

# ***In the House of Representatives, U. S.,***

*June 8, 2016.*

*Resolved*, That the bill from the Senate (S. 2276) entitled “An Act to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.”, do pass with the following

## **AMENDMENT:**

Strike out all after the enacting clause and insert:

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

2       (a) *SHORT TITLE.*—*This Act may be cited as the “Pro-*  
3 *tecting our Infrastructure of Pipelines and Enhancing Safe-*  
4 *ty Act of 2016” or the “PIPES Act of 2016”.*

5       (b) *TABLE OF CONTENTS.*—*The table of contents of this*  
6 *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 60125(a)  
 3 *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 out*  
 9 *such section 12 and \$36,194,000 is for making*  
 10 *grants.” and inserting the following: “there is author-*  
 11 *ized to be appropriated to the Department of Trans-*  
 12 *portation from fees collected under section 60301—*

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

17               “(B) *\$128,000,000 for fiscal year 2017 of*  
 18 *which \$9,000,000 shall be expended for carrying*  
 19 *out such section 12 and \$41,885,000 shall be ex-*  
 20 *pended for making grants;*

1           “(C) \$131,000,000 for fiscal year 2018, of  
 2           which \$9,000,000 shall be expended for carrying  
 3           out such section 12 and \$44,885,000 shall be ex-  
 4           pended for making grants; and

5           “(D) \$134,000,000 for fiscal year 2019, of  
 6           which \$9,000,000 shall be expended for carrying  
 7           out such section 12 and \$47,885,000 shall be ex-  
 8           pended for making grants.”;

9           (2) in paragraph (2) by striking “there is au-  
 10          thorized to be appropriated for each of fiscal years  
 11          2012 through 2015 from the Oil Spill Liability Trust  
 12          Fund to carry out the provisions of this chapter re-  
 13          lated to hazardous liquid and section 12 of the Pipe-  
 14          line Safety Improvement Act of 2002 (49 U.S.C.  
 15          60101 note; Public Law 107–355), \$18,573,000, of  
 16          which \$2,174,000 is for carrying out such section 12  
 17          and \$4,558,000 is for making grants.” and inserting  
 18          the following: “there is authorized to be appropriated  
 19          from the Oil Spill Liability Trust Fund to carry out  
 20          the provisions of this chapter related to hazardous liq-  
 21          uid and section 12 of the Pipeline Safety Improve-  
 22          ment Act of 2002 (49 U.S.C. 60101 note; Public Law  
 23          107–355)—

24           “(A) \$22,123,000 for fiscal year 2016, of  
 25          which \$3,000,000 shall be expended for carrying

1           *out such section 12 and \$8,067,000 shall be ex-*  
 2           *pended for making grants;*

3           *“(B) \$22,123,000 for fiscal year 2017, of*  
 4           *which \$3,000,000 shall be expended for carrying*  
 5           *out such section 12 and \$8,067,000 shall be ex-*  
 6           *pended for making grants;*

7           *“(C) \$23,000,000 for fiscal year 2018, of*  
 8           *which \$3,000,000 shall be expended for carrying*  
 9           *out such section 12 and \$8,067,000 shall be ex-*  
 10          *pended for making grants; and*

11          *“(D) \$23,000,000 for fiscal year 2019, of*  
 12          *which \$3,000,000 shall be expended for carrying*  
 13          *out such section 12 and \$8,067,000 shall be ex-*  
 14          *pended for making grants.”; and*

15          *(3) by adding at the end the following:*

16          *“(3) UNDERGROUND NATURAL GAS STORAGE FA-*  
 17          *CILITY SAFETY ACCOUNT.—To carry out section*  
 18          *60141, there is authorized to be appropriated to the*  
 19          *Department of Transportation from fees collected*  
 20          *under section 60302 \$8,000,000 for each of fiscal*  
 21          *years 2017 through 2019.”.*

22          *(b) OPERATIONAL EXPENSES.—There are authorized*  
 23          *to be appropriated to the Secretary of Transportation for*  
 24          *the necessary operational expenses of the Pipeline and Haz-*

ardous Materials Safety Administration the following  
amounts:

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

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

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

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

(c) ONE-CALL NOTIFICATION PROGRAMS.—

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

**“§6107. Funding**

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

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

“6107. Funding.”.

(d) PIPELINE SAFETY INFORMATION GRANTS TO COM-  
MUNITIES.—The first sentence of section 60130(c) of title  
49, United States Code, is amended to read as follows: “Of  
the amounts made available under section 2(b) of the  
PIPES Act of 2016, the Secretary shall expend \$1,500,000  
for each of fiscal years 2016 through 2019 to carry out this  
section.”.

1       (e) *PIPELINE INTEGRITY PROGRAM*.—Section 12(f) of  
 2   the Pipeline Safety Improvement Act of 2002 (49 U.S.C.  
 3   60101 note) is amended by striking “2012 through 2015”  
 4   and inserting “2016 through 2019”.

5   **SEC. 3. REGULATORY UPDATES.**

6       (a) *PUBLICATION*.—

7           (1) *IN GENERAL*.—The Secretary of Transpor-  
 8   tation shall publish an update on a publicly available  
 9   Web site of the Department of Transportation regard-  
 10   ing the status of a final rule for each outstanding reg-  
 11   ulation, and upon such publication notify the Com-  
 12   mittee on Commerce, Science, and Transportation of  
 13   the Senate and the Committee on Transportation and  
 14   Infrastructure and the Committee on Energy and  
 15   Commerce of the House of Representatives that such  
 16   publication has been made.

17          (2) *DEADLINES*.—The Secretary shall publish an  
 18   update under this subsection not later than 120 days  
 19   after the date of enactment of this Act, and every 90  
 20   days thereafter until a final rule has been published  
 21   in the Federal Register for each outstanding regula-  
 22   tion.

23       (b) *CONTENTS*.—The Secretary shall include in each  
 24   update published under subsection (a)—

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

3           (2) *an updated rulemaking timeline for each out-*  
 4           *standing regulation;*

5           (3) *current staff allocations with respect to each*  
 6           *outstanding regulation;*

7           (4) *any resource constraints affecting the rule-*  
 8           *making process for each outstanding regulation;*

9           (5) *any other details associated with the develop-*  
 10          *ment of each outstanding regulation that affect the*  
 11          *progress of the rulemaking process; and*

12          (6) *a description of all rulemakings regarding*  
 13          *gas or hazardous liquid pipeline facilities published*  
 14          *in the Federal Register that are not identified under*  
 15          *subsection (c).*

16          (c) *OUTSTANDING REGULATION DEFINED.*—*In this*  
 17          *section, the term “outstanding regulation” means—*

18               (1) *a final rule required under the Pipeline Safe-*  
 19               *ty, Regulatory Certainty, and Job Creation Act of*  
 20               *2011 (Public Law 112–90) that has not been pub-*  
 21               *lished in the Federal Register; and*

22               (2) *a final rule regarding gas or hazardous liq-*  
 23               *uid pipeline facilities required under this Act or an*  
 24               *Act enacted prior to the date of enactment of this Act*  
 25               *(other than the Pipeline Safety, Regulatory Certainty,*

1        *and Job Creation Act of 2011 (Public Law 112–90))*  
 2        *that has not been published in the Federal Register.*

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

4        (a) *REPORT.*—Not later than 18 months after the date  
 5        of publication in the Federal Register of a final rule regard-  
 6        ing the safety of gas transmission pipelines related to the  
 7        notice of proposed rulemaking issued on April 8, 2016, ti-  
 8        tled “Pipeline Safety: Safety of Gas Transmission and  
 9        Gathering Pipelines” (81 Fed. Reg. 20721), the Comptroller  
 10       General of the United States shall submit to the Committee  
 11       on Transportation and Infrastructure and the Committee  
 12       on Energy and Commerce of the House of Representatives  
 13       and the Committee on Commerce, Science, and Transpor-  
 14       tation of the Senate a report regarding the integrity man-  
 15       agement programs for gas pipeline facilities required under  
 16       section 60109(c) of title 49, United States Code.

