

116TH CONGRESS
1ST SESSION

H. R. 5175

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

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2019

Mr. CRAWFORD (for himself, Mr. GRAVES of Missouri, Mr. BOST, Mr. WEBER of Texas, Mrs. MILLER, Mr. GIBBS, Mr. PENCE, Mr. YOUNG, Mr. BABIN, Mr. PERRY, Mr. RODNEY DAVIS of Illinois, Mr. STAUBER, Mr. BALDERSON, Mr. LAMALFA, Mr. SPANO, Mr. MEADOWS, Mr. WOODALL, Mr. KATKO, and Miss GONZÁLEZ-COLÓN of Puerto Rico) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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 “Pipeline Safety Improvement Act of 2019”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Authorization of appropriations.
- Sec. 3. Strengthening operator qualification programs.
- Sec. 4. Safety-related condition reports.
- Sec. 5. Property damage threshold.
- Sec. 6. Pipeline facility security.
- Sec. 7. Access to oil spill response plans.
- Sec. 8. National pipeline mapping system.
- Sec. 9. Depth of cover for inland bodies of water.
- Sec. 10. Pipeline operating status.
- Sec. 11. Advancement of new pipeline safety technologies and approaches.
- Sec. 12. Pipeline safety voluntary information-sharing system.
- Sec. 13. User fees.
- Sec. 14. User fees for underground natural gas storage facilities.
- Sec. 15. Liquefied natural gas facility safety.
- Sec. 16. Unusually sensitive areas.
- Sec. 17. Workforce.
- Sec. 18. Nationwide integrated pipeline safety regulatory database.
- Sec. 19. Regulatory updates.
- Sec. 20. Construction project approvals.
- Sec. 21. Report on emissions.
- Sec. 22. Changes in class location.

3 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) GAS AND HAZARDOUS LIQUID.—Section
 5 60125(a) of title 49, United States Code, is amended to
 6 read as follows:

7 “(a) GAS AND HAZARDOUS LIQUID.—

8 “(1) IN GENERAL.—To carry out the provisions
 9 of this chapter related to gas and hazardous liquid
 10 and section 12 of the Pipeline Safety Improvement
 11 Act of 2002 (49 U.S.C. 60101 note; Public Law
 12 107–355), there are authorized to be appropriated to
 13 the Secretary from fees collected under section
 14 60301—

1 “(A) \$150,000,000 for fiscal year 2020, of
2 which \$9,000,000 shall be expended for car-
3 rying out such section 12 and \$60,000,000
4 shall be expended for making grants;

5 “(B) \$154,000,000 for fiscal year 2021, of
6 which \$9,000,000 shall be expended for car-
7 rying out such section 12 and \$63,000,000
8 shall be expended for making grants;

9 “(C) \$158,000,000 for fiscal year 2022, of
10 which \$9,000,000 shall be expended for car-
11 rying out such section 12 and \$66,000,000
12 shall be expended for making grants; and

13 “(D) \$162,000,000 for fiscal year 2023, of
14 which \$9,000,000 shall be expended for car-
15 rying out such section 12 and \$69,000,000
16 shall be expended for making grants.

17 “(2) TRUST FUND AMOUNTS.—In addition to
18 the amounts authorized to be appropriated under
19 paragraph (1), there are authorized to be appro-
20 priated from the Oil Spill Liability Trust Fund de-
21 scribed in section 9509(a) of the Internal Revenue
22 Code of 1986 (26 U.S.C. 9509(a)) to carry out the
23 provisions of this chapter relating to hazardous liq-
24 uid and section 12 of the Pipeline Safety Improve-

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

3 “(A) \$25,000,000 for fiscal year 2020, of
4 which—

5 “(i) \$3,000,000 shall be used to carry
6 out section 12 of such Act; and

7 “(ii) \$10,000,000 shall be used for
8 making grants;

9 “(B) \$26,000,000 for fiscal year 2021, of
10 which—

11 “(i) \$3,000,000 shall be used to carry
12 out section 12 of such Act; and

13 “(ii) \$11,000,000 shall be used for
14 making grants;

15 “(C) \$27,000,000 for fiscal year 2022, of
16 which—

17 “(i) \$3,000,000 shall be used to carry
18 out section 12 of such Act; and

19 “(ii) \$12,000,000 shall be used for
20 making grants; and

21 “(D) \$28,000,000 for fiscal year 2023, of
22 which—

23 “(i) \$3,000,000 shall be used to carry
24 out section 12 of such Act; and

1 “(ii) \$13,000,000 shall be used for
2 making grants.

3 “(3) UNDERGROUND NATURAL GAS STORAGE
4 FACILITY SAFETY ACCOUNT.—To carry out section
5 60141, there is authorized to be appropriated to the
6 Secretary \$8,000,000 from fees collected under sec-
7 tion 60302 for each of fiscal years 2020 through
8 2023.”.

9 (b) OPERATIONAL EXPENSES.—Section 2(b) of the
10 PIPES Act of 2016 (Public Law 114–183; 130 Stat. 515)
11 is amended by striking paragraphs (1) through (4) and
12 inserting the following:

13 “(1) \$25,000,000 for fiscal year 2020.

14 “(2) \$26,000,000 for fiscal year 2021.

15 “(3) \$27,000,000 for fiscal year 2022.

16 “(4) \$28,000,000 for fiscal year 2023.”.

17 (c) EMERGENCY RESPONSE GRANTS.—Section
18 60125(b) of title 49, United States Code, is amended to
19 read as follows:

20 “(b) EMERGENCY RESPONSE GRANTS.—

21 “(1) IN GENERAL.—The Secretary may estab-
22 lish a program to make grants to State, county,
23 local, and tribal governments and nonprofit organi-
24 zations providing pipeline emergency response train-
25 ing, for—

1 “(A) emergency response management;

2 “(B) training; and

3 “(C) technical assistance.

4 “(2) TRAINING REQUIREMENTS.—To the extent
5 that a grant is used to train emergency responders,
6 any training shall ensure that emergency responders
7 can protect nearby persons, property, and the envi-
8 ronment from the effects of accidents or incidents
9 involving gas or hazardous liquid pipelines, in ac-
10 cordance with existing regulations.

11 “(3) AUTHORIZATION OF APPROPRIATIONS.—
12 There is authorized to be appropriated to carry out
13 this subsection \$12,000,000 for each of fiscal years
14 2020 through 2023.”.

15 (d) ONE-CALL NOTIFICATION PROGRAMS.—Section
16 6107 of title 49, United States Code, is amended by strik-
17 ing “2016 through 2019” and inserting “2020 through
18 2023”.

19 (e) PIPELINE SAFETY INFORMATION GRANTS TO
20 COMMUNITIES.—Section 60130(c) of title 49, United
21 States Code, is amended to read as follows:

22 “(c) FUNDING.—

23 “(1) IN GENERAL.—Of the amounts made
24 available under section 2(b) of the PIPES Act of
25 2016, the Secretary shall use \$1,500,000 for each of

1 fiscal years 2020 through 2023 to carry out this sec-
2 tion.

