee on Commerce, Science, and
16 Transportation of the Senate and the Committee on
17 Transportation and Infrastructure and the Com-
18 mittee on Energy and Commerce of the House of
19 Representatives that such publication has been
20 made.

21 (2) DEADLINES.—The Secretary shall publish
22 an update under this subsection not later than 120
23 days after the date of enactment of this Act, and
24 every 90 days thereafter until a final rule has been

1 published in the Federal Register for each out-
2 standing regulation.

3 (b) CONTENTS.—The Secretary shall include in each
4 update published under subsection (a)—

5 (1) a description of the work plan for each out-
6 standing regulation;

7 (2) an updated rulemaking timeline for each
8 outstanding regulation;

9 (3) current staff allocations with respect to
10 each outstanding regulation;

11 (4) any resource constraints affecting the rule-
12 making process for each outstanding regulation;

13 (5) any other details associated with the devel-
14 opment of each outstanding regulation that affect
15 the progress of the rulemaking process; and

16 (6) a description of all rulemakings regarding
17 gas or hazardous liquid pipeline facilities published
18 in the Federal Register that are not identified under
19 subsection (c).

20 (c) OUTSTANDING REGULATION DEFINED.—In this
21 section, the term “outstanding regulation” means—

22 (1) a final rule required under the Pipeline
23 Safety, Regulatory Certainty, and Job Creation Act
24 of 2011 (Public Law 112–90) that has not been
25 published in the Federal Register; and

1 (2) a final rule regarding gas or hazardous liq-
2 uid pipeline facilities required under this Act or an
3 Act enacted prior to the date of enactment of this
4 Act (other than the Pipeline Safety, Regulatory Cer-
5 tainty, and Job Creation Act of 2011 (Public Law
6 112–90)) that has not been published in the Federal
7 Register.

8 **SEC. 4. NATURAL GAS INTEGRITY MANAGEMENT REVIEW.**

9 (a) REPORT.—Not later than 18 months after the
10 date of publication in the Federal Register of a final rule
11 regarding the safety of gas transmission pipelines related
12 to the notice of proposed rulemaking issued on April 8,
13 2016, titled “Pipeline Safety: Safety of Gas Transmission
14 and Gathering Pipelines” (81 Fed. Reg. 20721), the
15 Comptroller General of the United States shall submit to
16 the Committee on Transportation and Infrastructure and
17 the Committee on Energy and Commerce of the House
18 of Representatives and the Committee on Commerce,
19 Science, and Transportation of the Senate a report re-
20 garding the integrity management programs for gas pipe-
21 line facilities required under section 60109(c) of title 49,
22 United States Code.

23 (b) CONTENTS.—The report required under sub-
24 section (a) shall include—

1 (1) an analysis of stakeholder perspectives, tak-
2 ing into consideration technical, operational, and
3 economic feasibility, regarding ways to enhance pipe-
4 line facility safety, prevent inadvertent releases from
5 pipeline facilities, and mitigate any adverse con-
6 sequences of such inadvertent releases, including
7 changes to the definition of high consequence area,
8 or expanding integrity management beyond high
9 consequence areas;

10 (2) a review of the types of benefits, including
11 safety benefits, and estimated costs of the legacy
12 class location regulations;

13 (3) an analysis of the impact pipeline facility
14 features, including the age, condition, materials, and
15 construction of a pipeline facility, have on safety and
16 risk analysis of a particular pipeline facility;

17 (4) a description of any challenges affecting
18 Federal or State regulators in the oversight of gas
19 transmission pipeline facilities and how the chal-
20 lenges are being addressed; and

21 (5) a description of any challenges affecting the
22 natural gas industry in complying with the pro-
23 grams, and how the challenges are being addressed,
24 including any challenges faced by publicly owned
25 natural gas distribution systems.

1 (c) DEFINITION OF HIGH CONSEQUENCE AREA.—In
2 this section, the term “high consequence area” has the
3 meaning given the term in section 192.903 of title 49,
4 Code of Federal Regulations.

5 **SEC. 5. HAZARDOUS LIQUID INTEGRITY MANAGEMENT RE-**
6 **VIEW.**

7 (a) REPORT.—Not later than 18 months after the
8 date of publication in the Federal Register of a final rule
9 regarding the safety of hazardous liquid pipeline facilities
10 related to the notice of proposed rulemaking issued on Oc-
11 tober 13, 2015, titled “Pipeline Safety: Safety of Haz-
12 ardous Liquid Pipelines” (80 Fed. Reg. 61610), the
13 Comptroller General of the United States shall submit to
14 the Committee on Transportation and Infrastructure and
15 the Committee on Energy and Commerce of the House
16 of Representatives and the Committee on Commerce,
17 Science, and Transportation of the Senate a report re-
18 garding the integrity management programs for haz-
19 ardous liquid pipeline facilities, as regulated under sec-
20 tions 195.450 and 195.452 of title 49, Code of Federal
21 Regulations.

22 (b) CONTENTS.—The report required under sub-
23 section (a) shall include—

1 (1) taking into consideration technical, oper-
2 ational, and economic feasibility, an analysis of
3 stakeholder perspectives on—

4 (A) ways to enhance hazardous liquid pipe-
5 line facility safety;

6 (B) risk factors that may warrant more
7 frequent inspections of hazardous liquid pipeline
8 facilities; and

9 (C) changes to the definition of high con-
10 sequence area;

11 (2) an analysis of how surveying, assessment,
12 mitigation, and monitoring activities, including real-
13 time hazardous liquid pipeline facility monitoring
14 during significant flood events and information shar-
15 ing with Federal agencies, are being used to address
16 risks associated with rivers, flood plains, lakes, and
17 coastal areas;

18 (3) an analysis of the impact pipeline facility
19 features, including the age, condition, materials, and
20 construction of a pipeline facility, have on safety and
21 risk analysis of a particular pipeline facility and
22 what changes to the definition of high consequence
23 area could be made to improve pipeline facility safe-
24 ty; and

1 (4) a description of any challenges affecting
2 Federal or State regulators in the oversight of haz-
3 ardous liquid pipeline facilities and how those chal-
4 lenges are being addressed.

5 (c) DEFINITION OF HIGH CONSEQUENCE AREA.—In
6 this section, the term “high consequence area” has the
7 meaning given the term in section 195.450 of title 49,
8 Code of Federal Regulations.

9 **SEC. 6. TECHNICAL SAFETY STANDARDS COMMITTEES.**

10 (a) APPOINTMENT OF MEMBERS.—Section
11 60115(b)(4)(A) of title 49, United States Code, is amend-
12 ed by striking “State commissioners. The Secretary shall
13 consult with the national organization of State commis-
14 sions before selecting those 2 individuals.” and inserting
15 “State officials. The Secretary shall consult with national
16 organizations representing State commissioners or utility
17 regulators before making a selection under this subpara-
18 graph.”.