17       (b) *CONTENTS.*—The report required under subsection  
 18       (a) shall include—

19                (1) *an analysis of stakeholder perspectives, tak-*  
 20                *ing into consideration technical, operational, and eco-*  
 21                *nomics feasibility, regarding ways to enhance pipeline*  
 22                *facility safety, prevent inadvertent releases from pipe-*  
 23                *line facilities, and mitigate any adverse consequences*  
 24                *of such inadvertent releases, including changes to the*



1        *definition of high consequence area, or expanding in-*  
 2        *tegrity management beyond high consequence areas;*

3            (2) *a review of the types of benefits, including*  
 4        *safety benefits, and estimated costs of the legacy class*  
 5        *location regulations;*

6            (3) *an analysis of the impact pipeline facility*  
 7        *features, including the age, condition, materials, and*  
 8        *construction of a pipeline facility, have on safety and*  
 9        *risk analysis of a particular pipeline facility;*

10          (4) *a description of any challenges affecting Fed-*  
 11        *eral or State regulators in the oversight of gas trans-*  
 12        *mission pipeline facilities and how the challenges are*  
 13        *being addressed; and*

14          (5) *a description of any challenges affecting the*  
 15        *natural gas industry in complying with the pro-*  
 16        *grams, and how the challenges are being addressed,*  
 17        *including any challenges faced by publicly owned nat-*  
 18        *ural gas distribution systems.*

19        (c) *DEFINITION OF HIGH CONSEQUENCE AREA.—In*  
 20        *this section, the term “high consequence area” has the*  
 21        *meaning given the term in section 192.903 of title 49, Code*  
 22        *of Federal Regulations.*

1 **SEC. 5. HAZARDOUS LIQUID INTEGRITY MANAGEMENT RE-**  
 2 **VIEW.**

3       (a) *REPORT*.—Not later than 18 months after the date  
 4 of publication in the Federal Register of a final rule regard-  
 5 ing the safety of hazardous liquid pipeline facilities related  
 6 to the notice of proposed rulemaking issued on October 13,  
 7 2015, titled “Pipeline Safety: Safety of Hazardous Liquid  
 8 Pipelines” (80 Fed. Reg. 61610), the Comptroller General  
 9 of the United States shall submit to the Committee on  
 10 Transportation and Infrastructure and the Committee on  
 11 Energy and Commerce of the House of Representatives and  
 12 the Committee on Commerce, Science, and Transportation  
 13 of the Senate a report regarding the integrity management  
 14 programs for hazardous liquid pipeline facilities, as regu-  
 15 lated under sections 195.450 and 195.452 of title 49, Code  
 16 of Federal Regulations.

17       (b) *CONTENTS*.—The report required under subsection  
 18 (a) shall include—

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

22                       (A) ways to enhance hazardous liquid pipe-  
 23 line facility safety;

24                       (B) risk factors that may warrant more fre-  
 25 quent inspections of hazardous liquid pipeline  
 26 facilities; and

1                   (C) changes to the definition of high con-  
2                   sequence area;

3                   (2) an analysis of how surveying, assessment,  
4                   mitigation, and monitoring activities, including real-  
5                   time hazardous liquid pipeline facility monitoring  
6                   during significant flood events and information shar-  
7                   ing with Federal agencies, are being used to address  
8                   risks associated with rivers, flood plains, lakes, and  
9                   coastal areas;

10                  (3) an analysis of the impact pipeline facility  
11                  features, including the age, condition, materials, and  
12                  construction of a pipeline facility, have on safety and  
13                  risk analysis of a particular pipeline facility and  
14                  what changes to the definition of high consequence  
15                  area could be made to improve pipeline facility safe-  
16                  ty; and

17                  (4) a description of any challenges affecting Fed-  
18                  eral or State regulators in the oversight of hazardous  
19                  liquid pipeline facilities and how those challenges are  
20                  being addressed.

21                  (c) *DEFINITION OF HIGH CONSEQUENCE AREA.*—In  
22                  this section, the term “high consequence area” has the  
23                  meaning given the term in section 195.450 of title 49, Code  
24                  of Federal Regulations.

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

2 (a) *APPOINTMENT OF MEMBERS.*—Section  
 3 60115(b)(4)(A) of title 49, United States Code, is amended  
 4 by striking “State commissioners. The Secretary shall con-  
 5 sult with the national organization of State commissions  
 6 before selecting those 2 individuals.” and inserting “State  
 7 officials. The Secretary shall consult with national organi-  
 8 zations representing State commissioners or utility regu-  
 9 lators before making a selection under this subparagraph.”.

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

12 “(5) Within 90 days of the date of enactment of the  
 13 PIPES Act of 2016, the Secretary shall fill all vacancies  
 14 on the Technical Pipeline Safety Standards Committee, the  
 15 Technical Hazardous Liquid Pipeline Safety Standards  
 16 Committee, and any other committee established pursuant  
 17 to this section. After that period, the Secretary shall fill a  
 18 vacancy on any such committee not later than 60 days after  
 19 the vacancy occurs.”.

20 **SEC. 7. INSPECTION REPORT INFORMATION.**

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

24 “(e) *IN GENERAL.*—After the completion of a Pipeline  
 25 and Hazardous Materials Safety Administration pipeline  
 26 safety inspection, the Administrator of such Administra-

1 *tion, or the State authority certified under section 60105*  
 2 *of title 49, United States Code, to conduct such inspection,*  
 3 *shall—*

4                   “(1) *within 30 days, conduct a post-inspec-*  
 5 *tion briefing with the owner or operator of the*  
 6 *gas or hazardous liquid pipeline facility in-*  
 7 *spected outlining any concerns; and*

8                   “(2) *within 90 days, to the extent prac-*  
 9 *ticable, provide the owner or operator with writ-*  
 10 *ten preliminary findings of the inspection.”.*

11       (b) *NOTIFICATION.—Not later than October 1, 2017,*  
 12 *and each fiscal year thereafter for 2 years, the Adminis-*  
 13 *trator shall notify the Committee on Transportation and*  
 14 *Infrastructure and the Committee on Energy and Com-*  
 15 *merce of the House of Representatives and the Committee*  
 16 *on Commerce, Science, and Transportation of the Senate*  
 17 *of—*

18                   (1) *the number of times a deadline under section*  
 19 *60108(e) of title 49, United States Code, was exceeded*  
 20 *in the prior fiscal year; and*