3 “(2) LIMITATION.—Any amounts used to carry
4 out this section may not be derived from user fees
5 collected under section 60301.”.

6 (f) DAMAGE PREVENTION PROGRAMS.—Section
7 60134(i) of title 49, United States Code, is amended in
8 the first sentence by striking “2012 through 2015” and
9 inserting “2020 through 2023”.

10 (g) PIPELINE INTEGRITY PROGRAM.—Section 12(f)
11 of the Pipeline Safety Improvement Act of 2002 (49
12 U.S.C. 60101 note; Public Law 107–355) is amended by
13 striking “2016 through 2019” and inserting “2020
14 through 2023”.

15 **SEC. 3. STRENGTHENING OPERATOR QUALIFICATION PRO-**
16 **GRAMS.**

17 (a) QUALIFICATIONS OF PIPELINE OPERATORS.—
18 Section 60102(a)(3) of title 49, United States Code, is
19 amended—

20 (1) by striking “operates and maintains” and
21 inserting “operates and maintains, or constructs,”;

22 (2) by inserting “, a gas gathering line, or a
23 hazardous liquid gathering line” before “shall ad-
24 dress”;

1 (3) by striking “operator of a pipeline facility”
2 and inserting “operator of a pipeline facility, a gas
3 gathering line, or a hazardous liquid gathering line”;

4 (4) by striking “operate and maintain” and in-
5 serting “operate and maintain, or construct” each
6 place it appears; and

7 (5) by inserting “, gas gathering lines, or haz-
8 ardous liquid gathering lines” before the period at
9 the end.

10 (b) VERIFICATION OF PIPELINE QUALIFICATION
11 PROGRAMS.—Section 60131 of title 49, United States
12 Code, is amended—

13 (1) in subsection (d) by adding at the end the
14 following:

15 “(5) A management of change program that
16 will communicate changes that affect covered tasks
17 to individuals performing those covered tasks.”; and

18 (2) by striking subsection (g) and inserting the
19 following:

20 “(g) DEFINITIONS.—In this section:

21 “(1) COVERED TASK.—The term ‘covered
22 task’—

23 “(A) with respect to a gas pipeline facility,
24 has the meaning such term has under section
25 192.801 of title 49, Code of Federal Regula-

1 tions, including any subsequent modifications;
2 and

3 “(B) with respect to a hazardous liquid
4 pipeline facility, has the meaning such term has
5 under section 195.501 of such title, including
6 any subsequent modifications;

7 “(C) includes, with respect to a gas pipe-
8 line facility or a hazardous liquid pipeline facil-
9 ity described in subparagraphs (A) and (B), a
10 construction task.

11 “(2) PIPELINE FACILITY.—The term ‘pipeline
12 facility’ includes regulated gas gathering lines and
13 regulated hazardous liquid gathering lines.”.

14 (c) OPERATOR QUALIFICATION PROGRAM EFFEC-
15 TIVENESS.—

16 (1) RULEMAKING REQUIRED.—Not later than 1
17 year after the date of enactment of this Act, the
18 Secretary of Transportation shall issue such regula-
19 tions as are necessary to require pipeline facility op-
20 erator qualification programs to include a written
21 process to measure the effectiveness of the program
22 at minimizing human error during the performance
23 of a covered task.

24 (2) CONSIDERATIONS.—In issuing the regula-
25 tions required under paragraph (1), the Secretary

1 shall consider the elements of program effectiveness
2 contained in the notice of proposed rulemaking
3 issued on July 10, 2015 titled “Pipeline Safety: Op-
4 erator Qualification, Cost Recovery, Accident and
5 Incident Notification, and Other Pipeline Safety 3
6 Proposed Changes” (80 Fed. Reg. 39916).

7 (3) COVERED TASK DEFINED.—In this sub-
8 section, the term “covered task” has the meaning
9 given the term in section 60131(g) of title 49,
10 United States Code.

11 **SEC. 4. SAFETY-RELATED CONDITION REPORTS.**

12 Section 60102(h) of title 49, United States Code, is
13 amended—

14 (1) in paragraph (2) by striking “Notice of the
15 condition shall be given concurrently to appropriate
16 State authorities.”; and

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

18 “(3)(A) Notice of the condition of an intrastate
19 or interstate pipeline facility shall be given concur-
20 rently to appropriate State authorities, as defined by
21 the Secretary.

22 “(B) The Secretary shall require that when a
23 State agency receives a report on a safety-related
24 condition, the State agency shall provide the report
25 to any State emergency response commission, tribal

1 emergency response commission, tribal emergency
2 planning committee, local emergency planning com-
3 mittee, local government, or public agency respon-
4 sible for emergency response that requests the re-
5 port, including any updates to the report received by
6 the State agency.”.

7 **SEC. 5. PROPERTY DAMAGE THRESHOLD.**

8 Section 60123(d)(2)(A) of title 49, United States
9 Code, is amended by striking “\$50,000” and inserting
10 “\$200,000”.

11 **SEC. 6. PIPELINE FACILITY SECURITY.**

12 Section 60123 of title 49, United States Code, is
13 amended by adding at the end the following:

14 “(e) PENALTY FOR ALTERING PHYSICAL INFRA-
15 STRUCTURE.—

16 “(1) DEFINITION OF ALTERING A PIPELINE FA-
17 CILITY.—In this subsection, the term ‘altering a
18 pipeline facility’ means—

19 “(A) the unauthorized turning or manipu-
20 lation of any valve of a pipeline facility de-
21 scribed in subsection (b);

22 “(B) the puncturing of—

23 “(i) an existing pipeline that is in use
24 for a facility described in subsection (b); or

1 “(ii) a pipeline pipe, pump, or valve
2 intended to be used by a facility described
3 in subsection (b); or

4 “(C) causing a defect that would affect the
5 integrity of safe operations for—

6 “(i) an existing pipeline that is in use
7 for a facility described in subsection (b); or

8 “(ii) a pipeline pipe, pump, or valve
9 intended to be used by a facility described
10 in subsection (b).

11 “(2) PENALTY.—A person knowingly and will-
12 fully altering a pipeline facility shall be fined or im-
13 prisoned in accordance with subsection (a).

14 “(3) RULE OF CONSTRUCTION.—Nothing in
15 this subsection abridges the exercise of rights guar-
16 anteed under the First Amendment to the Constitu-
17 tion of the United States.”.

18 **SEC. 7. ACCESS TO OIL SPILL RESPONSE PLANS.**

19 Section 60138 of title 49, United States Code, is
20 amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1) by striking “and”;

23 (B) in paragraph (2)(D) by striking the
24 period and inserting “; and”; and

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

1 “(3) provide to a Member of Congress, upon
2 written request from such Member, access to view a
3 copy of the plan, the contents of which the Secretary
4 may not redact, but may note as the Secretary de-
5 termines appropriate—

6 “(A) proprietary information; and

7 “(B) security-sensitive information, includ-
8 ing information described in section 1520.5(a)
9 of title 49, Code of Federal Regulations.”;

10 (2) by redesignating subsection (b) as sub-
11 section (d); and

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

13 “(c) LIMITATIONS ON INFORMATION PROVIDED TO
14 CONGRESS.—The following requirements shall apply to
15 any activities carried out under subsection (a)(3):

16 “(1) To review an oil spill response plan, the
17 Administrator shall provide the Member access to a
18 full and unredacted paper copies of the plans for the
19 Congressional district of such Member in a secure
20 reading room for purposes of review only.