19 (b) VACANCIES.—Section 60115(b) of title 49,
20 United States Code, is amended by adding at the end the
21 following:

22 “(5) Within 90 days of the date of enactment of the
23 PIPES Act of 2016, the Secretary shall fill all vacancies
24 on the Technical Pipeline Safety Standards Committee,
25 the Technical Hazardous Liquid Pipeline Safety Stand-

ards Committee, and any other committee established pursuant to this section. After that period, the Secretary shall fill a vacancy on any such committee not later than 60 days after the vacancy occurs.”.

SEC. 7. INSPECTION REPORT INFORMATION.

(a) INSPECTION AND MAINTENANCE.—Section 60108 of title 49, United States Code, is amended by adding at the end the following:

“(e) IN GENERAL.—After the completion of a Pipeline and Hazardous Materials Safety Administration pipeline safety inspection, the Administrator of such Administration, or the State authority certified under section 60105 of title 49, United States Code, to conduct such inspection, shall—

“(1) within 30 days, conduct a post-inspection briefing with the owner or operator of the gas or hazardous liquid pipeline facility inspected outlining any concerns; and

“(2) within 90 days, to the extent practicable, provide the owner or operator with written preliminary findings of the inspection.”.

(b) NOTIFICATION.—Not later than October 1, 2017, and each fiscal year thereafter for 2 years, the Administrator shall notify the Committee on Transportation and Infrastructure and the Committee on Energy and Com-

merce of the House of Representatives and the Committee
on Commerce, Science, and Transportation of the Senate
of—

(1) the number of times a deadline under section 60108(e) of title 49, United States Code, was
exceeded in the prior fiscal year; and

(2) in each instance, the length of time by
which the deadline was exceeded.

SEC. 8. IMPROVING DAMAGE PREVENTION TECHNOLOGY.

(a) STUDY.—The Secretary of Transportation, in
consultation with stakeholders, shall conduct a study on
improving existing damage prevention programs through
technological improvements in location, mapping, excavation,
and communications practices to prevent excavation damage to a pipe or its coating, including considerations of technical, operational, and economic feasibility
and existing damage prevention programs.

(b) CONTENTS.—The study under subsection (a)
shall include—

(1) an identification of any methods to improve
existing damage prevention programs through location and mapping practices or technologies in an effort to reduce releases caused by excavation;

(2) an analysis of how increased use of global positioning system digital mapping technologies, pre-

1 dictive analytic tools, public awareness initiatives in-
2 cluding one-call initiatives, the use of mobile devices,
3 and other advanced technologies could supplement
4 existing one-call notification and damage prevention
5 programs to reduce the frequency and severity of in-
6 cidents caused by excavation damage;

7 (3) an identification of any methods to improve
8 excavation practices or technologies in an effort to
9 reduce pipeline damage;

10 (4) an analysis of the feasibility of a national
11 data repository for pipeline excavation accident data
12 that creates standardized data models for storing
13 and sharing pipeline accident information; and

14 (5) an identification of opportunities for stake-
15 holder engagement in preventing excavation damage.

16 (c) REPORT.—Not later than 1 year after the date
17 of the enactment of this Act, the Secretary shall submit
18 to the Committee on Commerce, Science, and Transpor-
19 tation of the Senate and the Committee on Transportation
20 and Infrastructure and the Committee on Energy and
21 Commerce of the House of Representatives a report con-
22 taining the results of the study conducted under sub-
23 section (a), including recommendations, that include the
24 consideration of technical, operational, and economic feasi-
25 bility, on how to incorporate into existing damage preven-

1 tion programs technological improvements and practices
2 that help prevent excavation damage.

3 **SEC. 9. WORKFORCE MANAGEMENT.**

4 (a) REVIEW.—Not later than 1 year after the date
5 of the enactment of this Act, the Inspector General of the
6 Department of Transportation shall submit to the Com-
7 mittee on Transportation and Infrastructure and the
8 Committee on Energy and Commerce of the House of
9 Representatives and the Committee on Commerce,
10 Science, and Transportation of the Senate, a review of
11 Pipeline and Hazardous Materials Safety Administration
12 staff resource management, including—

13 (1) geographic allocation plans, hiring and
14 time-to-hire challenges, and expected retirement
15 rates and recruitment and retention strategies;

16 (2) an identification and description of any pre-
17 vious periods of macroeconomic and pipeline indus-
18 try conditions under which the Pipeline and Haz-
19 ardous Materials Safety Administration has encoun-
20 tered difficulty in filling vacancies, and the degree to
21 which special hiring authorities, including direct hir-
22 ing authority authorized by the Office of Personnel
23 Management, could have ameliorated such difficulty;
24 and

1 (3) recommendations to address hiring chal-
2 lenges, training needs, and any other identified staff
3 resource challenges.

4 (b) **DIRECT HIRING.**—Upon identification of a period
5 described in subsection (a)(2), the Administrator of the
6 Pipeline and Hazardous Materials Safety Administration
7 may apply to the Office of Personnel Management for the
8 authority to appoint qualified candidates to any position
9 relating to pipeline safety, as determined by the Adminis-
10 trator, without regard to sections 3309 through 3319 of
11 title 5, United States Code.

12 (c) **SAVINGS CLAUSE.**—Nothing in this section shall
13 preclude the Administrator of the Pipeline and Hazardous
14 Materials Safety Administration from applying to the Of-
15 fice of Personnel Management for the authority described
16 in subsection (b) prior to the completion of the report re-
17 quired under subsection (a).

18 **SEC. 10. INFORMATION-SHARING SYSTEM.**

19 (a) **IN GENERAL.**—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of Trans-
21 portation shall convene a working group to consider the
22 development of a voluntary information-sharing system to
23 encourage collaborative efforts to improve inspection infor-
24 mation feedback and information sharing with the purpose

1 of improving gas transmission and hazardous liquid pipe-
2 line facility integrity risk analysis.

3 (b) MEMBERSHIP.—The working group convened
4 pursuant to subsection (a) shall include representatives
5 from—

6 (1) the Pipeline and Hazardous Materials Safe-
7 ty Administration;

8 (2) industry stakeholders, including operators
9 of pipeline facilities, inspection technology, coating,
10 and cathodic protection vendors, and pipeline inspec-
11 tion organizations;

12 (3) safety advocacy groups;

13 (4) research institutions;

14 (5) State public utility commissions or State of-
15 ficials responsible for pipeline safety oversight;

16 (6) State pipeline safety inspectors;

17 (7) labor representatives; and

18 (8) other entities, as determined appropriate by
19 the Secretary.