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

23 **SEC. 8. IMPROVING DAMAGE PREVENTION TECHNOLOGY.**

24       (a) *STUDY.—The Secretary of Transportation, in con-*  
 25 *sultation with stakeholders, shall conduct a study on im-*

1 *proving existing damage prevention programs through tech-*  
 2 *nological improvements in location, mapping, excavation,*  
 3 *and communications practices to prevent excavation dam-*  
 4 *age to a pipe or its coating, including considerations of*  
 5 *technical, operational, and economic feasibility and exist-*  
 6 *ing damage prevention programs.*

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

9 (1) *an identification of any methods to improve*  
 10 *existing damage prevention programs through loca-*  
 11 *tion and mapping practices or technologies in an ef-*  
 12 *fort to reduce releases caused by excavation;*

13 (2) *an analysis of how increased use of global*  
 14 *positioning system digital mapping technologies, pre-*  
 15 *dictive analytic tools, public awareness initiatives in-*  
 16 *cluding one-call initiatives, the use of mobile devices,*  
 17 *and other advanced technologies could supplement ex-*  
 18 *isting one-call notification and damage prevention*  
 19 *programs to reduce the frequency and severity of inci-*  
 20 *dents caused by excavation damage;*

21 (3) *an identification of any methods to improve*  
 22 *excavation practices or technologies in an effort to re-*  
 23 *duce pipeline damage;*

24 (4) *an analysis of the feasibility of a national*  
 25 *data repository for pipeline excavation accident data*

1        *that creates standardized data models for storing and*  
 2        *sharing pipeline accident information; and*

3            *(5) an identification of opportunities for stake-*  
 4        *holder engagement in preventing excavation damage.*

5        *(c) REPORT.—Not later than 1 year after the date of*  
 6        *the enactment of this Act, the Secretary shall submit to the*  
 7        *Committee on Commerce, Science, and Transportation of*  
 8        *the Senate and the Committee on Transportation and In-*  
 9        *frastructure and the Committee on Energy and Commerce*  
 10       *of the House of Representatives a report containing the re-*  
 11       *sults of the study conducted under subsection (a), including*  
 12       *recommendations, that include the consideration of tech-*  
 13       *nical, operational, and economic feasibility, on how to in-*  
 14       *corporate into existing damage prevention programs tech-*  
 15       *nological improvements and practices that help prevent ex-*  
 16       *cavation damage.*

17    **SEC. 9. WORKFORCE MANAGEMENT.**

18        *(a) REVIEW.—Not later than 1 year after the date of*  
 19        *the enactment of this Act, the Inspector General of the De-*  
 20        *partment of Transportation shall submit to the Committee*  
 21        *on Transportation and Infrastructure and the Committee*  
 22        *on Energy and Commerce of the House of Representatives*  
 23        *and the Committee on Commerce, Science, and Transpor-*  
 24        *tation of the Senate, a review of Pipeline and Hazardous*

1 *Materials Safety Administration staff resource manage-*  
 2 *ment, including—*

3           (1) *geographic allocation plans, hiring and time-*  
 4 *to-hire challenges, and expected retirement rates and*  
 5 *recruitment and retention strategies;*

6           (2) *an identification and description of any pre-*  
 7 *vious periods of macroeconomic and pipeline industry*  
 8 *conditions under which the Pipeline and Hazardous*  
 9 *Materials Safety Administration has encountered dif-*  
 10 *ficulty in filling vacancies, and the degree to which*  
 11 *special hiring authorities, including direct hiring au-*  
 12 *thority authorized by the Office of Personnel Manage-*  
 13 *ment, could have ameliorated such difficulty; and*

14           (3) *recommendations to address hiring chal-*  
 15 *lenges, training needs, and any other identified staff*  
 16 *resource challenges.*

17       (b) *DIRECT HIRING.*—*Upon identification of a period*  
 18 *described in subsection (a)(2), the Administrator of the*  
 19 *Pipeline and Hazardous Materials Safety Administration*  
 20 *may apply to the Office of Personnel Management for the*  
 21 *authority to appoint qualified candidates to any position*  
 22 *relating to pipeline safety, as determined by the Adminis-*  
 23 *trator, without regard to sections 3309 through 3319 of title*  
 24 *5, United States Code.*



1       (c) *SAVINGS CLAUSE.*—*Nothing in this section shall*  
 2 *preclude the Administrator of the Pipeline and Hazardous*  
 3 *Materials Safety Administration from applying to the Of-*  
 4 *fice of Personnel Management for the authority described*  
 5 *in subsection (b) prior to the completion of the report re-*  
 6 *quired under subsection (a).*

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

8       (a) *IN GENERAL.*—*Not later than 180 days after the*  
 9 *date of the enactment of this Act, the Secretary of Transpor-*  
 10 *tation shall convene a working group to consider the devel-*  
 11 *opment of a voluntary information-sharing system to en-*  
 12 *courage collaborative efforts to improve inspection informa-*  
 13 *tion feedback and information sharing with the purpose of*  
 14 *improving gas transmission and hazardous liquid pipeline*  
 15 *facility integrity risk analysis.*

16       (b) *MEMBERSHIP.*—*The working group convened pur-*  
 17 *suant to subsection (a) shall include representatives from—*

18               (1) *the Pipeline and Hazardous Materials Safety*  
 19 *Administration;*

20               (2) *industry stakeholders, including operators of*  
 21 *pipeline facilities, inspection technology, coating, and*  
 22 *cathodic protection vendors, and pipeline inspection*  
 23 *organizations;*

24               (3) *safety advocacy groups;*

25               (4) *research institutions;*

- 1           (5) *State public utility commissions or State of-*  
 2           *ficials responsible for pipeline safety oversight;*  
 3           (6) *State pipeline safety inspectors;*  
 4           (7) *labor representatives; and*  
 5           (8) *other entities, as determined appropriate by*  
 6           *the Secretary.*

7           (c) *CONSIDERATIONS.—The working group convened*  
 8           *pursuant to subsection (a) shall consider and provide rec-*  
 9           *ommendations to the Secretary on—*

10           (1) *the need for, and the identification of, a sys-*  
 11           *tem to ensure that dig verification data are shared*  
 12           *with in-line inspection operators to the extent con-*  
 13           *sistent with the need to maintain proprietary and se-*  
 14           *curity-sensitive data in a confidential manner to im-*  
 15           *prove pipeline safety and inspection technology;*

16           (2) *ways to encourage the exchange of pipeline*  
 17           *inspection information and the development of ad-*  
 18           *vanced pipeline inspection technologies and enhanced*  
 19           *risk analysis;*

20           (3) *opportunities to share data, including dig*  
 21           *verification data between operators of pipeline facili-*  
 22           *ties and in-line inspector vendors to expand knowl-*  
 23           *edge of the advantages and disadvantages of the dif-*  
 24           *ferent types of in-line inspection technology and*  
 25           *methodologies;*

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

16 SEC. 11. NATIONWIDE INTEGRATED PIPELINE SAFETY REG-  
17 ULATORY DATABASE.

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1 *nication and collaboration between the Pipeline and Haz-*  
 2 *ardous Materials Safety Administration and State pipeline*  
 3 *regulators.*