21 “(2) Congressional review of full and unredact-
22 ed copies of oil spill response plans carried out under
23 such subsection shall be the exclusive authority for
24 congressional review of such plans.

1 “(3) Information identified under subparagraph
2 (A) and (B) of subsection (a)(3) may not be distrib-
3 uted in any form, including verbal, electronic or
4 written communication, or transmittal of copied
5 image.

6 “(4) All information described in paragraph (3)
7 shall remain confidential and any unauthorized dis-
8 closure of such information is subject to a fine of
9 \$10,000.

10 “(5) The provision of access to information de-
11 scribed in paragraph (3) shall not be construed to
12 waive or amend the obligations or authorities of the
13 Administrator to protect information from disclosure
14 pursuant to section 552(b) of title 5, section 60138,
15 or any other applicable laws.”.

16 **SEC. 8. NATIONAL PIPELINE MAPPING SYSTEM.**

17 (a) **IN GENERAL.**—Section 60132 of title 49, United
18 States Code, is amended by striking subsection (f) and in-
19 serting the following:

20 “(f) **PUBLIC DISCLOSURE LIMITED.**—Data and in-
21 formation submitted to the Secretary under this section
22 may not be disclosed to the public pursuant to section
23 552(b)(3)(B) of title 5.”.

24 (b) **EVALUATION OF INFORMATION.**—Not later than
25 1 year after the date of enactment of this Act, the Sec-

1 retary shall issue regulations on the evaluation of the in-
2 formation required under paragraphs (1) through (4) of
3 section 60132(a) of title 49, United States Code, with re-
4 spect to gathering lines.

5 **SEC. 9. DEPTH OF COVER FOR INLAND BODIES OF WATER.**

6 Section 60140 of title 49, United States Code, is
7 amended by adding at the end the following:

8 “(c) DATA SET FOR PIPELINES CROSSING CERTAIN
9 WATER BODIES.—

10 “(1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this subsection, the Sec-
12 retary shall collect and maintain geospatial data ca-
13 pable of identifying hazardous liquid pipelines cross-
14 ing inland bodies of water with a width of at least
15 100 feet from high-water mark to high-water mark
16 and where the pipeline segment is within, or could
17 affect, a high consequence area (as defined in sec-
18 tions 192.903 and 195.450 of title 49, Code of Fed-
19 eral Regulations).

20 “(2) PUBLIC INFORMATION.—The Secretary
21 shall make the data set collected and maintained
22 under paragraph (1) available on the publicly avail-
23 able website of the Department of Transportation.

24 “(3) NATIONAL PIPELINE MAPPING SYSTEM.—
25 The Secretary shall include such data set in the Na-

1 tional Pipeline Mapping System for purposes of
2 meeting the requirement under paragraph (2).”.

3 **SEC. 10. PIPELINE OPERATING STATUS.**

4 (a) IN GENERAL.—Chapter 601 of title 49, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 60142. Idled pipelines**

8 “(a) DEFINITION OF IDLED.—In this section, the
9 term ‘idled’, with respect to a pipeline, means that the
10 pipeline—

11 “(1)(A) has ceased normal operations;

12 “(B) will not resume service for a period of not
13 less than 180 days;

14 “(2) has been isolated from all sources of haz-
15 ardous liquid, natural gas, or other gas;

16 “(3) has been purged of combustibles and haz-
17 ardous materials;

18 “(4) if a blanket of inert, nonflammable gas is
19 placed in the line, such gas must be at low pressure
20 and odorized; and

21 “(5) has received approval from the Secretary
22 to be removed as an active pipeline.

23 “(b) APPROVAL.—Before an operator may place a
24 natural or other gas pipeline facility or hazardous liquid

1 pipeline facility into idled status, the operator must re-
2 quest an approval, in writing, from the Secretary.

3 “(c) EXTENSION.—The Secretary may allow idled
4 natural or other gas pipeline facilities and hazardous liq-
5 uid pipeline facilities to remain in idled status for a period
6 longer than described in paragraph (a), provided that such
7 request be made in writing and not exceed a period of 5
8 years for each requested extension.

9 “(d) RULEMAKING.—

10 “(1) IN GENERAL.—Not later than 3 years
11 after the date of enactment of this Act, the Sec-
12 retary shall promulgate regulations prescribing the
13 applicability of the pipeline safety requirements to
14 idled natural or other gas pipeline facilities and haz-
15 ardous liquid pipeline facilities.

16 “(2) REQUIREMENTS.—The regulations promul-
17 gated under paragraph (1) shall contain the fol-
18 lowing requirements:

19 “(A) IN GENERAL.—The applicability of
20 the regulations under paragraph (1) shall be
21 based on the risk that idled natural or other
22 gas pipeline facilities and hazardous liquid pipe-
23 line facilities pose to the public, property, and
24 the environment, and shall include requirements
25 to resume operation.

1 “(B) NOTIFICATION AND APPROVAL.—The
2 Secretary shall establish procedures, including a
3 requirement for notification to the public, for
4 requesting an approval, described in subsection
5 (b), and an extension, described in subsection
6 (c), before an operator changes the operating
7 status of a natural or other gas pipeline facility
8 or hazardous liquid pipeline facility.

9 “(C) INSPECTION.—The Secretary or an
10 appropriate State agency shall inspect each
11 idled natural or other gas pipeline facility or
12 hazardous liquid pipeline facility and verify that
13 the pipeline has been purged of combustibles
14 and hazardous materials.

15 “(D) REQUIREMENTS FOR REINSPEC-
16 TION.—The Secretary shall determine the re-
17 quirements for periodic reinspection of idled
18 natural or other gas pipeline facilities and haz-
19 ardous liquid pipeline facilities.

20 “(E) INVENTORY.—The Secretary shall re-
21 quire operators to report to the Secretary infor-
22 mation on idled natural or other gas pipeline
23 facilities and hazardous liquid pipeline facilities
24 in their system, including the location of a pipe-
25 line, whether the pipeline has been purged of

1 combustibles and hazardous materials, whether
2 a blanket of inert gas remains in the line, the
3 date on which the operator idled the pipeline,
4 and a written description for why the operator
5 chose to place each pipeline into idle status.

6 “(e) AVAILABILITY OF DATA.—

7 “(1) IN GENERAL.—The Secretary shall make
8 available to the public the inventory required under
9 subsection (d)(E), and publish annually on a website
10 accessible to the public a list indicating pipeline op-
11 erating status changes. The list shall include—

12 “(A) the name of the operator;

13 “(B) the operating status change of the
14 pipeline; and

15 “(C) the approximate location, including
16 beginning and end point for the pipeline that is
17 subject to the change in operating status.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 for chapter 601 of title 49, United States Code, is amend-
20 ed by adding at the end the following new item:

“60142. Idled pipelines.”.