20 (c) CONSIDERATIONS.—The working group convened
21 pursuant to subsection (a) shall consider and provide rec-
22 ommendations to the Secretary on—

23 (1) the need for, and the identification of, a
24 system to ensure that dig verification data are
25 shared with in-line inspection operators to the extent

1 consistent with the need to maintain proprietary and
2 security-sensitive data in a confidential manner to
3 improve pipeline safety and inspection technology;

4 (2) ways to encourage the exchange of pipeline
5 inspection information and the development of ad-
6 vanced pipeline inspection technologies and enhanced
7 risk analysis;

8 (3) opportunities to share data, including dig-
9 verification data between operators of pipeline facili-
10 ties and in-line inspector vendors to expand knowl-
11 edge of the advantages and disadvantages of the dif-
12 ferent types of in-line inspection technology and
13 methodologies;

14 (4) options to create a secure system that pro-
15 tects proprietary data while encouraging the ex-
16 change of pipeline inspection information and the
17 development of advanced pipeline inspection tech-
18 nologies and enhanced risk analysis;

19 (5) means and best practices for the protection
20 of safety- and security-sensitive information and pro-
21 prietary information; and

22 (6) regulatory, funding, and legal barriers to
23 sharing the information described in paragraphs (1)
24 through (4).

1 (d) PUBLICATION.—The Secretary shall publish the
2 recommendations provided under subsection (c) on a pub-
3 licly available Web site of the Department of Transpor-
4 tation.

5 **SEC. 11. NATIONWIDE INTEGRATED PIPELINE SAFETY REG-**
6 **ULATORY DATABASE.**

7 (a) REPORT.—Not later than 1 year after the date
8 of enactment of this Act, the Secretary of Transportation
9 shall submit to the Committee on Transportation and In-
10 frastructure and the Committee on Energy and Commerce
11 of the House of Representatives and the Committee on
12 Commerce, Science, and Transportation of the Senate a
13 report on the feasibility of establishing a national inte-
14 grated pipeline safety regulatory inspection database to
15 improve communication and collaboration between the
16 Pipeline and Hazardous Materials Safety Administration
17 and State pipeline regulators.

18 (b) CONTENTS.—The report submitted under sub-
19 section (a) shall include—

20 (1) a description of any efforts underway to test
21 a secure information-sharing system for the purpose
22 described in subsection (a);

23 (2) a description of any progress in establishing
24 common standards for maintaining, collecting, and

1 presenting pipeline safety regulatory inspection data,
2 and a methodology for sharing the data;

3 (3) a description of any inadequacies or gaps in
4 State and Federal inspection, enforcement,
5 geospatial, or other pipeline safety regulatory inspec-
6 tion data;

7 (4) a description of the potential safety benefits
8 of a national integrated pipeline safety regulatory in-
9 spection database; and

10 (5) recommendations, including those of stake-
11 holders for how to implement a secure information-
12 sharing system that protects proprietary and secu-
13 rity sensitive information and data for the purpose
14 described in subsection (a).

15 (c) CONSULTATION.—In implementing this section,
16 the Secretary shall consult with stakeholders, including
17 each State authority operating under a certification to reg-
18 ulate intrastate pipelines under section 60105 of title 49,
19 United States Code.

20 (d) ESTABLISHMENT OF DATABASE.—The Secretary
21 may establish, if appropriate, a national integrated pipe-
22 line safety regulatory database—

23 (1) after submission of the report required
24 under subsection (a); or

1 (2) upon notification to the Committee on
2 Transportation and Infrastructure and the Com-
3 mittee on Energy and Commerce of the House of
4 Representatives and the Committee on Commerce,
5 Science, and Transportation of the Senate of the
6 need to establish such database prior to the submis-
7 sion of the report under subsection (a).

8 **SEC. 12. UNDERGROUND GAS STORAGE FACILITIES.**

9 (a) **DEFINED TERM.**—Section 60101(a) of title 49,
10 United States Code, is amended—

11 (1) in paragraph (21)(B) by striking the period
12 at the end and inserting a semicolon;

13 (2) in paragraph (22)(B)(iii) by striking the pe-
14 riod at the end and inserting a semicolon;

15 (3) in paragraph (24) by striking “and” at the
16 end;

17 (4) in paragraph (25) by striking the period at
18 the end and inserting “; and”; and

19 (5) by adding at the end the following:

20 “(26) ‘underground natural gas storage facility’
21 means a gas pipeline facility that stores natural gas
22 in an underground facility, including—

23 “(A) a depleted hydrocarbon reservoir;

24 “(B) an aquifer reservoir; or

1 “(C) a solution-mined salt cavern res-
2 ervoir.”.

3 (b) STANDARDS FOR UNDERGROUND GAS STORAGE
4 FACILITIES.—Chapter 601 of title 49, United States
5 Code, is amended by adding at the end the following:

6 **“§ 60141. Standards for underground natural gas**
7 **storage facilities**

8 “(a) MINIMUM SAFETY STANDARDS.—Not later than
9 2 years after the date of enactment of the PIPES Act
10 of 2016, the Secretary, in consultation with the heads of
11 other relevant Federal agencies, shall issue minimum safe-
12 ty standards for underground natural gas storage facili-
13 ties.

14 “(b) CONSIDERATIONS.—In developing the safety
15 standards required under subsection (a), the Secretary
16 shall, to the extent practicable—

17 “(1) consider consensus standards for the oper-
18 ation, environmental protection, and integrity man-
19 agement of underground natural gas storage facili-
20 ties;

21 “(2) consider the economic impacts of the regu-
22 lations on individual gas customers;

23 “(3) ensure that the regulations do not have a
24 significant economic impact on end users; and

1 “(4) consider the recommendations of the Aliso
2 Canyon natural gas leak task force established under
3 section 31 of the PIPES Act of 2016.

4 “(c) FEDERAL-STATE COOPERATION.—The Sec-
5 retary may authorize a State authority (including a mu-
6 nicipality) to participate in the oversight of underground
7 natural gas storage facilities in the same manner as pro-
8 vided in sections 60105 and 60106.

9 “(d) RULES OF CONSTRUCTION.—

10 “(1) IN GENERAL.—Nothing in this section
11 may be construed to affect any Federal regulation
12 relating to gas pipeline facilities that is in effect on
13 the day before the date of enactment of the PIPES
14 Act of 2016.

15 “(2) LIMITATIONS.—Nothing in this section
16 may be construed to authorize the Secretary—

17 “(A) to prescribe the location of an under-
18 ground natural gas storage facility; or

19 “(B) to require the Secretary’s permission
20 to construct a facility referred to in subpara-
21 graph (A).

22 “(e) PREEMPTION.—A State authority may adopt ad-
23 ditional or more stringent safety standards for intrastate
24 underground natural gas storage facilities if such stand-

ards are compatible with the minimum standards prescribed under this section.

“(f) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect the Secretary’s authority under this title to regulate the underground storage of gas that is not natural gas.”.

(c) USER FEES.—Chapter 603 of title 49, United States Code, is amended by inserting after section 60301 the following:

“§ 60302. User fees for underground natural gas storage facilities

“(a) IN GENERAL.—A fee shall be imposed on an entity operating an underground natural gas storage facility subject to section 60141. Any such fee imposed shall be collected before the end of the fiscal year to which it applies.