4 (b) *CONTENTS.*—*The report submitted under sub-*  
 5 *section (a) shall include—*

6 (1) *a description of any efforts underway to test*  
 7 *a secure information-sharing system for the purpose*  
 8 *described in subsection (a);*

9 (2) *a description of any progress in establishing*  
 10 *common standards for maintaining, collecting, and*  
 11 *presenting pipeline safety regulatory inspection data,*  
 12 *and a methodology for sharing the data;*

13 (3) *a description of any inadequacies or gaps in*  
 14 *State and Federal inspection, enforcement, geospatial,*  
 15 *or other pipeline safety regulatory inspection data;*

16 (4) *a description of the potential safety benefits*  
 17 *of a national integrated pipeline safety regulatory in-*  
 18 *spection database; and*

19 (5) *recommendations, including those of stake-*  
 20 *holders for how to implement a secure information-*  
 21 *sharing system that protects proprietary and security*  
 22 *sensitive information and data for the purpose de-*  
 23 *scribed in subsection (a).*

24 (c) *CONSULTATION.*—*In implementing this section, the*  
 25 *Secretary shall consult with stakeholders, including each*

1 *State authority operating under a certification to regulate*  
 2 *intrastate pipelines under section 60105 of title 49, United*  
 3 *States Code.*

4 (d) *ESTABLISHMENT OF DATABASE.—The Secretary*  
 5 *may establish, if appropriate, a national integrated pipe-*  
 6 *line safety regulatory database—*

7 (1) *after submission of the report required under*  
 8 *subsection (a); or*

9 (2) *upon notification to the Committee on*  
 10 *Transportation and Infrastructure and the Committee*  
 11 *on Energy and Commerce of the House of Representa-*  
 12 *tives and the Committee on Commerce, Science, and*  
 13 *Transportation of the Senate of the need to establish*  
 14 *such database prior to the submission of the report*  
 15 *under subsection (a).*

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

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

19 (1) *in paragraph (21)(B) by striking the period*  
 20 *at the end and inserting a semicolon;*

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

23 (3) *in paragraph (24) by striking “and” at the*  
 24 *end;*

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

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

4           “(26) ‘underground natural gas storage facility’  
5           means a gas pipeline facility that stores natural gas  
6           in an underground facility, including—

7                       “(A) a depleted hydrocarbon reservoir;

8                       “(B) an aquifer reservoir; or

9                       “(C) a solution-mined salt cavern res-  
10           ervoir.”.

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

14 **“§ 60141. Standards for underground natural gas**  
15 **storage facilities**

16       “(a) *MINIMUM SAFETY STANDARDS.*—Not later than  
17 2 years after the date of enactment of the PIPES Act of  
18 2016, the Secretary, in consultation with the heads of other  
19 relevant Federal agencies, shall issue minimum safety  
20 standards for underground natural gas storage facilities.

21       “(b) *CONSIDERATIONS.*—In developing the safety  
22 standards required under subsection (a), the Secretary  
23 shall, to the extent practicable—

1           “(1) *consider consensus standards for the oper-*  
 2           *ation, environmental protection, and integrity man-*  
 3           *agement of underground natural gas storage facilities;*

4           “(2) *consider the economic impacts of the regula-*  
 5           *tions on individual gas customers;*

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

8           “(4) *consider the recommendations of the Aliso*  
 9           *Canyon natural gas leak task force established under*  
 10          *section 31 of the PIPES Act of 2016.*

11          “(c) *FEDERAL-STATE COOPERATION.—The Secretary*  
 12          *may authorize a State authority (including a municipi-*  
 13          *pality) to participate in the oversight of underground nat-*  
 14          *ural gas storage facilities in the same manner as provided*  
 15          *in sections 60105 and 60106.*

16          “(d) *RULES OF CONSTRUCTION.—*

17                 “(1) *IN GENERAL.—Nothing in this section may*  
 18                 *be construed to affect any Federal regulation relating*  
 19                 *to gas pipeline facilities that is in effect on the day*  
 20                 *before the date of enactment of the PIPES Act of*  
 21                 *2016.*

22                 “(2) *LIMITATIONS.—Nothing in this section may*  
 23                 *be construed to authorize the Secretary—*

24                         “(A) *to prescribe the location of an under-*  
 25                         *ground natural gas storage facility; or*

1                   “(B) to require the Secretary’s permission  
2                   to construct a facility referred to in subpara-  
3                   graph (A).

4                   “(e) *PREEMPTION*.—A State authority may adopt ad-  
5                   ditional or more stringent safety standards for intrastate  
6                   underground natural gas storage facilities if such standards  
7                   are compatible with the minimum standards prescribed  
8                   under this section.

9                   “(f) *STATUTORY CONSTRUCTION*.—Nothing in this sec-  
10                  tion shall be construed to affect the Secretary’s authority  
11                  under this title to regulate the underground storage of gas  
12                  that is not natural gas.”.

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

16                  **“§ 60302. User fees for underground natural gas stor-**  
17                  **age facilities**

18                  “(a) *IN GENERAL*.—A fee shall be imposed on an enti-  
19                  ty operating an underground natural gas storage facility  
20                  subject to section 60141. Any such fee imposed shall be col-  
21                  lected before the end of the fiscal year to which it applies.

22                  “(b) *MEANS OF COLLECTION*.—The Secretary of  
23                  Transportation shall prescribe procedures to collect fees  
24                  under this section. The Secretary may use a department,  
25                  agency, or instrumentality of the United States Government



1 *or of a State or local government to collect the fee and may*  
 2 *reimburse the department, agency, or instrumentality a*  
 3 *reasonable amount for its services.*

4 “(c) *USE OF FEES.*—

5 “(1) *ACCOUNT.*—*There is established an Under-*  
 6 *ground Natural Gas Storage Facility Safety Account*  
 7 *in the Pipeline Safety Fund established in the Treas-*  
 8 *ury of the United States under section 60301.*

9 “(2) *USE OF FEES.*—*A fee collected under this*  
 10 *section—*

11 “(A) *shall be deposited in the Underground*  
 12 *Natural Gas Storage Facility Safety Account;*  
 13 *and*

14 “(B) *if the fee is related to an underground*  
 15 *natural gas storage facility subject to section*  
 16 *60141, the amount of the fee may be used only*  
 17 *for an activity related to underground natural*  
 18 *gas storage facility safety.*

19 “(3) *LIMITATION.*—*No fee may be collected under*  
 20 *this section, except to the extent that the expenditure*  
 21 *of such fee to pay the costs of an activity related to*  
 22 *underground natural gas storage facility safety for*  
 23 *which such fee is imposed is provided in advance in*  
 24 *an appropriations Act.”.*

25 (d) *CLERICAL AMENDMENTS.*—

1           (1) *CHAPTER 601.—The table of sections for*  
 2           *chapter 601 of title 49, United States Code, is amend-*  
 3           *ed by adding at the end the following:*

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

4           (2) *CHAPTER 603.—The table of sections for*  
 5           *chapter 603 of title 49, United States Code, is amend-*  
 6           *ed by inserting after the item relating to section*  
 7           *60301 the following:*

