

110TH CONGRESS
2D SESSION

S. 3319

To amend title 23, United States Code, to require corrosion mitigation and prevention plans for bridges receiving Federal funding, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 23, 2008

Mr. BROWN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to require corrosion mitigation and prevention plans for bridges receiving Federal funding, 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 “Bridge Life Extension
5 Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) corrosion of highway bridges costs the
9 United States economy \$8,300,000,000 each year,
10 according to the Federal Highway Administration

1 report numbered FHWA–RD–01–157 that was sub-
2 mitted to Congress in 2002;

3 (2) the ongoing cost of corrosion on United
4 States highway bridges represents a needless waste
5 of taxpayer dollars;

6 (3) $\frac{1}{3}$ of the ongoing cost of corrosion on
7 United States highway bridges would be saved if ex-
8 isting, fully-developed corrosion prevention tech-
9 nologies were applied to bridge decks and bridge
10 deck substructures;

11 (4) the application of corrosion technologies to
12 United States highway bridges is necessary, but cur-
13 rently underused; and

14 (5) the application of corrosion prevention
15 strategies should be required in the design and reha-
16 bilitation of bridge structures that use Federal fund-
17 ing and the development of new corrosion prevention
18 technologies should be encouraged.

19 **SEC. 3. CORROSION MITIGATION AND PREVENTION PLANS**
20 **FOR BRIDGES RECEIVING FEDERAL FUND-**
21 **ING.**

22 (a) IN GENERAL.—Chapter 1 of title 23, United
23 States Code, is amended by inserting after section 149 the
24 following:

1 **“§ 150. Corrosion mitigation and prevention plans**

2 “(a) DEFINITION OF CORROSION EXPERT.—In this
3 section, the term ‘corrosion expert’ means an individual
4 who is—

5 “(1) accredited or certified as being qualified by
6 an international technical society dedicated to the
7 mitigation and prevention of corrosion; or

8 “(2) a registered professional engineer who has
9 certification or licensing that includes education and
10 experience in corrosion prevention and control of
11 bridges.

12 “(b) SUBMISSION OF PLANS.—The Secretary may
13 approve Federal assistance for a project for construction
14 of a bridge using amounts apportioned under section
15 104(b)(1) or 104(b)(3) or a project for replacement or re-
16 habilitation of a bridge under section 144 only if—

17 “(1) the 1 or more States applying for the as-
18 sistance develop and submit to the Secretary a cor-
19 rosion mitigation and prevention plan for the bridge;
20 and

21 “(2) the Secretary approves the plan.

22 “(c) PLAN REQUIREMENTS.—The Secretary may ap-
23 prove a corrosion mitigation and prevention plan for a
24 bridge submitted under subsection (b) only if the plan con-
25 tains, at a minimum, the following:

1 “(1) An estimate of the expected useful life of
2 the bridge.

3 “(2) An estimate of the environmental exposure
4 of the bridge, including marine, industrial, and rural
5 exposure or location, deicer application, rainfall,
6 temperature, freeze-thaw, and other factors that in-
7 fluence corrosion prevention and corrosion mitiga-
8 tion strategies.

9 “(3) An identification of the functional classi-
10 fication of the bridge.

11 “(4) Details of corrosion mitigation and preven-
12 tion methods that will be used with respect to the
13 bridge, taking into account—

14 “(A) material selection;

15 “(B) coating considerations;

16 “(C) cathodic protection considerations;

17 “(D) design considerations for corrosion;

18 and

19 “(E) concrete requirements.

20 “(5) Details of a project maintenance program
21 for the life of the bridge.

22 “(6) A certification that the plan was developed
23 by the 1 or more States submitting the plan and ap-
24 proved by a corrosion expert.

1 “(7) A certification that each individual con-
2 ducting inspections of Federal-aid highway bridges
3 in each State submitting the plan receives training
4 from a corrosion expert.

5 “(d) APPROVAL AND DISAPPROVAL.—

6 “(1) IN GENERAL.—The Secretary shall ap-
7 prove or disapprove each corrosion mitigation and
8 prevention plan submitted under subsection (b).

9 “(2) ACTION UPON DISAPPROVAL.—If the Sec-
10 retary disapproves a plan, the Secretary shall—

11 “(A) inform each State that submitted the
12 plan of the reasons for the disapproval; and

13 “(B) permit each of those States to resub-
14 mit the plan with such modifications as the
15 Secretary determines to be necessary.

16 “(e) MODIFICATIONS FOLLOWING PLAN AP-
17 PROVAL.—The 1 or more States submitting a corrosion
18 mitigation and prevention plan approved under subsection
19 (d) may modify the plan to incorporate newly developed
20 corrosion prevention techniques, methods, applications,
21 and best practices if the 1 or more States provide advance
22 written notice of the modification to the Secretary.

23 “(f) APPLICABILITY.—

24 “(1) IN GENERAL.—This section shall take ef-
25 fect beginning on the first day of the second fiscal

1 year beginning after the date of enactment of this
2 section.

3 “(2) WAIVERS.—Notwithstanding paragraph
4 (1), the Secretary may waive the application of re-
5 quirements of this section with respect to a bridge
6 for the 180-day period beginning on the first day re-
7 ferred to in paragraph (1) if—

8 “(A) a corrosion mitigation and prevention
9 plan has been submitted for the bridge before
10 that first day; and

11 “(B) the Secretary determines that such a
12 waiver is appropriate.

13 “(g) FUNDING.—Funds made available to a State
14 under sections 104(b)(1), 104(b)(3), and 144 may be used
15 by the State for activities to comply with this section.”.

16 (b) CLERICAL AMENDMENT.—The analysis for chap-
17 ter 1 of title 23, United States Code, is amended by insert-
18 ing after the item relating to section 149 the following:

“150. Corrosion mitigation and prevention plans.”.

○