“(b) MEANS OF COLLECTION.—The Secretary of Transportation shall prescribe procedures to collect fees under this section. The Secretary may use a department, agency, or instrumentality of the United States Government or of a State or local government to collect the fee and may reimburse the department, agency, or instrumentality a reasonable amount for its services.

“(c) USE OF FEES.—

1 “(1) ACCOUNT.—There is established an Un-
2 derground Natural Gas Storage Facility Safety Ac-
3 count in the Pipeline Safety Fund established in the
4 Treasury of the United States under section 60301.

5 “(2) USE OF FEES.—A fee collected under this
6 section—

7 “(A) shall be deposited in the Under-
8 ground Natural Gas Storage Facility Safety Ac-
9 count; and

10 “(B) if the fee is related to an under-
11 ground natural gas storage facility subject to
12 section 60141, the amount of the fee may be
13 used only for an activity related to underground
14 natural gas storage facility safety.

15 “(3) LIMITATION.—No fee may be collected
16 under this section, except to the extent that the ex-
17 penditure of such fee to pay the costs of an activity
18 related to underground natural gas storage facility
19 safety for which such fee is imposed is provided in
20 advance in an appropriations Act.”.

21 (d) CLERICAL AMENDMENTS.—

22 (1) CHAPTER 601.—The table of sections for
23 chapter 601 of title 49, United States Code, is
24 amended by adding at the end the following:

 “60141. Standards for underground natural gas storage facilities.”.

1 (2) CHAPTER 603.—The table of sections for
2 chapter 603 of title 49, United States Code, is
3 amended by inserting after the item relating to sec-
4 tion 60301 the following:

“60302. User fees for underground natural gas storage facilities.”.

5 **SEC. 13. JOINT INSPECTION AND OVERSIGHT.**

6 Section 60106 of title 49, United States Code, is
7 amended by adding at the end the following:

8 “(f) JOINT INSPECTORS.—At the request of a State
9 authority, the Secretary shall allow for a certified State
10 authority under section 60105 to participate in the inspec-
11 tion of an interstate pipeline facility.”.

12 **SEC. 14. SAFETY DATA SHEETS.**

13 (a) IN GENERAL.—Each owner or operator of a haz-
14 ardous liquid pipeline facility, following an accident involv-
15 ing such pipeline facility that results in a hazardous liquid
16 spill, shall provide safety data sheets on any spilled haz-
17 ardous liquid to the designated Federal On-Scene Coordi-
18 nator and appropriate State and local emergency respond-
19 ers within 6 hours of a telephonic or electronic notice of
20 the accident to the National Response Center.

21 (b) DEFINITIONS.—In this section:

22 (1) FEDERAL ON-SCENE COORDINATOR.—The
23 term “Federal On-Scene Coordinator” has the
24 meaning given such term in section 311(a) of the

1 Federal Water Pollution Control Act (33 U.S.C.
2 1321(a)).

3 (2) NATIONAL RESPONSE CENTER.—The term
4 “National Response Center” means the center de-
5 scribed under section 300.125(a) of title 40, Code of
6 Federal Regulations.

7 (3) SAFETY DATA SHEET.—The term “safety
8 data sheet” means a safety data sheet required
9 under section 1910.1200 of title 29, Code of Federal
10 Regulations.

11 **SEC. 15. HAZARDOUS MATERIALS IDENTIFICATION NUM-**
12 **BERS.**

13 Not later than 90 days after the date of enactment
14 of this Act, the Secretary of Transportation shall issue an
15 advanced notice of proposed rulemaking to take public
16 comment on the petition for rulemaking dated October 28,
17 2015, titled “Corrections to Title 49 C.F.R. §172.336
18 Identification numbers; special provisions” (P-1667).

19 **SEC. 16. EMERGENCY ORDER AUTHORITY.**

20 Section 60117 of title 49, United States Code, is
21 amended by adding at the end the following:

22 “(o) EMERGENCY ORDER AUTHORITY.—

23 “(1) IN GENERAL.—If the Secretary determines
24 that an unsafe condition or practice, or a combina-
25 tion of unsafe conditions and practices, constitutes

1 or is causing an imminent hazard, the Secretary
2 may issue an emergency order described in para-
3 graph (3) imposing emergency restrictions, prohibi-
4 tions, and safety measures on owners and operators
5 of gas or hazardous liquid pipeline facilities without
6 prior notice or an opportunity for a hearing, but
7 only to the extent necessary to abate the imminent
8 hazard.

9 “(2) CONSIDERATIONS.—

10 “(A) IN GENERAL.—Before issuing an
11 emergency order under paragraph (1), the Sec-
12 retary shall consider, as appropriate, the fol-
13 lowing factors:

14 “(i) The impact of the emergency
15 order on public health and safety.

16 “(ii) The impact, if any, of the emer-
17 gency order on the national or regional
18 economy or national security.

19 “(iii) The impact of the emergency
20 order on the ability of owners and opera-
21 tors of pipeline facilities to maintain reli-
22 ability and continuity of service to cus-
23 tomers.

24 “(B) CONSULTATION.—In considering the
25 factors under subparagraph (A), the Secretary

1 shall consult, as the Secretary determines ap-
2 propriate, with appropriate Federal agencies,
3 State agencies, and other entities knowledgeable
4 in pipeline safety or operations.

5 “(3) WRITTEN ORDER.—An emergency order
6 issued by the Secretary pursuant to paragraph (1)
7 with respect to an imminent hazard shall contain a
8 written description of—

9 “(A) the violation, condition, or practice
10 that constitutes or is causing the imminent haz-
11 ard;

12 “(B) the entities subject to the order;

13 “(C) the restrictions, prohibitions, or safe-
14 ty measures imposed;

15 “(D) the standards and procedures for ob-
16 taining relief from the order;

17 “(E) how the order is tailored to abate the
18 imminent hazard and the reasons the authori-
19 ties under section 60112 and 60117(l) are in-
20 sufficient to do so; and

21 “(F) how the considerations were taken
22 into account pursuant to paragraph (2).

23 “(4) OPPORTUNITY FOR REVIEW.—Upon re-
24 ceipt of a petition for review from an entity subject
25 to, and aggrieved by, an emergency order issued

1 under this subsection, the Secretary shall provide an
2 opportunity for a review of the order under section
3 554 of title 5 to determine whether the order should
4 remain in effect, be modified, or be terminated.

5 “(5) EXPIRATION OF EFFECTIVENESS
6 ORDER.—If a petition for review of an emergency
7 order is filed under paragraph (4) and an agency de-
8 cision with respect to the petition is not issued on
9 or before the last day of the 30-day period beginning
10 on the date on which the petition is filed, the order
11 shall cease to be effective on such day, unless the
12 Secretary determines in writing on or before the last
13 day of such period that the imminent hazard still ex-
14 ists.