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

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

9           *Section 60106 of title 49, United States Code, is*  
 10          *amended by adding at the end the following:*

11          *“(f) JOINT INSPECTORS.—At the request of a State au-*  
 12          *thority, the Secretary shall allow for a certified State au-*  
 13          *thority under section 60105 to participate in the inspection*  
 14          *of an interstate pipeline facility.”.*

15   **SEC. 14. SAFETY DATA SHEETS.**

16          (a) *IN GENERAL.—Each owner or operator of a haz-*  
 17          *ardous liquid pipeline facility, following an accident in-*  
 18          *volving such pipeline facility that results in a hazardous*  
 19          *liquid spill, shall provide safety data sheets on any spilled*  
 20          *hazardous liquid to the designated Federal On-Scene Coor-*  
 21          *dinator and appropriate State and local emergency re-*  
 22          *sponders within 6 hours of a telephonic or electronic notice*  
 23          *of the accident to the National Response Center.*

24          (b) *DEFINITIONS.—In this section:*

1           (1) *FEDERAL ON-SCENE COORDINATOR.*—*The*  
 2           *term “Federal On-Scene Coordinator” has the mean-*  
 3           *ing given such term in section 311(a) of the Federal*  
 4           *Water Pollution Control Act (33 U.S.C. 1321(a)).*

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

9           (3) *SAFETY DATA SHEET.*—*The term “safety*  
 10          *data sheet” means a safety data sheet required under*  
 11          *section 1910.1200 of title 29, Code of Federal Regula-*  
 12          *tions.*

13 **SEC. 15. HAZARDOUS MATERIALS IDENTIFICATION NUM-**  
 14                                   **BERS.**

15          *Not later than 90 days after the date of enactment of*  
 16          *this Act, the Secretary of Transportation shall issue an ad-*  
 17          *vanced notice of proposed rulemaking to take public com-*  
 18          *ment on the petition for rulemaking dated October 28, 2015,*  
 19          *titled “Corrections to Title 49 CFR 172.336 Identification*  
 20          *numbers; special provisions” (P–1667).*

21 **SEC. 16. EMERGENCY ORDER AUTHORITY.**

22          *Section 60117 of title 49, United States Code, is*  
 23          *amended by adding at the end the following:*

24          *“(o) EMERGENCY ORDER AUTHORITY.—*

1           “(1) *IN GENERAL.*—*If the Secretary determines*  
 2           *that an unsafe condition or practice, or a combina-*  
 3           *tion of unsafe conditions and practices, constitutes or*  
 4           *is causing an imminent hazard, the Secretary may*  
 5           *issue an emergency order described in paragraph (3)*  
 6           *imposing emergency restrictions, prohibitions, and*  
 7           *safety measures on owners and operators of gas or*  
 8           *hazardous liquid pipeline facilities without prior no-*  
 9           *tice or an opportunity for a hearing, but only to the*  
 10          *extent necessary to abate the imminent hazard.*

11           “(2) *CONSIDERATIONS.*—

12           “(A) *IN GENERAL.*—*Before issuing an emer-*  
 13           *gency order under paragraph (1), the Secretary*  
 14           *shall consider, as appropriate, the following fac-*  
 15           *tors:*

16                   “(i) *The impact of the emergency order*  
 17                   *on public health and safety.*

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

21                   “(iii) *The impact of the emergency*  
 22                   *order on the ability of owners and operators*  
 23                   *of pipeline facilities to maintain reliability*  
 24                   *and continuity of service to customers.*

1           “(B) *CONSULTATION.*—*In considering the*  
2           *factors under subparagraph (A), the Secretary*  
3           *shall consult, as the Secretary determines appro-*  
4           *priate, with appropriate Federal agencies, State*  
5           *agencies, and other entities knowledgeable in*  
6           *pipeline safety or operations.*

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

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

14           “(B) *the entities subject to the order;*

15           “(C) *the restrictions, prohibitions, or safety*  
16           *measures imposed;*

17           “(D) *the standards and procedures for ob-*  
18           *taining relief from the order;*

19           “(E) *how the order is tailored to abate the*  
20           *imminent hazard and the reasons the authorities*  
21           *under section 60112 and 60117(l) are insuffi-*  
22           *cient to do so; and*

23           “(F) *how the considerations were taken into*  
24           *account pursuant to paragraph (2).*

1           “(4) *OPPORTUNITY FOR REVIEW.*—Upon receipt  
 2           of a petition for review from an entity subject to, and  
 3           aggrieved by, an emergency order issued under this  
 4           subsection, the Secretary shall provide an opportunity  
 5           for a review of the order under section 554 of title 5  
 6           to determine whether the order should remain in ef-  
 7           fect, be modified, or be terminated.

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

17          “(6) *JUDICIAL REVIEW OF ORDERS.*—

18                 “(A) *IN GENERAL.*—After completion of the  
 19                 review process described in paragraph (4), or the  
 20                 issuance of a written determination by the Sec-  
 21                 retary pursuant to paragraph (5), an entity sub-  
 22                 ject to, and aggrieved by, an emergency order  
 23                 issued under this subsection may seek judicial re-  
 24                 view of the order in a district court of the United

1       *States and shall be given expedited consider-*  
 2       *ation.*

3               “(B) *LIMITATION.*—*The filing of a petition*  
 4       *for review under subparagraph (A) shall not stay*  
 5       *or modify the force and effect of the agency’s*  
 6       *final decision under paragraph (4), or the writ-*  
 7       *ten determination under paragraph (5), unless*  
 8       *stayed or modified by the Secretary.*

9               “(7) *REGULATIONS.*—

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

18              “(B) *FINAL REGULATIONS.*—*Not later than*  
 19       *270 days after such date of enactment, the Sec-*  
 20       *retary shall issue such regulations as are nec-*  
 21       *essary to carry out this subsection. Such regula-*  
 22       *tions shall ensure that the review process de-*  
 23       *scribed in paragraph (4) contains the same pro-*  
 24       *cedures as subsections (d) and (g) of section*  
 25       *109.19 of title 49, Code of Federal Regulations,*

1           *and is otherwise consistent with the review proc-*  
 2           *ess developed under such section, to the greatest*  
 3           *extent practicable and not inconsistent with this*  
 4           *section.*

5           “(8) *IMMINENT HAZARD DEFINED.*—*In this sub-*  
 6           *section, the term ‘imminent hazard’ means the exist-*  
 7           *ence of a condition relating to a gas or hazardous liq-*  
 8           *uid pipeline facility that presents a substantial likeli-*  
 9           *hood that death, serious illness, severe personal in-*  
 10          *jury, or a substantial endangerment to health, prop-*  
 11          *erty, or the environment may occur before the reason-*  
 12          *ably foreseeable completion date of a formal pro-*  
 13          *ceeding begun to lessen the risk of such death, illness,*  
 14          *injury, or endangerment.*

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

18                 “(A) *alter, amend, or limit the Secretary’s*  
 19                 *obligations under, or the applicability of, section*  
 20                 *553 of title 5; or*

21                 “(B) *provide the authority to amend the*  
 22                 *Code of Federal Regulations.”.*

23 **SEC. 17. STATE GRANT FUNDS.**

24           *Section 60107 of title 49, United States Code, is*  
 25           *amended—*



