

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4758

To strengthen and improve the Natural Gas Pipeline Safety Act of 1968,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1994

Mr. FRANKS of New Jersey (for himself, Mr. PALLONE, and Mr. FLAKE) introduced the following bill; which was referred jointly to the Committees on Public Works and Transportation and Energy and Commerce

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## A BILL

To strengthen and improve the Natural Gas Pipeline Safety  
Act of 1968, 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.**

4 This Act may be cited as the “Durham Woods Natu-  
5 ral Gas Pipeline Safety Act of 1994”.

6 **SEC. 2. INCREASED INSPECTION REQUIREMENTS IN HIGH-**  
7 **DENSITY POPULATION AREAS.**

8 (a) INSTRUMENTED INTERNAL INSPECTION DE-  
9 VICES.—Section 3(g)(2) of the Natural Gas Pipeline Safe-  
10 ty Act of 1968 (49 U.S.C. App. 1672(g)(2)) is amended

1 by inserting “, not less than once every 7 years,” after  
2 “requiring the periodic inspection”.

3 (b) ADDITIONAL INSPECTIONS.—Section 3 of the  
4 Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App.  
5 1672) is amended by adding at the end the following new  
6 subsection:

7 “(l) ADDITIONAL INSPECTION REQUIREMENTS.—  
8 Within 2 years after the date of enactment of this sub-  
9 section, the Secretary shall issue regulations requiring  
10 that each operator of transmission pipelines—

11 “(1) establish a program for observing from the  
12 air, or inspecting from the ground, or both, at least  
13 once every month, the surface conditions on and ad-  
14 jacent to the right-of-way of all of such operator’s  
15 transmission pipelines identified pursuant to sub-  
16 section (i) for indications of leaks, construction, and  
17 other circumstances affecting safety or operation;  
18 and

19 “(2) place line markers along the rights-of-way  
20 of all of such operator’s transmission pipelines iden-  
21 tified pursuant to subsection (i), unless such place-  
22 ment is impractical.”.

23 **SEC. 3. DAMAGE REPORTING.**

24 Section 20(g)(2) of the Natural Gas Pipeline Safety  
25 Act of 1968 (49 U.S.C. App. 1687(g)(2)) is amended—

1 (1) by striking “or” at the end of subparagraph  
2 (A);

3 (2) by redesignating subparagraph (B) as sub-  
4 paragraph (C); and

5 (3) by inserting after subparagraph (A) the fol-  
6 lowing new subparagraph:

7 “(B) a natural gas pipeline facility and  
8 does not report the damage promptly to the op-  
9 erator of the pipeline facility or other appro-  
10 priate authorities; or”.

11 **SEC. 4. INCREASED PENALTIES.**

12 (a) **CRIMINAL PENALTIES.**—(1) Section 20(g) of the  
13 Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App.  
14 1687(g)) is amended by striking “5 years” and inserting  
15 in lieu thereof “10 years”.

16 (2) Section 11(c) of the Natural Gas Pipeline Safety  
17 Act of 1968 (49 U.S.C. App. 1679a(c)) is amended—

18 (A) in paragraph (1), by striking “\$25,000, im-  
19 prisonment for a term not to exceed 5 years” and  
20 inserting in lieu thereof “\$100,000, imprisonment  
21 for a term not to exceed 10 years”;

22 (B) in paragraph (2), by striking “\$25,000, im-  
23 prisonment for a term not to exceed 15 years” and  
24 inserting in lieu thereof “\$100,000, imprisonment  
25 for a term not to exceed 30 years”; and

1 (C) in paragraph (3), by striking “\$5,000, im-  
2 prisonment for a term not to exceed 1 year” and in-  
3 sserting in lieu thereof “\$50,000, imprisonment for a  
4 term not to exceed 5 years”.

5 (b) CIVIL PENALTIES.—Section 11(a) of the Natural  
6 Gas Pipeline Safety Act of 1968 (49 U.S.C. App.  
7 1679a(a)) is amended—

8 (1) in paragraph (1)—

9 (A) by striking “or section 20(h)” and in-  
10 sserting in lieu thereof “, section 20(h), or sec-  
11 tion 22(a)”;

12 (B) by striking “\$25,000” and inserting in  
13 lieu thereof “\$50,000”; and

14 (C) by striking “\$500,000” and inserting  
15 in lieu thereof “\$1,000,000”; and

16 (2) in paragraph (2), by striking “\$50,000”  
17 and inserting in lieu thereof “\$100,000”.