15 “(6) JUDICIAL REVIEW OF ORDERS.—

16 “(A) IN GENERAL.—After completion of
17 the review process described in paragraph (4),
18 or the issuance of a written determination by
19 the Secretary pursuant to paragraph (5), an en-
20 tity subject to, and aggrieved by, an emergency
21 order issued under this subsection may seek ju-
22 dicial review of the order in a district court of
23 the United States and shall be given expedited
24 consideration.

1 “(B) LIMITATION.—The filing of a petition
2 for review under subparagraph (A) shall not
3 stay or modify the force and effect of the agen-
4 cy’s final decision under paragraph (4), or the
5 written determination under paragraph (5), un-
6 less stayed or modified by the Secretary.

7 “(7) REGULATIONS.—

8 “(A) TEMPORARY REGULATIONS.—Not
9 later than 60 days after the date of enactment
10 of the PIPES Act of 2016, the Secretary shall
11 issue such temporary regulations as are nec-
12 essary to carry out this subsection. The tem-
13 porary regulations shall expire on the date of
14 issuance of the final regulations required under
15 subparagraph (B).

16 “(B) FINAL REGULATIONS.—Not later
17 than 270 days after such date of enactment,
18 the Secretary shall issue such regulations as are
19 necessary to carry out this subsection. Such
20 regulations shall ensure that the review process
21 described in paragraph (4) contains the same
22 procedures as subsections (d) and (g) of section
23 109.19 of title 49, Code of Federal Regulations,
24 and is otherwise consistent with the review
25 process developed under such section, to the

1 greatest extent practicable and not inconsistent
2 with this section.

3 “(8) IMMINENT HAZARD DEFINED.—In this
4 subsection, the term ‘imminent hazard’ means the
5 existence of a condition relating to a gas or haz-
6 ardous liquid pipeline facility that presents a sub-
7 stantial likelihood that death, serious illness, severe
8 personal injury, or a substantial endangerment to
9 health, property, or the environment may occur be-
10 fore the reasonably foreseeable completion date of a
11 formal proceeding begun to lessen the risk of such
12 death, illness, injury, or endangerment.

13 “(9) LIMITATION AND SAVINGS CLAUSE.—An
14 emergency order issued under this subsection may
15 not be construed to—

16 “(A) alter, amend, or limit the Secretary’s
17 obligations under, or the applicability of, section
18 553 of title 5; or

19 “(B) provide the authority to amend the
20 Code of Federal Regulations.”.

21 **SEC. 17. STATE GRANT FUNDS.**

22 Section 60107 of title 49, United States Code, is
23 amended—

24 (1) by striking subsection (b) and inserting the
25 following:

1 “(b) PAYMENTS.—After notifying and consulting
2 with a State authority, the Secretary may withhold any
3 part of a payment when the Secretary decides that the
4 authority is not carrying out satisfactorily a safety pro-
5 gram or not acting satisfactorily as an agent. The Sec-
6 retary may pay an authority under this section only when
7 the authority ensures the Secretary that it will provide the
8 remaining costs of a safety program, except when the Sec-
9 retary waives this requirement.”; and

10 (2) by adding at the end the following:

11 “(e) REPURPOSING OF FUNDS.—If a State program’s
12 certification is rejected under section 60105(f) or such
13 program is otherwise suspended or interrupted, the Sec-
14 retary may use any undistributed, deobligated, or recov-
15 ered funds authorized under this section to carry out pipe-
16 line safety activities for that State within the period of
17 availability for such funds.”.

18 **SEC. 18. RESPONSE PLANS.**

19 Each owner or operator of a hazardous liquid pipeline
20 facility required to prepare a response plan pursuant to
21 part 194 of title 49, Code of Federal Regulations, shall—

22 (1) consider the impact of a discharge into or
23 on navigable waters or adjoining shorelines, includ-
24 ing those that may be covered in whole or in part
25 by ice; and

1 (2) include procedures and resources for re-
2 sponding to such discharge in the plan.

3 **SEC. 19. UNUSUALLY SENSITIVE AREAS.**

4 (a) AREAS TO BE INCLUDED AS UNUSUALLY SEN-
5 SITIVE.—Section 60109(b)(2) of title 49, United States
6 Code, is amended by striking “have been identified as”
7 and inserting “are part of the Great Lakes or have been
8 identified as coastal beaches, marine coastal waters,”.

9 (b) UNUSUALLY SENSITIVE AREAS (USA) ECOLOGI-
10 CAL RESOURCES.—The Secretary of Transportation shall
11 revise section 195.6(b) of title 49, Code of Federal Regula-
12 tions, to explicitly state that the Great Lakes, coastal
13 beaches, and marine coastal waters are USA ecological re-
14 sources for purposes of determining whether a pipeline is
15 in a high consequence area (as defined in section 195.450
16 of such title).

17 **SEC. 20. PIPELINE SAFETY TECHNICAL ASSISTANCE**
18 **GRANTS.**

19 (a) PUBLIC PARTICIPATION LIMITATION.—Section
20 60130(a)(4) of title 49, United States Code, is amended
21 by inserting “on technical pipeline safety issues” after
22 “public participation”.

23 (b) AUDIT.—Not later than 180 days after the date
24 of enactment of this Act, the Inspector General of the De-
25 partment of Transportation shall submit to the Secretary

1 of Transportation, the Committee on Transportation and
2 Infrastructure and the Committee on Energy and Com-
3 merce of the House of Representatives, and the Committee
4 on Commerce, Science, and Transportation of the Senate
5 a report evaluating the grant program under section
6 60130 of title 49, United States Code. The report shall
7 include—

8 (1) a list of the recipients of all grant funds
9 during fiscal years 2010 through 2015;

10 (2) a description of how each grant was used;

11 (3) an analysis of the compliance with the
12 terms of grant agreements, including subsections (a)
13 and (b) of such section;

14 (4) an evaluation of the competitive process
15 used to award the grant funds; and

16 (5) an evaluation of—

17 (A) the ability of the Pipeline and Haz-
18 ardous Materials Safety Administration to over-
19 see grant funds and usage; and

20 (B) the procedures used for such oversight.

21 **SEC. 21. STUDY OF MATERIALS AND CORROSION PREVEN-**
22 **TION IN PIPELINE TRANSPORTATION.**

23 (a) IN GENERAL.—Not later than 2 years after the
24 date of enactment of this Act, the Comptroller General
25 of the United States shall submit to the Committee on

1 Transportation and Infrastructure and the Committee on
2 Energy and Commerce of the House of Representatives
3 and the Committee on Commerce, Science, and Transpor-
4 tation of the Senate a study on materials, training, and
5 corrosion prevention technologies for gas and hazardous
6 liquid pipeline facilities.