1           (1) *by striking subsection (b) and inserting the*  
 2     *following:*

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

12           (2) *by adding at the end the following:*

13           “(e) *REPURPOSING OF FUNDS.—If a State program’s*  
 14     *certification is rejected under section 60105(f) or such pro-*  
 15     *gram is otherwise suspended or interrupted, the Secretary*  
 16     *may use any undistributed, deobligated, or recovered funds*  
 17     *authorized under this section to carry out pipeline safety*  
 18     *activities for that State within the period of availability*  
 19     *for such funds.”.*

20    **SEC. 18. RESPONSE PLANS.**

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

24           (1) *consider the impact of a discharge into or on*  
 25     *navigable waters or adjoining shorelines, including*

1        *those that may be covered in whole or in part by ice;*  
 2        *and*

3                *(2) include procedures and resources for respond-*  
 4        *ing to such discharge in the plan.*

5    **SEC. 19. UNUSUALLY SENSITIVE AREAS.**

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

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

19    **SEC. 20. PIPELINE SAFETY TECHNICAL ASSISTANCE**  
 20                **GRANTS.**

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

1       (b) *AUDIT.*—Not later than 180 days after the date of  
2   enactment of this Act, the Inspector General of the Depart-  
3   ment of Transportation shall submit to the Secretary of  
4   Transportation, the Committee on Transportation and In-  
5   frastructure and the Committee on Energy and Commerce  
6   of the House of Representatives, and the Committee on Com-  
7   merce, Science, and Transportation of the Senate a report  
8   evaluating the grant program under section 60130 of title  
9   49, United States Code. The report shall include—

10           (1) a list of the recipients of all grant funds dur-  
11   ing fiscal years 2010 through 2015;

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

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

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

18           (5) an evaluation of—

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

22               (B) the procedures used for such oversight.

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

3       (a) *IN GENERAL.*—Not later than 2 years after the  
 4 date of enactment of this Act, the Comptroller General of  
 5 the United States shall submit to the Committee on Trans-  
 6 portation and Infrastructure and the Committee on Energy  
 7 and Commerce of the House of Representatives and the  
 8 Committee on Commerce, Science, and Transportation of  
 9 the Senate a study on materials, training, and corrosion  
 10 prevention technologies for gas and hazardous liquid pipe-  
 11 line facilities.

12       (b) *REQUIREMENTS.*—The study required under sub-  
 13 section (a) shall include—

14               (1) an analysis of—

15                       (A) the range of piping materials, including  
 16 plastic materials, used to transport hazardous  
 17 liquids and natural gas in the United States and  
 18 in other developed countries around the world;

19                       (B) the types of technologies used for corro-  
 20 sion prevention, including coatings and cathodic  
 21 protection;

22                       (C) common causes of corrosion, including  
 23 interior and exterior moisture buildup and im-  
 24 pacts of moisture buildup under insulation; and

25                       (D) the training provided to personnel re-  
 26 sponsible for identifying and preventing corro-

1           sion in pipelines, and for repairing such pipe-  
2           lines;

3           (2) the extent to which best practices or guidance  
4           relating to pipeline facility design, installation, oper-  
5           ation, and maintenance, including training, are  
6           available to recognize or prevent corrosion;

7           (3) an analysis of the estimated costs and antici-  
8           pated benefits, including safety benefits, associated  
9           with the use of such materials and technologies; and  
10          (4) stakeholder and expert perspectives on the ef-  
11          fectiveness of corrosion control techniques to reduce  
12          the incidence of corrosion-related pipeline failures.

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

14          (a) *IN GENERAL.*—Not later than 18 months after the  
15          date of enactment of this Act, the Inspector General of the  
16          Department of Transportation shall submit to the Com-  
17          mittee on Transportation and Infrastructure, the Com-  
18          mittee on Energy and Commerce, and the Committee on  
19          Science, Space, and Technology of the House of Representa-  
20          tives and the Committee on Commerce, Science, and Trans-  
21          portation of the Senate a report regarding the Pipeline and  
22          Hazardous Materials Safety Administration’s research and  
23          development program carried out under section 12 of the  
24          Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101  
25          note). The report shall include an evaluation of—

1           (1) *compliance with the consultation requirement*  
 2           *under subsection (d)(2) of such section;*

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

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

13          (4) *an evaluation of the outcomes of research*  
 14          *conducted with Federal and non-Federal entities and*  
 15          *the degree to which such outcomes have been adopted*  
 16          *or utilized.*

17          (b) *COLLABORATIVE SAFETY RESEARCH REPORT.*—

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

20                       (A) *in subparagraph (A), by striking “and”*  
 21                       *at the end;*

22                       (B) *in subparagraph (B), by striking the*  
 23                       *period at the end and inserting “; and”; and*

24                       (C) *by adding at the end the following:*

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

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

9           (A) by striking subsection (d)(3)(C) and in-  
 10          serting the following:

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

13           “(i) at least 30 percent of the costs of  
 14           technology research and development activi-  
 15           ties may be carried out using non-Federal  
 16           sources;

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

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

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

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

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

12              “(2) *submit to the Committee on Transportation*  
 13      *and Infrastructure, the Committee on Energy and*  
 14      *Commerce, and the Committee on Science, Space, and*  
 15      *Technology of the House of Representatives and the*  
 16      *Committee on Commerce, Science, and Transpor-*  
 17      *tation of the Senate a report describing the processes*  
 18      *and procedures implemented under paragraph (1).*

19       “(i) *CONFLICT OF INTEREST.*—The Secretary shall  
 20   take all practical steps to ensure that each recipient of an  
 21   agreement under this section discloses in writing to the Sec-  
 22   retary any conflict of interest on a research and develop-  
 23   ment project carried out under this section, and includes  
 24   any such disclosure as part of the final deliverable pursuant  
 25   to such agreement. The Secretary may not make an award



1 *under this section directly to a pipeline owner or operator*  
 2 *that is regulated by the Pipeline and Hazardous Materials*  
 3 *Safety Administration or a State-certified regulatory au-*  
 4 *thority if there is a conflict of interest relating to such*  
 5 *owner or operator.”.*

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

7 *Not later than 90 days after the date of enactment of*  
 8 *this Act, the Secretary of Transportation shall issue an ad-*  
 9 *visory bulletin to owners and operators of gas or hazardous*  
 10 *liquid pipeline facilities and Federal and State pipeline*  
 11 *safety personnel regarding procedures of the Pipeline and*  
 12 *Hazardous Materials Safety Administration required to*  
 13 *change the status of a pipeline facility from active to aban-*  
 14 *doned, including specific guidance on the terms recognized*  
 15 *by the Secretary for each pipeline status referred to in such*  
 16 *advisory bulletin.*

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

18 *(a) STUDY.—Not later than 2 years after the date of*  
 19 *enactment of this Act, the Comptroller General of the United*  
 20 *States shall complete a study on State pipeline safety agree-*  
 21 *ments made pursuant to section 60106 of title 49, United*  
 22 *States Code. Such study shall consider the following:*

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

1           (2) *The estimated staff and other resources used*  
 2           *by Federal and State authorities in carrying out in-*  
 3           *spection activities pursuant to agreements under such*  
 4           *section.*

5           (3) *The estimated staff and other resources used*  
 6           *by the Pipeline and Hazardous Materials Safety Ad-*  
 7           *ministration in carrying out interstate inspections in*  
 8           *areas where there is no interstate agreement with a*  
 9           *State pursuant to such section.*

10          (b) *NOTICE REQUIREMENT FOR DENIAL.*—Section  
 11          60106(b) of title 49, United States Code, is amended by  
 12          adding at the end the following:

13                 “(4) *NOTICE UPON DENIAL.*—If a State author-  
 14                 ity requests an interstate agreement under this section  
 15                 and the Secretary denies such request, the Secretary  
 16                 shall provide written notification to the State author-  
 17                 ity of the denial that includes an explanation of the  
 18                 reasons for such denial.”.