21 **SEC. 11. ADVANCEMENT OF NEW PIPELINE SAFETY TECH-**
22 **NOLOGIES AND APPROACHES.**

23 (a) IN GENERAL.—Chapter 601 of title 49, United
24 States Code, is further amended by adding at the end the
25 following:

1 **“§ 60143. Pipeline safety technology testing programs**

2 “(a) IN GENERAL.—The Secretary may establish and
3 carry out limited safety-enhancing testing programs to
4 evaluate innovative technologies and operational practices
5 testing the safe operation of—

6 “(1) a natural gas pipeline facility; or

7 “(2) a hazardous liquid pipeline facility.

8 “(b) LIMITATIONS.—

9 “(1) HIGH POPULATION AREAS.—Any program
10 established under subsection (a) shall not be located
11 in a high population area (as defined in section
12 195.450 of title 49, Code of Federal Regulations).

13 “(c) DURATION.—The term of a testing program es-
14 tablished under subsection (a) shall be not more than a
15 period of 4 years beginning on the date of approval of the
16 program.

17 “(d) SAFETY STANDARDS.—

18 “(1) IN GENERAL.—The Secretary shall re-
19 quire, as a condition of approval of a testing pro-
20 gram under subsection (a), that the safety measures
21 in the testing program are designed to achieve a
22 level of safety that is greater than, or equivalent to,
23 the level of safety required by this chapter.

24 “(2) DETERMINATION.—

25 “(A) IN GENERAL.—The Secretary may
26 issue an order under subparagraph (A) of sec-

1 tion 60118(c)(1) to accomplish the purpose of
2 a testing program for a term not to exceed the
3 time period described in subsection (c) if the
4 condition described in paragraph (1) is met, as
5 determined by the Secretary.

6 “(B) LIMITATION.—An order under sub-
7 paragraph (A) of such section shall pertain only
8 to those regulations that would otherwise pre-
9 vent the use of the safety technology to be test-
10 ed under the testing program.

11 “(e) CONSIDERATIONS.—In establishing a testing
12 program under subsection (a), the Secretary shall con-
13 sider—

14 “(1) whether the owners or operators partici-
15 pating in the program have a safety management
16 system in place;

17 “(2) whether the proposed safety technology
18 has been tested through a research and development
19 program carried out by—

20 “(A) the Secretary;

21 “(B) collaborative research development
22 organizations; or

23 “(C) other institutions; and

24 “(3) whether the pipeline segments tested by
25 the program are outside of a high population area

1 (as defined in section 195.450 of title 49, Code of
2 Federal Regulations).

3 “(f) DATA AND FINDINGS.—As a participant in a
4 testing program established under subsection (a), an oper-
5 ator shall submit to the Secretary detailed findings and
6 a summary of data collected as a result of participation
7 in the testing program.

8 “(g) AUTHORITY TO REVOKE PARTICIPATION.—The
9 Secretary shall immediately revoke participation in a test-
10 ing program under subsection (a) if—

11 “(1) the participant fails to comply with the
12 terms and conditions of the testing program; or

13 “(2) in the determination of the Secretary, con-
14 tinued participation in the testing program by the
15 participant would be unsafe or would not be con-
16 sistent with the goals and objectives of this chapter.

17 “(h) AUTHORITY TO TERMINATE PROGRAM.—The
18 Secretary shall immediately terminate a testing program
19 under subsection (a) if continuation of the testing pro-
20 gram would not be consistent with the goals and objectives
21 of this chapter.

22 “(i) STATE RIGHTS.—

23 “(1) EXEMPTION.—Except as provided in para-
24 graph (2), if a State submits to the Secretary notice
25 that the State requests an exemption from any test-

1 ing program considered for establishment under this
2 section, the State shall be exempt.

3 “(2) LIMITATIONS.—

4 “(A) IN GENERAL.—The Secretary shall
5 not grant a requested exemption under para-
6 graph (1) after a testing program is estab-
7 lished.

8 “(B) LATE NOTICE.—The Secretary shall
9 not grant a requested exemption under para-
10 graph (1) if the notice submitted under that
11 paragraph is submitted to the Secretary more
12 than 10 days after the date on which the Sec-
13 retary issues an order providing an effective
14 date for the testing program.

15 “(3) EFFECT.—If a State has not submitted a
16 notice requesting an exemption under paragraph (1),
17 the State shall not enforce any law (including regu-
18 lations) that is inconsistent with a testing program
19 in effect in the State under this section.

20 “(j) PROGRAM REVIEW PROCESS AND PUBLIC NO-
21 TICE.—

22 “(1) IN GENERAL.—The Secretary shall publish
23 in the Federal Register a notice of each testing pro-
24 gram under subsection (a), including the order to be

1 considered, and provide an opportunity for public
2 comment for not less than 60 days.

3 “(2) RESPONSE FROM SECRETARY.—Not later
4 than the date on which the Secretary issues an order
5 providing an effective date of a testing program no-
6 ticed under paragraph (1), the Secretary shall re-
7 spond to each comment submitted under that para-
8 graph.

9 “(k) REPORT.—At the conclusion of each testing pro-
10 gram, the Secretary shall make publicly available on the
11 website of the Department of Transportation a report con-
12 taining—

13 “(1) the findings and conclusions of the Sec-
14 retary with respect to the testing program; and

15 “(2) any recommendations of the Secretary
16 with respect to the testing program, including any
17 recommendations for amendments to laws (including
18 regulations) and the establishment of standards,
19 that—

20 “(A) would enhance the safe operation of
21 interstate gas or hazardous liquid pipeline fa-
22 cilities; and

23 “(B) are technically, operationally, and
24 economically feasible.

1 “(l) STANDARDS.—If a report under subsection (k)
 2 indicates that it is practicable to establish technically,
 3 operationally, and economically feasible standards for the
 4 use of a safety-enhancing technology and any correspond-
 5 ing operational practices tested by the testing program de-
 6 scribed in the report, the Secretary, as soon as practicable
 7 after submission of the report, may promulgate regula-
 8 tions consistent with chapter 5 of title 5 (commonly known
 9 as the ‘Administrative Procedures Act’) that—

10 “(1) allow operators of interstate gas or haz-
 11 ardous liquid pipeline facilities to use the relevant
 12 technology or practice to the extent practicable; and

13 “(2) establish technically, operationally, and
 14 economically feasible standards for the capability
 15 and deployment of the technology or practice.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
 17 for chapter 601 of title 49, United States Code, is further
 18 amended by adding at the end the following:

“60143. Pipeline safety technology testing programs.”.