7 (b) REQUIREMENTS.—The study required under sub-
8 section (a) shall include—

9 (1) an analysis of—

10 (A) the range of piping materials, includ-
11 ing plastic materials, used to transport haz-
12 ardous liquids and natural gas in the United
13 States and in other developed countries around
14 the world;

15 (B) the types of technologies used for cor-
16 rosion prevention, including coatings and ca-
17 thodic protection;

18 (C) common causes of corrosion, including
19 interior and exterior moisture buildup and im-
20 pacts of moisture buildup under insulation; and

21 (D) the training provided to personnel re-
22 sponsible for identifying and preventing corro-
23 sion in pipelines, and for repairing such pipe-
24 lines;

1 (2) the extent to which best practices or guid-
2 ance relating to pipeline facility design, installation,
3 operation, and maintenance, including training, are
4 available to recognize or prevent corrosion;

5 (3) an analysis of the estimated costs and an-
6 ticipated benefits, including safety benefits, associ-
7 ated with the use of such materials and technologies;
8 and

9 (4) stakeholder and expert perspectives on the
10 effectiveness of corrosion control techniques to re-
11 duce the incidence of corrosion-related pipeline fail-
12 ures.

13 **SEC. 22. RESEARCH AND DEVELOPMENT.**

14 (a) IN GENERAL.—Not later than 18 months after
15 the date of enactment of this Act, the Inspector General
16 of the Department of Transportation shall submit to the
17 Committee on Transportation and Infrastructure, the
18 Committee on Energy and Commerce, and the Committee
19 on Science, Space, and Technology of the House of Rep-
20 resentatives and the Committee on Commerce, Science,
21 and Transportation of the Senate a report regarding the
22 Pipeline and Hazardous Materials Safety Administration's
23 research and development program carried out under sec-
24 tion 12 of the Pipeline Safety Improvement Act of 2002

1 (49 U.S.C. 60101 note). The report shall include an eval-
2 uation of—

3 (1) compliance with the consultation require-
4 ment under subsection (d)(2) of such section;

5 (2) the extent to which the Pipeline and Haz-
6 ardous Materials Safety Administration enters into
7 joint research ventures with Federal and non-Fed-
8 eral entities, and benefits thereof;

9 (3) the policies and procedures the Pipeline and
10 Hazardous Materials Safety Administration has put
11 in place to ensure there are no conflicts of interest
12 with administering grants pursuant to the program,
13 and whether those policies and procedures are being
14 followed; and

15 (4) an evaluation of the outcomes of research
16 conducted with Federal and non-Federal entities and
17 the degree to which such outcomes have been adopt-
18 ed or utilized.

19 (b) COLLABORATIVE SAFETY RESEARCH REPORT.—

20 (1) BIENNIAL REPORTS.—Section 60124(a)(6)
21 of title 49, United States Code, is amended—

22 (A) in subparagraph (A), by striking
23 “and” at the end;

24 (B) in subparagraph (B), by striking the
25 period at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(C) a summary of each research and de-
3 velopment project carried out with Federal and
4 non-Federal entities pursuant to section 12 of
5 the Pipeline Safety Improvement Act of 2002
6 and a review of how the project affects safety.”.

7 (2) PIPELINE SAFETY IMPROVEMENT ACT.—
8 Section 12 of the Pipeline Safety Improvement Act
9 of 2002 (49 U.S.C. 60101 note) is amended—

10 (A) by striking subsection (d)(3)(C) and
11 inserting the following:

12 “(C) FUNDING FROM NON-FEDERAL
13 SOURCES.—The Secretary shall ensure that—

14 “(i) at least 30 percent of the costs of
15 technology research and development ac-
16 tivities may be carried out using non-Fed-
17 eral sources;

18 “(ii) at least 20 percent of the costs
19 of basic research and development with
20 universities may be carried out using non-
21 Federal sources; and

22 “(iii) up to 100 percent of the costs of
23 research and development for purely gov-
24 ernmental purposes may be carried out
25 using Federal funds.”; and

1 (B) by adding at the end the following:

2 “(h) INDEPENDENT EXPERTS.—Not later than 180
3 days after the date of enactment of the PIPES Act of
4 2016, the Secretary shall—

5 “(1) implement processes and procedures to en-
6 sure that activities listed under subsection (c), to the
7 greatest extent practicable, produce results that are
8 peer-reviewed by independent experts and not by
9 persons or entities that have a financial interest in
10 the pipeline, petroleum, or natural gas industries, or
11 that would be directly impacted by the results of the
12 projects; and

13 “(2) submit to the Committee on Transpor-
14 tation and Infrastructure, the Committee on Energy
15 and Commerce, and the Committee on Science,
16 Space, and Technology of the House of Representa-
17 tives and the Committee on Commerce, Science, and
18 Transportation of the Senate a report describing the
19 processes and procedures implemented under para-
20 graph (1).

21 “(i) CONFLICT OF INTEREST.—The Secretary shall
22 take all practical steps to ensure that each recipient of
23 an agreement under this section discloses in writing to the
24 Secretary any conflict of interest on a research and devel-
25 opment project carried out under this section, and includes

1 any such disclosure as part of the final deliverable pursu-
2 ant to such agreement. The Secretary may not make an
3 award under this section directly to a pipeline owner or
4 operator that is regulated by the Pipeline and Hazardous
5 Materials Safety Administration or a State-certified regu-
6 latory authority if there is a conflict of interest relating
7 to such owner or operator.”.

8 **SEC. 23. ACTIVE AND ABANDONED PIPELINES.**

9 Not later than 90 days after the date of enactment
10 of this Act, the Secretary of Transportation shall issue an
11 advisory bulletin to owners and operators of gas or haz-
12 ardous liquid pipeline facilities and Federal and State
13 pipeline safety personnel regarding procedures of the Pipe-
14 line and Hazardous Materials Safety Administration re-
15 quired to change the status of a pipeline facility from ac-
16 tive to abandoned, including specific guidance on the
17 terms recognized by the Secretary for each pipeline status
18 referred to in such advisory bulletin.

19 **SEC. 24. STATE PIPELINE SAFETY AGREEMENTS.**

20 (a) STUDY.—Not later than 2 years after the date
21 of enactment of this Act, the Comptroller General of the
22 United States shall complete a study on State pipeline
23 safety agreements made pursuant to section 60106 of title
24 49, United States Code. Such study shall consider the fol-
25 lowing:

1 (1) The integration of Federal and State or
2 local authorities in carrying out activities pursuant
3 to an agreement under such section.

4 (2) The estimated staff and other resources
5 used by Federal and State authorities in carrying
6 out inspection activities pursuant to agreements
7 under such section.

8 (3) The estimated staff and other resources
9 used by the Pipeline and Hazardous Materials Safe-
10 ty Administration in carrying out interstate inspec-
11 tions in areas where there is no interstate agreement
12 with a State pursuant to such section.