19          **SEC. 25. REQUIREMENTS FOR CERTAIN HAZARDOUS LIQUID**  
 20                 **PIPELINE FACILITIES.**

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

23                 “(g) *HAZARDOUS LIQUID PIPELINE FACILITIES.*—

24                 “(1) *INTEGRITY ASSESSMENTS.*—Notwith-  
 25                 standing any pipeline integrity management program

1        *or integrity assessment schedule otherwise required by*  
 2        *the Secretary, each operator of a pipeline facility to*  
 3        *which this subsection applies shall ensure that pipe-*  
 4        *line integrity assessments—*

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

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

18                *“(2) APPLICATION.—This subsection shall apply*  
 19                *to any underwater hazardous liquid pipeline facility*  
 20                *located in a high consequence area—*

21                *“(A) that is not an offshore pipeline facil-*  
 22                *ity; and*

23                *“(B) any portion of which is located at*  
 24                *depths greater than 150 feet under the surface of*  
 25                *the water.*

1           “(3) *HIGH CONSEQUENCE AREA DEFINED.*—For  
 2           purposes of this subsection, the term ‘high consequence  
 3           area’ has the meaning given that term in section  
 4           195.450 of title 49, Code of Federal Regulations.

5           “(4) *INSPECTION AND ENFORCEMENT.*—The Sec-  
 6           retary shall conduct inspections under section  
 7           60117(c) to determine whether each operator of a  
 8           pipeline facility to which this subsection applies is  
 9           complying with this section.”.

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

11           (a) *IN GENERAL.*—The Secretary of Transportation  
 12           shall enter into an agreement with the Transportation Re-  
 13           search Board of the National Academies to conduct a study  
 14           examining the safety, regulatory requirements, techniques,  
 15           and best practices applicable to pipeline facilities that  
 16           transport or store only petroleum gas or mixtures of petro-  
 17           leum gas and air to 100 or fewer customers, in accordance  
 18           with the requirements of this section.

19           (b) *REQUIREMENTS.*—In conducting the study pursu-  
 20           ant to subsection (a), the Transportation Research Board  
 21           shall analyze—

22                   (1) *Federal, State, and local regulatory require-*  
 23                   ments applicable to pipeline facilities described in  
 24                   subsection (a);

1           (2) *techniques and best practices relating to the*  
2           *design, installation, operation, and maintenance of*  
3           *such pipeline facilities; and*

4           (3) *the costs and benefits, including safety bene-*  
5           *fits, associated with such applicable regulatory re-*  
6           *quirements and the use of such techniques and best*  
7           *practices.*

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

13          (d) *DEADLINE.*—*Not later than 2 years after the date*  
14          *of enactment of this Act, the Secretary shall submit to the*  
15          *Committee on Transportation and Infrastructure and the*  
16          *Committee on Energy and Commerce of the House of Rep-*  
17          *resentatives and the Committee on Commerce, Science, and*  
18          *Transportation of the Senate the results of the study con-*  
19          *ducted pursuant to subsection (a) and any recommenda-*  
20          *tions for improving the safety of such pipeline facilities.*

21          (e) *DEFINITION.*—*In this section, the term “petroleum*  
22          *gas” has the meaning given that term in section 192.3 of*  
23          *title 49, Code of Federal Regulations, as in effect on the*  
24          *date of enactment of this Act.*

1 **SEC. 27. STANDARDS FOR CERTAIN LIQUEFIED NATURAL**  
 2 **GAS PIPELINE FACILITIES.**

3 (a) *NATIONAL SECURITY.*—Section 60103(a) of title  
 4 49, United States Code, is amended—

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

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

9 (3) by inserting after paragraph (6) the fol-  
 10 lowing:

11 “(7) national security.”.

12 (b) *UPDATE TO MINIMUM SAFETY STANDARDS.*—The  
 13 Secretary of Transportation shall review and update the  
 14 minimum safety standards prescribed pursuant to section  
 15 60103 of title 49, United States Code, for permanent, small  
 16 scale liquefied natural gas pipeline facilities.

17 (c) *SAVINGS CLAUSE.*—Nothing in this section shall be  
 18 construed to limit the Secretary’s authority under chapter  
 19 601 of title 49, United States Code, to regulate liquefied  
 20 natural gas pipeline facilities.

21 **SEC. 28. PIPELINE ODORIZATION STUDY.**

22 Not later than 2 years after the date of the enactment  
 23 of this Act, the Comptroller General of the United States  
 24 shall submit a report to the Committee on Commerce,  
 25 Science, and Transportation of the Senate and the Com-  
 26 mittee on Transportation and Infrastructure and the Com-

1 *mittee on Energy and Commerce of the House of Represent-*  
 2 *atives that assesses—*

3 *(1) the feasibility, costs, and benefits of odorizing*  
 4 *all combustible gas in pipeline transportation; and*

5 *(2) the affects of the odorization of all combus-*  
 6 *tible gas in pipeline transportation on—*

7 *(A) manufacturers, agriculture, and other*  
 8 *end users; and*

9 *(B) public health and safety.*

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

11 *(a) IN GENERAL.—Not later than 1 year after the date*  
 12 *of the enactment of this Act, the Administrator of the Pipe-*  
 13 *line and Hazardous Materials Safety Administration shall*  
 14 *submit to Congress a report on the metrics provided to the*  
 15 *Pipeline and Hazardous Materials Safety Administration*  
 16 *and other Federal and State agencies related to lost and*  
 17 *unaccounted for natural gas from distribution pipelines*  
 18 *and systems.*

19 *(b) ELEMENTS.—The report required under subsection*  
 20 *(a) shall include the following elements:*

21 *(1) An examination of different reporting re-*  
 22 *quirements or standards for lost and unaccounted for*  
 23 *natural gas to different agencies, the reasons for any*  
 24 *such discrepancies, and recommendations for harmo-*  
 25 *nizing and improving the accuracy of reporting.*

1           (2) *An analysis of whether separate or alter-*  
 2           *native reporting could better measure the amounts*  
 3           *and identify the location of lost and unaccounted for*  
 4           *natural gas from natural gas distribution systems.*

5           (3) *A description of potential safety issues asso-*  
 6           *ciated with natural gas that is lost and unaccounted*  
 7           *for from natural gas distribution systems.*