18 **SEC. 5. PUBLIC AWARENESS.**

19 Section 18(a) of the Natural Gas Pipeline Safety Act  
20 of 1968 (49 U.S.C. App. 1685(a)) is amended—

21 (1) by inserting “(1)” before “Each person  
22 who”; and

23 (2) by adding at the end the following new  
24 paragraph:

1       “(2) The Secretary shall, to the extent provided in  
2 advance in appropriations Acts, make grants to States for  
3 the promotion of public awareness of the dangers of exca-  
4 vating near natural gas pipelines by advertising in the  
5 media and other means.”.

6 **SEC. 6. PIPELINE SAFETY STUDY.**

7       (a) **STUDY.**—The Secretary of Transportation shall  
8 conduct a comprehensive study on the safety of all natural  
9 gas transmission pipelines in the State of New Jersey.  
10 Such study shall address, at a minimum—

11           (1) increasing population encroachment on  
12 pipeline rights-of-way;

13           (2) environmental concerns;

14           (3) financial pressures on the pipeline industry  
15 to control their costs; and

16           (4) the feasibility of utilizing remotely operated  
17 or automatic shut-off valves, and their appropriate  
18 spacing.

19       (b) **REPORT TO CONGRESS.**—Not later than 1 year  
20 after the date of enactment of this Act, the Secretary of  
21 Transportation shall transmit to the Congress a report  
22 containing the results of the study conducted under sub-  
23 section (a).

1 **SEC. 7. RISK ASSESSMENT.**

2 (a) ASSESSMENT.—The Secretary of Transportation  
3 shall conduct an assessment of the risks to public safety  
4 and the environment posed by the transportation of natu-  
5 ral gas by pipeline. Such assessment shall—

6 (1) rank the risks identified by the Secretary in  
7 terms of their probability of occurrence and the se-  
8 verity of their likely consequences, and in terms of  
9 any other factors the Secretary considers relevant;

10 (2) identify and prioritize technically feasible  
11 and economically justified actions that should be  
12 taken to lessen the risks identified; and

13 (3) address, at a minimum—

14 (A) inspection by instrumented internal in-  
15 spection devices;

16 (B) installation of emergency flow restrict-  
17 ing devices;

18 (C) inspection and burial of underwater  
19 pipelines; and

20 (D) inspection and replacement of cast  
21 iron pipelines.

22 (b) REPORT TO CONGRESS.—Not later than 18  
23 months after the date of enactment of this Act, the Sec-  
24 retary of Transportation shall transmit to the Congress  
25 a report including the assessment required under sub-

1 section (a) and a plan for actions proposed by the Sec-  
2 retary to address each risk identified in the assessment.

3 **SEC. 8. MAPPING.**

4 The National Gas Pipeline Safety Act of 1968 (49  
5 U.S.C. App. 1671–1688) is amended by adding at the end  
6 the following new section:

7 **“SEC. 22. MAPPING.**

8 “(a) LOCATION OF TRANSMISSION PIPELINES.—The  
9 owner or operator of each of the Nation’s transmission  
10 pipelines shall inform the Secretary of the specific location  
11 of such transmission pipelines.

12 “(b) COMPREHENSIVE MAPPING PROGRAM.—The  
13 Secretary, using the information received under subsection  
14 (a) and any other information available to the Secretary,  
15 shall develop a comprehensive mapping program to iden-  
16 tify the specific location of all of the Nation’s transmission  
17 pipelines. The program shall include information on the  
18 proximity of transmission pipelines to high-density popu-  
19 lation areas, environmentally sensitive areas, water in-  
20 takes, and other appropriate areas or facilities. The Sec-  
21 retary shall establish an electronic data base for the com-  
22 prehensive mapping program, and shall ensure that such  
23 data base is available to the public in an appropriate man-  
24 ner.

1       “(c) SECURITY.—The Secretary shall ensure the se-  
2       curity of the program developed under subsection (b)  
3       against terrorism, sabotage, and other threats.”.

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