19 **SEC. 12. PIPELINE SAFETY VOLUNTARY INFORMATION-**
 20 **SHARING SYSTEM.**

21 (a) IN GENERAL.—Chapter 601 of title 49, United
 22 States Code, is further amended by adding at the end the
 23 following:

24 **“§ 60144. Voluntary information-sharing system**

25 “(a) ESTABLISHMENT.—

1 “(1) IN GENERAL.—Subject to the availability
2 of funds, the Secretary may establish a confidential
3 and nonpunitive voluntary information-sharing sys-
4 tem (referred to in this section as the ‘System’) to
5 encourage collaborative efforts to improve inspection
6 information feedback and information sharing, with
7 the purpose of improving natural gas transmission
8 and hazardous liquid pipeline safety.

9 “(2) COMPONENTS.—The System—

10 “(A) shall include pipeline integrity risk
11 analysis information; and

12 “(B) may include other information relat-
13 ing to reducing pipeline incidents, such as—

14 “(i) lessons learned from accidents
15 and near misses;

16 “(ii) process improvements;

17 “(iii) technology deployments; and

18 “(iv) other voluntary information-
19 sharing systems.

20 “(3) REQUIREMENT.—The System shall protect
21 proprietary information while encouraging the ex-
22 change of data, including in-line inspection and dig-
23 verification data, among operators, tool vendors, and
24 the representatives of the Secretary to facilitate the
25 development of—

1 “(A) advanced pipeline-inspection tech-
2 nologies; and

3 “(B) enhanced risk analysis.

4 “(4) CONSULTATION.—If appropriate, the Sec-
5 retary may involve other public and private stake-
6 holders in establishing and maintaining the System.

7 “(b) DATA MANAGER.—In carrying out this section,
8 the Secretary may engage a partner agency or nongovern-
9 mental entity to receive, store, manage, and provide for
10 the use of—

11 “(1) system data; and

12 “(2) information submitted to the System.

13 “(c) LIMITATION ON DISCLOSURE.—

14 “(1) APPLICABILITY OF FOIA.—Any part of any
15 record (including, but not limited to an analysis by
16 a pipeline operator of the safety risks of the pipeline
17 operator and a statement of the mitigation measures
18 identified by the pipeline operator to address those
19 risks) provided to the Secretary and retained in the
20 System is exempt from the requirements of section
21 552 of title 5, and specifically exempt from release
22 under subsection (b)(3) of that section, if the record
23 is—

24 “(A) supplied to the Secretary for purposes
25 of the System; or

1 “(B) made available for inspection and
2 copying by an officer, employee, or agent of the
3 Secretary for purposes of the System.

4 “(2) EXCEPTION.—Notwithstanding paragraph
5 (1), the Secretary in consultation with the informa-
6 tion owner, may disclose deidentified material or any
7 part of any record comprised of facts otherwise
8 available to the public if, in the sole discretion of the
9 Secretary, the Secretary determines that disclosure
10 would be consistent with the confidentiality needed
11 for the System and improve pipeline safety.

12 “(d) EXCLUDED EVIDENCE.—Except as provided in
13 subsection (f), any data or information submitted to or
14 stored, managed, analyzed, or produced by the System
15 shall not be used—

16 “(1) as evidence for any purpose in any Fed-
17 eral, State, local, Tribal, or private litigation, includ-
18 ing any action or proceeding; or

19 “(2) to support any corrective action relating to
20 a probable violation under this chapter (including
21 any regulation promulgated or order issued under
22 this chapter).

23 “(e) EXCLUSION FROM DISCOVERY.—Except as pro-
24 vided in subsection (f), any data or information submitted
25 to or stored, managed, analyzed, or produced by the Sys-

1 tem shall not be subject to discovery in any Federal, State,
2 local, Tribal, or private litigation or other proceeding.

3 “(f) LIMITATIONS ON EXCLUSION.—The exclusions
4 described in subsections (d) and (e) shall not apply to—

5 “(1) evidence of a knowing and willful violation;

6 “(2) a reportable release under sections 191.7
7 or 195.50 of title 49, Code of Federal Regulations
8 (or a successor regulation);

9 “(3) a safety-related condition under sections
10 191.7 or 195.55 of title 49, Code of Federal Regula-
11 tions (or a successor regulation); or

12 “(4) data or information obtained by the Sec-
13 retary independently of the System.

14 “(g) GOVERNING BOARD.—Not later than 180 days
15 after the date of enactment of this Act, the Administrator
16 shall establish a governing board co-chaired by the Admin-
17 istrator and a representative of the pipeline industry to—

18 “(1) govern the System through consensus of
19 the board and co-chairs;

20 “(2) develop governance documents and oversee
21 their enforcement; and

22 “(3) establish and appoint members of issue
23 analysis teams;

24 “(h) CONFIDENTIALITY.—No person, including any
25 System governing board member, program manager,

1 third-party data manager, issue analysis team member,
2 nor any Federal, State, local or tribal agency, having or
3 obtaining access to any data or information submitted to,
4 stored, managed, analyzed or produced by the System,
5 shall release or communicate that information to any per-
6 son outside the System, with the sole exception being the
7 publication of reports by the System based on analysis of
8 de-identified information and safety related findings that
9 the System governing board in its sole discretion deter-
10 mines to publish or authorize the Administration to pub-
11 lish.

12 “(i) VOLUNTARY PARTICIPATION.—No person may
13 be compelled to participate in or submit data or informa-
14 tion to the System.

15 “(j) SUSTAINABLE FUNDING.—The Secretary shall
16 explore sustainable funding sources for the System, in-
17 cluding public-private partnerships.

18 “(k) EFFECT.—Nothing in this section affects any
19 Federal or State pipeline safety law.

20 “(l) LIMITATION ON FUNDING.—The Secretary may
21 expend not more than \$1,000,000 for each of the fiscal
22 years 2020 through 2024 to establish the System.

23 “(m) SAVINGS CLAUSE.—Notwithstanding the pro-
24 tections provided under this section, no pipeline operator
25 may use the submission of information to the System as

1 protection against enforcement actions or corrective orders
2 that are based on information or evidence obtained outside
3 of the System.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 for chapter 601 of title 49, United States Code, is further
6 amended by adding at the end the following:

“60144.Voluntary information-sharing system.”.

7 **SEC. 13. USER FEES.**

8 Section 60301(d)(1) of title 49, United States Code,
9 is amended—

10 (1) in subparagraph (A) by striking “and” at
11 the end; and

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

13 “(C) related to a liquefied natural gas
14 pipeline facility may be used only for an activity
15 related to liquefied natural gas pipeline facility
16 under this chapter; and”.

17 **SEC. 14. USER FEES FOR UNDERGROUND NATURAL GAS**
18 **STORAGE FACILITIES.**

19 Section 60302 of title 49, United States Code, is
20 amended—

21 (1) in subsection (c)(2)—

22 (A) in subparagraph (A) by striking “and”
23 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) may only be used to the extent pro-
3 vided in advance in an appropriations Act.”;

4 (2) by striking paragraph (3) of subsection (c);

5 and

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

7 “(d) LIMITATIONS.—Fees imposed under subsection
8 (a) shall be sufficient to pay for the costs of activities de-
9 scribed in subsection (c), except that the total amount col-
10 lected for a fiscal year may not be more than 105 percent
11 of the total amount of the appropriations made for the
12 fiscal year activities to be financed by fees.”.