8           (4) *An assessment of whether alternate reporting*  
 9           *and measures will resolve any safety issues identified*  
 10          *under paragraph (3), including an analysis of the po-*  
 11          *tential impact, including potential savings, on rate*  
 12          *payers and end users of natural gas products of such*  
 13          *reporting and measures.*

14          (c) *CONSIDERATION OF RECOMMENDATIONS.—If the*  
 15          *Administrator determines that alternate reporting struc-*  
 16          *tures or recommendations included in the report required*  
 17          *under subsection (a) would significantly improve the re-*  
 18          *porting and measurement of lost and unaccounted for gas*  
 19          *and safety of natural gas distribution systems, the Adminis-*  
 20          *trator shall, not later than 1 year after making such deter-*  
 21          *mination, issue regulations, as the Administrator deter-*  
 22          *mines appropriate, to implement the recommendations.*



1 **SEC. 30. REVIEW OF STATE POLICIES RELATING TO NAT-**  
2 **URAL GAS LEAKS.**

3 (a) *REVIEW.*—*The Administrator of the Pipeline and*  
4 *Hazardous Materials Safety Administration shall conduct*  
5 *a State-by-State review of State-level policies that—*

6 (1) *encourage the repair and replacement of*  
7 *leaking natural gas distribution pipelines or systems*  
8 *that pose a safety threat, such as timelines to repair*  
9 *leaks and limits on cost recovery from ratepayers;*  
10 *and*

11 (2) *may create barriers for entities to conduct*  
12 *work to repair and replace leaking natural gas pipe-*  
13 *lines or distribution systems.*

14 (b) *REPORT.*—*Not later than 1 year after the date of*  
15 *the enactment of this Act, the Administrator shall submit*  
16 *to the Committee on Transportation and Infrastructure and*  
17 *the Committee on Energy and Commerce of the House of*  
18 *Representatives and the Committee on Commerce, Science,*  
19 *and Transportation of the Senate a report containing the*  
20 *findings of the review conducted under subsection (a) and*  
21 *recommendations on Federal or State policies or best prac-*  
22 *tices to improve safety by accelerating the repair and re-*  
23 *placement of natural gas pipelines or systems that are leak-*  
24 *ing or releasing natural gas. The report shall consider the*  
25 *potential impact, including potential savings, of the imple-*

1 *mentation of such recommendations on ratepayers or end*  
 2 *users of the natural gas pipeline system.*

3 *(c) IMPLEMENTATION OF RECOMMENDATIONS.—If the*  
 4 *Administrator determines that the recommendations made*  
 5 *under subsection (b) would significantly improve pipeline*  
 6 *safety, the Administrator shall, not later than 1 year after*  
 7 *making such determination, and in coordination with the*  
 8 *heads of other relevant agencies as appropriate, issue regu-*  
 9 *lations, as the Administrator determines appropriate, to*  
 10 *implement the recommendations.*

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

12 *(a) ESTABLISHMENT OF TASK FORCE.—Not later than*  
 13 *15 days after the date of enactment of this Act, the Sec-*  
 14 *retary of Energy shall lead and establish an Aliso Canyon*  
 15 *natural gas leak task force.*

16 *(b) MEMBERSHIP OF TASK FORCE.—In addition to the*  
 17 *Secretary, the task force established under subsection (a)*  
 18 *shall be composed of—*

19 *(1) 1 representative from the Department of*  
 20 *Transportation;*

21 *(2) 1 representative from the Department of*  
 22 *Health and Human Services;*

23 *(3) 1 representative from the Environmental*  
 24 *Protection Agency;*

1           (4) 1 representative from the Department of the  
2     *Interior*;

3           (5) 1 representative from the Department of  
4     *Commerce*;

5           (6) 1 representative from the Federal Energy  
6     *Regulatory Commission*; and

7           (7) representatives of State and local govern-  
8     *ments, as determined appropriate by the Secretary*  
9     *and the Administrator.*

10    (c) *REPORT.*—

11           (1) *IN GENERAL.*—Not later than 180 days after  
12    *the date of enactment of this Act, the task force estab-*  
13    *lished under subsection (a) shall submit a final report*  
14    *that contains the information described in paragraph*  
15    (2) *to—*

16                   (A) *the Committee on Energy and Natural*  
17                   *Resources of the Senate*;

18                   (B) *the Committee on Natural Resources of*  
19                   *the House of Representatives*;

20                   (C) *the Committee on Environment and*  
21                   *Public Works of the Senate*;

22                   (D) *the Committee on Transportation and*  
23                   *Infrastructure of the House of Representatives*;

24                   (E) *the Committee on Commerce, Science,*  
25                   *and Transportation of the Senate*;

1                   (F) the Committee on Energy and Com-  
2                   merce of the House of Representatives;

3                   (G) the Committee on Health, Education,  
4                   Labor, and Pensions of the Senate;

5                   (H) the Committee on Education and the  
6                   Workforce of the House of Representatives;

7                   (I) the President; and

8                   (J) relevant Federal and State agencies.

9                   (2) *INFORMATION INCLUDED.*—The report sub-  
10                  mitted under paragraph (1) shall include—

11                   (A) an analysis and conclusion of the cause  
12                   and contributing factors of the Aliso Canyon  
13                   natural gas leak;

14                   (B) an analysis of measures taken to stop  
15                   the natural gas leak, with an immediate focus on  
16                   other, more effective measures that could be  
17                   taken;

18                   (C) an assessment of the impact of the nat-  
19                   ural gas leak on—

20                   (i) health, safety, and the environment;

21                   (ii) wholesale and retail electricity  
22                   prices; and

23                   (iii) the reliability of the bulk-power  
24                   system;

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

3           (E) in order to lessen the negative impacts  
4           of leaks from underground natural gas storage  
5           facilities, recommendations on how to improve—

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

7           (ii) coordination between all appro-  
8           priate Federal, State, and local agencies in  
9           the response to the Aliso Canyon natural  
10          gas leak and future natural gas leaks;

11          (F) an analysis of the potential for a simi-  
12          lar natural gas leak to occur at other under-  
13          ground natural gas storage facilities in the  
14          United States;

15          (G) recommendations on how to prevent  
16          any future natural gas leaks;

17          (H) recommendations regarding Aliso Can-  
18          yon and other underground natural gas storage  
19          facilities located in close proximity to residential  
20          populations;

21          (I) any recommendations on information  
22          that is not currently collected but that would be  
23          in the public interest to collect and distribute to  
24          agencies and institutions for the continued study

1           *and monitoring of natural gas storage infra-*  
2           *structure in the United States; and*

3                   *(J) any other recommendations, as appro-*  
4           *priate.*

5           (3) *PUBLICATION.*—*The final report under para-*  
6           *graph (1) shall be made available to the public in an*  
7           *electronically accessible format.*

8           (4) *FINDINGS.*—*If, before the final report is sub-*  
9           *mitted under paragraph (1), the task force established*  
10          *under subsection (a) finds methods to solve the nat-*  
11          *ural gas leak at Aliso Canyon, finds methods to better*  
12          *protect the affected communities, or finds methods to*  
13          *help prevent other leaks, the task force shall imme-*  
14          *diately submit such findings to the entities described*  
15          *in subparagraphs (A) through (J) of paragraph (1).*

Attest:

*Clerk.*



114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2276**

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**AMENDMENT**