13 (b) NOTICE REQUIREMENT FOR DENIAL.—Section
14 60106(b) of title 49, United States Code, is amended by
15 adding at the end the following:

16 “(4) NOTICE UPON DENIAL.—If a State author-
17 ity requests an interstate agreement under this sec-
18 tion and the Secretary denies such request, the Sec-
19 retary shall provide written notification to the State
20 authority of the denial that includes an explanation
21 of the reasons for such denial.”.

22 **SEC. 25. REQUIREMENTS FOR CERTAIN HAZARDOUS LIQ-**
23 **UID PIPELINE FACILITIES.**

24 Section 60109 of title 49, United States Code, is
25 amended by adding at the end the following:

1 “(g) HAZARDOUS LIQUID PIPELINE FACILITIES.—

2 “(1) INTEGRITY ASSESSMENTS.—Notwith-
3 standing any pipeline integrity management program
4 or integrity assessment schedule otherwise required
5 by the Secretary, each operator of a pipeline facility
6 to which this subsection applies shall ensure that
7 pipeline integrity assessments—

8 “(A) using internal inspection technology
9 appropriate for the integrity threat are com-
10 pleted not less often than once every 12
11 months; and

12 “(B) using pipeline route surveys, depth of
13 cover surveys, pressure tests, external corrosion
14 direct assessment, or other technology that the
15 operator demonstrates can further the under-
16 standing of the condition of the pipeline facility
17 are completed on a schedule based on the risk
18 that the pipeline facility poses to the high con-
19 sequence area in which the pipeline facility is
20 located.

21 “(2) APPLICATION.—This subsection shall
22 apply to any underwater hazardous liquid pipeline
23 facility located in a high consequence area—

24 “(A) that is not an offshore pipeline facil-
25 ity; and

1 “(B) any portion of which is located at
2 depths greater than 150 feet under the surface
3 of the water.

4 “(3) HIGH CONSEQUENCE AREA DEFINED.—
5 For purposes of this subsection, the term ‘high con-
6 sequence area’ has the meaning given that term in
7 section 195.450 of title 49, Code of Federal Regula-
8 tions.

9 “(4) INSPECTION AND ENFORCEMENT.—The
10 Secretary shall conduct inspections under section
11 60117(c) to determine whether each operator of a
12 pipeline facility to which this subsection applies is
13 complying with this section.”.

14 **SEC. 26. STUDY ON PROPANE GAS PIPELINE FACILITIES.**

15 (a) IN GENERAL.—The Secretary of Transportation
16 shall enter into an agreement with the Transportation Re-
17 search Board of the National Academies to conduct a
18 study examining the safety, regulatory requirements, tech-
19 niques, and best practices applicable to pipeline facilities
20 that transport or store only petroleum gas or mixtures of
21 petroleum gas and air to 100 or fewer customers, in ac-
22 cordance with the requirements of this section.

23 (b) REQUIREMENTS.—In conducting the study pursu-
24 ant to subsection (a), the Transportation Research Board
25 shall analyze—

1 (1) Federal, State, and local regulatory require-
2 ments applicable to pipeline facilities described in
3 subsection (a);

4 (2) techniques and best practices relating to the
5 design, installation, operation, and maintenance of
6 such pipeline facilities; and

7 (3) the costs and benefits, including safety ben-
8 efits, associated with such applicable regulatory re-
9 quirements and the use of such techniques and best
10 practices.

11 (c) PARTICIPATION.—In conducting the study pursu-
12 ant to subsection (a), the Transportation Research Board
13 shall consult with Federal, State, and local governments,
14 private sector entities, and consumer and pipeline safety
15 advocates, as appropriate.

16 (d) DEADLINE.—Not later than 2 years after the
17 date of enactment of this Act, the Secretary shall submit
18 to the Committee on Transportation and Infrastructure
19 and the Committee on Energy and Commerce of the
20 House of Representatives and the Committee on Com-
21 merce, Science, and Transportation of the Senate the re-
22 sults of the study conducted pursuant to subsection (a)
23 and any recommendations for improving the safety of such
24 pipeline facilities.

1 (e) DEFINITION.—In this section, the term “petro-
2 leum gas” has the meaning given that term in section
3 192.3 of title 49, Code of Federal Regulations, as in effect
4 on the date of enactment of this Act.

5 **SEC. 27. STANDARDS FOR CERTAIN LIQUEFIED NATURAL**
6 **GAS PIPELINE FACILITIES.**

7 (a) NATIONAL SECURITY.—Section 60103(a) of title
8 49, United States Code, is amended—

9 (1) in paragraph (5), by striking “; and” and
10 inserting a semicolon;

11 (2) in paragraph (6), by striking the period and
12 inserting “; and”; and

13 (3) by inserting after paragraph (6) the fol-
14 lowing:

15 “(7) national security.”.

16 (b) UPDATE TO MINIMUM SAFETY STANDARDS.—
17 The Secretary of Transportation shall review and update
18 the minimum safety standards prescribed pursuant to sec-
19 tion 60103 of title 49, United States Code, for permanent,
20 small scale liquefied natural gas pipeline facilities.

21 (c) SAVINGS CLAUSE.—Nothing in this section shall
22 be construed to limit the Secretary’s authority under chap-
23 ter 601 of title 49, United States Code, to regulate lique-
24 fied natural gas pipeline facilities.

1 **SEC. 28. PIPELINE ODORIZATION STUDY.**

2 Not later than 2 years after the date of the enact-
3 ment of this Act, the Comptroller General of the United
4 States shall submit a report to the Committee on Com-
5 merce, Science, and Transportation of the Senate and the
6 Committee on Transportation and Infrastructure and the
7 Committee on Energy and Commerce of the House of
8 Representatives that assesses—

9 (1) the feasibility, costs, and benefits of odor-
10 izing all combustible gas in pipeline transportation;
11 and

12 (2) the affects of the odorization of all combus-
13 tible gas in pipeline transportation on—

14 (A) manufacturers, agriculture, and other
15 end users; and

16 (B) public health and safety.

17 **SEC. 29. REPORT ON NATURAL GAS LEAK REPORTING.**

18 (a) IN GENERAL.—Not later than 1 year after the
19 date of the enactment of this Act, the Administrator of
20 the Pipeline and Hazardous Materials Safety Administra-
21 tion shall submit to Congress a report on the metrics pro-
22 vided to the Pipeline and Hazardous Materials Safety Ad-
23 ministration and other Federal and State agencies related
24 to lost and unaccounted for natural gas from distribution
25 pipelines and systems.

1 (b) ELEMENTS.—The report required under sub-
2 section (a) shall include the following elements:

3 (1) An examination of different reporting re-
4 quirements or standards for lost and unaccounted
5 for natural gas to different agencies, the reasons for
6 any such discrepancies, and recommendations for
7 harmonizing and improving the accuracy of report-
8 ing.