13 **SEC. 15. LIQUEFIED NATURAL GAS FACILITY SAFETY.**

14 (a) LIQUEFIED NATURAL GAS FACILITY STANDARDS
15 UPDATE.—

16 (1) IN GENERAL.—Not later than 3 years after
17 the date of enactment of this Act, the Secretary
18 shall—

19 (A) review the minimum operating and
20 maintenance standards for liquefied natural gas
21 facilities, including small scale liquefied natural
22 gas facilities, peak shaving facilities, and large-
23 scale liquefied natural gas facilities, prescribed
24 under section 60103(d) of title 49, United
25 States Code; and

1 (B) based on the review under subpara-
2 graph (A), update the safety standards de-
3 scribed in that paragraph applicable to liquefied
4 natural gas facilities to provide for a risk-based
5 regulatory approach.

6 (2) CONSIDERATIONS.—In updating the min-
7 imum standards under paragraph (1)(B), the Sec-
8 retary shall consider the report prepared under sub-
9 section (d)(5).

10 (3) REQUIREMENTS.—The updates to the
11 standards required under this section shall, at a
12 minimum, require operators, consistent with recog-
13 nized and generally accepted good engineering prac-
14 tices—

15 (A) to develop and maintain written safety
16 information identifying hazards associated
17 with—

18 (i) the processes of liquefied natural
19 gas conversion, storage, and transport;

20 (ii) equipment used in the processes;

21 and

22 (iii) technology used in the processes;

23 (B) to conduct a hazard assessment, in-
24 cluding the identification of potential sources of

1 accidental releases, along with reassessments
2 periodically;

3 (C) to establish a system to respond to the
4 findings of a hazard assessment conducted
5 under subparagraph (B) that addresses preven-
6 tion, mitigation, and emergency response; and

7 (D) to train employees in operating proce-
8 dures with an emphasis on addressing hazards,
9 using safe practices, and carrying out emer-
10 gency response activities.

11 (b) LIQUEFIED NATURAL GAS STAFFING AND EX-
12 PERTISE.—

13 (1) LIQUEFIED NATURAL GAS EXPERTISE.—

14 Not later than 60 days after the date of enactment
15 of this Act, the Secretary shall establish a division
16 within the Office of Pipeline Safety to ensure the
17 safety and oversight of liquefied natural gas facilities
18 under section 60103 and 60111 of title 49, United
19 States Code, including small-scale liquefied natural
20 gas facilities, peak shaving facilities, and import or
21 export facilities.

22 (2) FUNCTIONS.—The Liquefied Natural Gas
23 division shall be responsible for—

24 (A) developing regulations and guidance
25 materials for liquefied natural gas facilities;

1 (B) conducting compliance reviews and in-
2 spections of liquefied natural gas facilities
3 under section 60103 of title 49, United States
4 Code;

5 (C) participate in liquefied natural gas fa-
6 cility incident investigations;

7 (D) participate in enforcing applicable
8 Federal statutes and regulations for the safety
9 of liquefied natural gas facilities;

10 (E) conduct education, training, and out-
11 reach regarding liquefied natural gas facility
12 safety;

13 (F) manage the agency's research and de-
14 velopment activities for liquefied natural gas fa-
15 cilities; and

16 (G) perform other functions consistent
17 with section 60103 and 60111 of such title.

18 (3) STAFFING.—The Secretary shall employ
19 personnel necessary for carrying out the functions of
20 the Liquefied Natural Gas division set forth in para-
21 graph (2) including—

22 (A) a deputy associate administrator; and

23 (B) adequate staffing and support staff po-
24 sitions, including subject matter experts in liq-
25 uefied natural gas facilities who shall be dedi-

1 cated to rulemaking activities, subject matter
2 experts in liquefied natural gas facilities who
3 shall perform inspection and enforcement activi-
4 ties, and other necessary personnel to support
5 these activities.

6 (4) LNG SUBJECT MATTER EXPERTS.—To sat-
7 isfy the requirements of paragraph (3), the Sec-
8 retary may appoint personnel who have such exper-
9 tise or may train personnel to develop such expertise
10 through use of the Center of Excellence for Lique-
11 fied Natural Gas Safety and Training.

12 (5) REPORT.—Not later than 90 days after the
13 date of enactment of this Act, and every 90 days
14 thereafter until the division is sufficiently staffed
15 with LNG subject matter experts, the Secretary
16 shall report to the Committee on Transportation and
17 Infrastructure of the House of Representatives, the
18 Committee on Energy and Commerce of the House
19 of Representatives, and the Committee on Com-
20 merce, Science, and Transportation of the Senate on
21 the progress to staff the division and any impedi-
22 ments to staffing.

23 (c) CENTER OF EXCELLENCE FOR LIQUEFIED NAT-
24 URAL GAS SAFETY AND TRAINING.—

1 (1) IN GENERAL.—Not later than 3 years after
2 the date of enactment of this Act, the Secretary
3 shall establish a Center of Excellence for Liquefied
4 Natural Gas Safety and Training (in this subsection
5 referred to as the “Center”).

6 (2) FUNCTIONS.—The Center shall—

7 (A) promote, facilitate, and conduct—

8 (i) education;

9 (ii) training; and

10 (iii) research and technological devel-
11 opment;

12 (B) be a repository of information on best
13 practices relating to, and expertise on, liquefied
14 natural gas facility operations;

15 (C) foster collaboration among regulators,
16 industry, and other stakeholders;

17 (D) promote process safety advancements
18 for liquefied natural gas export facilities and
19 the incorporation of risk-based principles into
20 the operation, management, and regulatory
21 oversight of LNG facilities; and

22 (E) other functions deemed appropriate by
23 the Secretary.

24 (3) BRIDGE PERIOD.—Until the Center is oper-
25 ational and able to meet the mission in paragraph

1 (2), the Secretary may enter into an agreement with
 2 an institution of higher education or the LNG indus-
 3 try to provide education and training on the safe op-
 4 erations of liquefied natural gas facilities, provided
 5 that such period does not exceed 3 years.

6 (4) CONSULTATION.—When establishing the
 7 Center, the agency may consult with—

8 (A) Federal regulatory agencies of jurisdic-
 9 tion, including—

10 (i) the Pipeline and Hazardous Mate-
 11 rials Safety Administration;

12 (ii) the Federal Energy Regulatory
 13 Commission;

14 (iii) the Department of Energy;

15 (iv) the U.S. Coast Guard; and

16 (v) the Maritime Administration;

17 (B) States and units of local government;

18 (C) liquefied natural gas facility operators;

19 and

20 (D) other interested parties.

21 (d) LIQUEFIED NATURAL GAS FEDERAL ADVISORY
 22 COMMITTEE.—

23 (1) ESTABLISHMENT.—Not later than 60 days
 24 after the date of enactment of this Act, the Sec-
 25 retary shall establish, in accordance with the re-

1 requirements of the Federal Advisory Committee Act
2 (5 U.S.C. App.), a Liquefied Natural Gas Federal
3 Advisory Committee (in this subsection referred to
4 as the “Committee”).

5 (2) DUTIES.—The Committee shall—

6 (A) facilitate communication between lique-
7 fied natural gas facility operators, public safety
8 experts, and Federal agencies on practices to
9 ensure the safe operation and maintenance of
10 liquefied natural gas facilities;

11 (B) provide the Secretary with timely in-
12 formation about new liquefied natural gas facil-
13 ity technology and safety practices and meth-
14 odologies;

15 (C) provide a forum for the Secretary to
16 provide information on and to discuss the ac-
17 tivities of the Department of Transportation re-
18 lating to liquefied natural gas facility safety,
19 and the policies underlying such activities;

20 (D) advise the Secretary on how to pro-
21 mote, facilitate, and conduct education, train-
22 ing, and research on the industry best practices,
23 industry consensus standards, and expertise in
24 liquefied natural gas operations;

1 (E) advise the Secretary on how to recruit
2 and retain qualified personnel;

3 (F) advise the Secretary regarding the reg-
4 ulations prescribed under section 60103 of title
5 49, United States Code, and when updates to
6 such regulations are recommended; and

7 (G) advise the Secretary on other matters
8 affecting LNG safety, as the Secretary con-
9 siders appropriate.

10 (3) MEETINGS.—The Committee shall hold reg-
11 ular meetings, not less than biannually, to discuss
12 issues related to liquefied natural gas pipeline facil-
13 ity safety.

14 (4) MEMBERSHIP.—The Committee shall be
15 composed of the following members:

16 (A) Four individuals appointed by the Sec-
17 retary to represent the public, such as public
18 safety experts with knowledge of liquefied nat-
19 ural gas pipeline facility safety, academics, or
20 other qualified individuals.

21 (B) Four individuals appointed by the Sec-
22 retary to represent States and units of local
23 governments.

24 (C) Four individuals appointed by the Sec-
25 retary to represent the liquefied natural gas in-

1 industry, two of whom shall represent large-scale
2 liquefied natural gas facilities, one from a
3 small-scale facility, and one with peak shaving
4 operations.

5 (D) Not less than one representative of the
6 following Federal regulatory agencies of juris-
7 diction:

8 (i) The Pipeline and Hazardous Mate-
9 rials Safety Administration.

10 (ii) The Maritime Administration.

11 (iii) The Federal Energy Regulatory
12 Commission.

13 (iv) The Coast Guard.

14 (5) REPORT TO THE SECRETARY.—Not later
15 than 2 years after the date of enactment of this Act,
16 the Committee shall—

17 (A) review regulations issued pursuant to
18 section 60103(d) of title 49, United States
19 Code for conformity with industry standards
20 that apply risk-based principles for process
21 safety practices; and

22 (B) provide a report and recommendation
23 to the Secretary on how to best align regula-
24 tions with industry standards that apply risk-
25 based principles for process safety practices.

1 (6) REPORT TO CONGRESS.—Not later than 90
2 days after the date of enactment of this Act, and not
3 less frequently than every 30 days thereafter until
4 the date on which all members of the Committee
5 have been appointed, the Secretary shall submit a
6 report to the Committee on Transportation and In-
7 frastructure of the House of Representatives, the
8 Committee on Energy and Commerce of the House
9 of Representatives, and the Committee on Com-
10 merce, Science, and Transportation of the Senate to
11 update Congress on the status of the Committee, the
12 progress of appointing members to the Committee,
13 and the identities of individuals appointed to the
14 Committee.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the Department of
17 Transportation such sums as may be necessary to carry
18 out this section.

19 **SEC. 16. UNUSUALLY SENSITIVE AREAS.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of enactment of this Act, the Secretary of Transpor-
22 tation shall complete the revision required under section
23 19(b) of the PIPES Act of 2016 (49 U.S.C. 60109 note).

1 (b) FURTHER REQUIREMENT.—In completing the re-
2 vision described in subsection (a), the Secretary of Trans-
3 portation shall use the following definitions:

4 (1) MARINE COASTAL WATER.—The term “ma-
5 rine coastal water” means the territorial sea of the
6 United States, the Great Lakes and their connecting
7 waters, the marine and estuarine waters of the
8 United States up to the head of tidal influence, and
9 the Exclusive Economic Zone as established by Pres-
10 idential Proclamation Number 5030, dated March
11 10, 1983.

12 (2) COASTAL BEACH.—The term “coastal
13 beach” means land between high and low water
14 marks in a marine coastal water.

15 **SEC. 17. WORKFORCE.**

16 (a) STAFFING.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of enactment, the Secretary shall increase
19 the number of full-time equivalent employees (as
20 compared to the number of positions on the date of
21 enactment of this Act) by—

22 (A) at least 8 full-time employees with sub-
23 ject matter expertise in pipeline safety, pipeline
24 facilities, and pipeline systems to finalize out-
25 standing pipeline safety rulemakings and fulfill

1 mandates for the Office of Pipeline Safety of
2 the Pipeline and Hazardous Materials Safety
3 Administration; and

4 (B) at least 3 full-time attorneys with
5 pipeline industry of safety expertise in the Of-
6 fice of Chief Counsel of the Pipeline Hazardous
7 Materials Safety Administration.

8 (2) PIPELINE INSPECTION AND ENFORCEMENT
9 PERSONNEL.—The Secretary shall ensure that the
10 number of positions for pipeline inspection and en-
11 forcement personnel in the Office of Pipeline Safety
12 of the Pipeline and Hazardous Materials Safety Ad-
13 ministration does not fall below the following:

14 (A) 222 for fiscal year 2020.

15 (B) 233 for fiscal year 2021.

16 (C) 245 for fiscal year 2022.

17 (D) 258 for fiscal year 2023.

18 (E) 272 for fiscal year 2024.

19 (b) RECRUITMENT AND RETENTION AUTHORITIES.—
20 Not later than 30 days after the date of enactment of this
21 Act, the Secretary shall request authority from the Office
22 of Personnel Management to use incentives, as necessary,
23 to recruit and retain a qualified workforce, including—

24 (1) for inspection and enforcement personnel
25 and subject matter experts dedicated to rulemaking

1 activities in the Office of Pipeline Safety, including
2 the Liquefied Natural Gas division of the Pipeline
3 Hazardous Materials Safety Administration, as es-
4 tablished under section 16(b)—

5 (A) special pay rates permitted under sec-
6 tion 5305 of title 5, United States Code; and

7 (B) repayment of student loans accom-
8 panied by a continued service agreement, per-
9 mitted under section 5379 of title 5, United
10 States Code; and

11 (2) for the Deputy Associate Administrator of
12 the Liquefied Natural Gas division in the Office of
13 Pipeline Safety, as established under section 16(b),
14 critical position pay permitted under section 5377 of
15 title 5, United States Code.