9 (2) An analysis of whether separate or alter-
10 native reporting could better measure the amounts
11 and identify the location of lost and unaccounted for
12 natural gas from natural gas distribution systems.

13 (3) A description of potential safety issues asso-
14 ciated with natural gas that is lost and unaccounted
15 for from natural gas distribution systems.

16 (4) An assessment of whether alternate report-
17 ing and measures will resolve any safety issues iden-
18 tified under paragraph (3), including an analysis of
19 the potential impact, including potential savings, on
20 rate payers and end users of natural gas products
21 of such reporting and measures.

22 (c) CONSIDERATION OF RECOMMENDATIONS.—If the
23 Administrator determines that alternate reporting struc-
24 tures or recommendations included in the report required
25 under subsection (a) would significantly improve the re-

1 porting and measurement of lost and unaccounted for gas
2 and safety of natural gas distribution systems, the Admin-
3 istrator shall, not later than 1 year after making such de-
4 termination, issue regulations, as the Administrator deter-
5 mines appropriate, to implement the recommendations.

6 **SEC. 30. REVIEW OF STATE POLICIES RELATING TO NAT-**
7 **URAL GAS LEAKS.**

8 (a) REVIEW.—The Administrator of the Pipeline and
9 Hazardous Materials Safety Administration shall conduct
10 a State-by-State review of State-level policies that—

11 (1) encourage the repair and replacement of
12 leaking natural gas distribution pipelines or systems
13 that pose a safety threat, such as timelines to repair
14 leaks and limits on cost recovery from ratepayers;
15 and

16 (2) may create barriers for entities to conduct
17 work to repair and replace leaking natural gas pipe-
18 lines or distribution systems.

19 (b) REPORT.—Not later than 1 year after the date
20 of the enactment of this Act, the Administrator shall sub-
21 mit to the Committee on Transportation and Infrastruc-
22 ture and the Committee on Energy and Commerce of the
23 House of Representatives and the Committee on Com-
24 merce, Science, and Transportation of the Senate a report
25 containing the findings of the review conducted under sub-

1 section (a) and recommendations on Federal or State poli-
2 cies or best practices to improve safety by accelerating the
3 repair and replacement of natural gas pipelines or systems
4 that are leaking or releasing natural gas. The report shall
5 consider the potential impact, including potential savings,
6 of the implementation of such recommendations on rate-
7 payers or end users of the natural gas pipeline system.

8 (c) IMPLEMENTATION OF RECOMMENDATIONS.—If
9 the Administrator determines that the recommendations
10 made under subsection (b) would significantly improve
11 pipeline safety, the Administrator shall, not later than 1
12 year after making such determination, and in coordination
13 with the heads of other relevant agencies as appropriate,
14 issue regulations, as the Administrator determines appro-
15 priate, to implement the recommendations.

16 **SEC. 31. ALISO CANYON NATURAL GAS LEAK TASK FORCE.**

17 (a) ESTABLISHMENT OF TASK FORCE.—Not later
18 than 15 days after the date of enactment of this Act, the
19 Secretary of Energy shall lead and establish an Aliso Can-
20 yon natural gas leak task force.

21 (b) MEMBERSHIP OF TASK FORCE.—In addition to
22 the Secretary, the task force established under subsection
23 (a) shall be composed of—

24 (1) 1 representative from the Department of
25 Transportation;

1 (2) 1 representative from the Department of
2 Health and Human Services;

3 (3) 1 representative from the Environmental
4 Protection Agency;

5 (4) 1 representative from the Department of
6 the Interior;

7 (5) 1 representative from the Department of
8 Commerce;

9 (6) 1 representative from the Federal Energy
10 Regulatory Commission; and

11 (7) representatives of State and local govern-
12 ments, as determined appropriate by the Secretary
13 and the Administrator.

14 (c) REPORT.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of enactment of this Act, the task
17 force established under subsection (a) shall submit a
18 final report that contains the information described
19 in paragraph (2) to—

20 (A) the Committee on Energy and Natural
21 Resources of the Senate;

22 (B) the Committee on Natural Resources
23 of the House of Representatives;

24 (C) the Committee on Environment and
25 Public Works of the Senate;

1 (D) the Committee on Transportation and
2 Infrastructure of the House of Representatives;

3 (E) the Committee on Commerce, Science,
4 and Transportation of the Senate;

5 (F) the Committee on Energy and Com-
6 merce of the House of Representatives;

7 (G) the Committee on Health, Education,
8 Labor, and Pensions of the Senate;

9 (H) the Committee on Education and the
10 Workforce of the House of Representatives;

11 (I) the President; and

12 (J) relevant Federal and State agencies.

13 (2) INFORMATION INCLUDED.—The report sub-
14 mitted under paragraph (1) shall include—

15 (A) an analysis and conclusion of the cause
16 and contributing factors of the Aliso Canyon
17 natural gas leak;

18 (B) an analysis of measures taken to stop
19 the natural gas leak, with an immediate focus
20 on other, more effective measures that could be
21 taken;

22 (C) an assessment of the impact of the
23 natural gas leak on—

24 (i) health, safety, and the environ-
25 ment;

1 (ii) wholesale and retail electricity
2 prices; and

3 (iii) the reliability of the bulk-power
4 system;

5 (D) an analysis of how Federal, State, and
6 local agencies responded to the natural gas
7 leak;

8 (E) in order to lessen the negative impacts
9 of leaks from underground natural gas storage
10 facilities, recommendations on how to im-
11 prove—

12 (i) the response to a future leak; and

13 (ii) coordination between all appro-
14 priate Federal, State, and local agencies in
15 the response to the Aliso Canyon natural
16 gas leak and future natural gas leaks;

17 (F) an analysis of the potential for a simi-
18 lar natural gas leak to occur at other under-
19 ground natural gas storage facilities in the
20 United States;

21 (G) recommendations on how to prevent
22 any future natural gas leaks;

23 (H) recommendations regarding Aliso Can-
24 yon and other underground natural gas storage

1 facilities located in close proximity to residential
2 populations;

3 (I) any recommendations on information
4 that is not currently collected but that would be
5 in the public interest to collect and distribute to
6 agencies and institutions for the continued
7 study and monitoring of natural gas storage in-
8 frastructure in the United States; and

9 (J) any other recommendations, as appro-
10 priate.

11 (3) PUBLICATION.—The final report under
12 paragraph (1) shall be made available to the public
13 in an electronically accessible format.

14 (4) FINDINGS.—If, before the final report is
15 submitted under paragraph (1), the task force estab-
16 lished under subsection (a) finds methods to solve
17 the natural gas leak at Aliso Canyon, finds methods
18 to better protect the affected communities, or finds
19 methods to help prevent other leaks, the task force
20 shall immediately submit such findings to the enti-
21 ties described in subparagraphs (A) through (J) of
22 paragraph (1).