16 (c) REPORT TO CONGRESS.—

17 (1) IN GENERAL.—Not later than 60 days after
18 the date of enactment of this Act, the Administrator
19 shall transmit to the Committees on Transportation
20 and Infrastructure and the Committee on Energy
21 and Commerce of the House of Representatives, and
22 the Committee on Commerce, Science, and Trans-
23 portation of the Senate, a report that contains—

24 (A) the number of full-time personnel the
25 agency has hired to meet the requirements of

1 subsection (a), as well as the total number of
2 personnel employed by the Administrator;

3 (B) a description of the agency's efforts to
4 comply with subsection (b);

5 (C) a description of the personnel of the
6 Liquefied Natural Gas division in the Office of
7 Pipeline Safety, any impediments to hiring, and
8 any personnel constraints affecting the ability
9 of the agency to fulfill the authorities of such
10 division; and

11 (D) any other details associated with the
12 agency's progress toward fulfilling the staffing
13 levels and pursuing the financial incentives as
14 directed by this section.

15 (2) UPDATES TO REPORT.—Not later than 90
16 days after the date on which the report is trans-
17 mitted under paragraph (1) and not later than every
18 90 days thereafter until all statutory mandates
19 under this section are met, the Administrator shall
20 transmit an updated report that describes the ac-
21 tions taken since the previous report.

22 **SEC. 18. NATIONWIDE INTEGRATED PIPELINE SAFETY REG-**
23 **ULATORY DATABASE.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of enactment of this Act, the Secretary of Transpor-

1 tation shall submit to the Committee on Appropriations
2 of the House of Representatives and the Committee on
3 Appropriations of the Senate a report describing the re-
4 sources necessary for the Pipeline and Hazardous Mate-
5 rials Safety Administration to establish the national inte-
6 grated pipeline safety regulatory inspection database de-
7 scribed in the report required under section 11(a) of the
8 PIPES Act of 2016 (49 U.S.C. 60108 note).

9 (b) CONTENTS.—The report required to be submitted
10 under subsection (a) shall include—

11 (1) a description of the steps necessary for the
12 Pipeline and Hazardous Materials Safety Adminis-
13 tration and State pipeline regulators to establish
14 such database; and

15 (2) a timeline for the completion of such data-
16 base.

17 **SEC. 19. REGULATORY UPDATES.**

18 (a) OFFICE OF MANAGEMENT AND BUDGET REVIEW
19 OF REGULATIONS.—Not later than 5 days after the date
20 on which an outstanding regulation has been under review
21 by the Office of Management and Budget for more than
22 90 days, and every 15 days thereafter until the regulation
23 is published in the Federal Register, the Secretary of
24 Transportation shall notify the Committee on Transpor-
25 tation and Infrastructure of the House of Representatives,

1 the Committee on Energy and Commerce of the House
2 of Representatives, and the Committee on Commerce,
3 Science, and Transportation of the Senate that the out-
4 standing regulation remains under review by the Office of
5 Management and Budget.

6 (b) DEFINITION.—In this section, the term “out-
7 standing regulation” means a regulation regarding pipe-
8 line facilities required under this Act or an Act enacted
9 prior to the date of enactment of this Act for which a final
10 rule has not been published in the Federal Register.

11 **SEC. 20. CONSTRUCTION PROJECT APPROVALS.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of enactment of this Act, the Secretary shall issue
14 such regulations as are necessary to require that before
15 a distribution pipeline construction project begins, the
16 plans for such project shall be approved by a professional
17 engineer, a subject matter expert, or other qualified pro-
18 fessional who possesses the necessary knowledge, experi-
19 ence, and skills regarding natural gas distribution sys-
20 tems, as determined by the Secretary.

21 (b) ACCESS TO RECORDS.—In issuing the regulations
22 under subsection (a), the Secretary shall ensure that the
23 any individuals approving projects under subsection (a)
24 are provided access to all relevant records and prior work

1 plans needed to approve the safety of the construction
2 project.

3 (c) APPLICATION.—Section 60118(c)(1) of title 49,
4 United States Code, shall not apply to a regulation issued
5 under subsection (a).

6 **SEC. 21. REPORT ON EMISSIONS.**

7 (a) ESTABLISHMENT.—Not later than 180 days after
8 the date of enactment of this Act, the Secretary of Trans-
9 portation shall enter into an agreement with the National
10 Academy of Sciences to conduct a study on technologies
11 and measures that reduce the amount of natural gas re-
12 leased during venting and blowdowns of natural gas dis-
13 tribution systems and transmission pipelines.

14 (b) CONSULTATION.—In carrying out the study, the
15 National Academy of Sciences may consult entities with
16 expertise in the causes and effects of natural gas releases
17 and the use of technologies or measures that prevent or
18 mitigate releases of natural gas during venting and
19 blowdowns of natural gas distribution systems and trans-
20 mission pipelines.

21 (c) REPORT.—

22 (1) IN GENERAL.—Not later than 18 months
23 after the date on which the National Academy of
24 Sciences initiates the study, the National Academy
25 of Sciences shall submit to the Committee on Trans-

1 portation and Infrastructure of the House of Rep-
2 resentatives, the Committee on Energy and Com-
3 merce of the House of Representatives, and the
4 Committee on Commerce, Science, and Transpor-
5 tation of the Senate a report on the technologies and
6 measures described in subsection (a).

7 (2) CONTENTS.—The report required under
8 paragraph (1) shall include—

9 (A) an analysis of the amount of natural
10 gas released during venting and blowdowns of
11 natural gas distribution systems and trans-
12 mission pipelines;

13 (B) an analysis of the environmental and
14 health impacts of releases of natural gas during
15 such venting and blowdowns; and

16 (C) an evaluation of pipeline technologies
17 or measures capable of safely and effectively re-
18 ducing the amount of natural gas released, in-
19 cluding—

20 (i) an analysis of the environmental
21 and health benefits resulting from lower
22 natural gas releases as a result of using
23 such technologies or measures;

24 (ii) an analysis of the economic value
25 of the natural gas that is prevented from

1 being released as a result of the tech-
2 nologies or measures;

3 (iii) an analysis of the cost of using
4 such technologies or measures, including
5 the cost to operators and any impacts on
6 pipeline safety and reliability;

7 (iv) an analysis of factors that affect
8 the feasibility and effectiveness of using
9 such technologies and measures; and

10 (v) a determination of whether the
11 benefits described in clauses (i) and (ii)
12 outweigh the costs described in clause (iii).

13 **SEC. 22. CHANGES IN CLASS LOCATION.**

14 Not later than 18 months after the date of enactment
15 of this Act, the Secretary of Transportation shall issue
16 final regulations that permit the use of integrity manage-
17 ment program requirements, or elements thereof, to man-
18 age the safety of gas transmission pipeline segments that
19 experience a change in class location. Such regulations
20 shall be an alternative to the requirements of section
21 192.611 of title 49, Code of Federal Regulations, as in
22 effect on the date of enactment of this Act.

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