

Union Calendar No. 456

117TH CONGRESS
2^D SESSION

H. R. 2643

[Report No. 117-633]

To require the Bureau of Safety and Environmental Enforcement to further develop, finalize, and implement updated regulations for offshore oil and gas pipelines to address long-standing limitations regarding its ability to ensure active pipeline integrity and address safety and environmental risks associated with decommissioning, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2021

Ms. BROWNLEY (for herself, Mr. GRIJALVA, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Natural Resources

DECEMBER 14, 2022

Additional sponsors: Ms. PORTER, Mr. LEVIN of California, Mr. COHEN, Ms. LEE of California, Mr. MCNERNEY, Mr. LIEU, Mr. QUIGLEY, Ms. ROSS, and Ms. MATSUI

DECEMBER 14, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on April 19, 2021]

A BILL

To require the Bureau of Safety and Environmental Enforcement to further develop, finalize, and implement updated regulations for offshore oil and gas pipelines to address long-standing limitations regarding its ability to ensure active pipeline integrity and address safety and environmental risks associated with decommissioning, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Offshore Pipeline Safety*
5 *Act”.*

6 **SEC. 2. FINALIZATION OF REGULATIONS RELATED TO OFF-**
7 **SHORE PIPELINES.**

8 *Not later than 18 months after the date of enactment*
9 *of this Act, the Secretary of the Interior, acting through the*
10 *Director of the Bureau of Safety and Environmental En-*
11 *forcement, shall issue final regulations relating to Oil and*
12 *Gas and Sulphur Operations in the Outer Continental*
13 *Shelf—Pipelines and Pipeline Rights-of-Way (72 Fed. Reg.*
14 *56,442 (Oct. 3, 2007)). Such regulations shall require own-*
15 *ers of oil and gas pipelines subject to such regulations—*

16 *(1) to provide for internal and external inspec-*
17 *tions of pipelines by a third-party no less frequently*
18 *than every two years, unless the Director of the Bu-*
19 *reau determines that any such inspection is not re-*
20 *quired; and*

21 *(2) to equip such pipelines with a leak detection*
22 *system or device that provides continuous volumetric*
23 *comparison between the pipeline’s product input and*
24 *output and includes alarms and adequate sensitivity*
25 *to detect variations between input and discharge vol-*

1 *umes to enable any leaks from the pipeline to be de-*
 2 *tected as quickly as possible.*

3 **SEC. 3. ADDRESSING ENVIRONMENTAL RISKS OF DECOM-**
 4 **MISSIONING PIPELINES.**

5 *(a) STUDY ON ENVIRONMENTAL RISKS OF DECOMMISS-*
 6 *SIONING PIPELINES VERSUS REMOVING PIPELINES.—*

7 *(1) STUDY.—The Directors of the Bureau of*
 8 *Safety and Environmental Enforcement and the Bu-*
 9 *reau of Ocean Energy Management shall jointly con-*
 10 *duct a study to evaluate the environmental benefits*
 11 *and risks associated with decommissioning oil and*
 12 *gas pipelines in place on the sea floor compared to re-*
 13 *moving such pipelines. Such study shall include—*

14 *(A) an evaluation of pipelines that have*
 15 *been decommissioned in place, identifying de-*
 16 *commissioned pipelines at high-risk of causing*
 17 *safety and environmental harm, causing obstruc-*
 18 *tions, or otherwise unduly interfering with*
 19 *present or future uses of the outer continental*
 20 *shelf; and*

21 *(B) recommendations on the best uses of the*
 22 *revenues generated by the annual pipelines fees*
 23 *as authorized by subsection (d).*

24 *(2) REPORT.—Not later than 18 months after the*
 25 *date of enactment of this Act, the Directors shall*

1 *transmit a report to the Committee on Natural Re-*
2 *sources of the House of Representatives and the Com-*
3 *mittee on Energy and Natural Resources of the Sen-*
4 *ate, detailing the findings and determinations of the*
5 *study, including any recommendations for legislation.*

6 (b) *REQUIRED CONSIDERATIONS IN REVIEWING DE-*
7 *COMMISSIONING APPLICATIONS.—In determining whether*
8 *to permit an owner to decommission an oil or gas pipeline,*
9 *the Bureau of Safety and Environmental Enforcement,*
10 *shall fully consider whether the offshore oil and gas pipeline*
11 *constitutes a hazard to navigation and commercial and rec-*
12 *reational fishing operations, unduly interferes with other*
13 *uses of the outer continental shelf, or has adverse environ-*
14 *mental effects.*

15 (c) *ONGOING MONITORING OF DECOMMISSIONED PIPE-*
16 *LINES.—The Bureau of Safety and Environmental Enforce-*
17 *ment shall continually monitor the condition and location*
18 *of all oil and gas pipelines that have been decommissioned*
19 *and remain in place, and shall maintain all relevant*
20 *records of such monitoring.*

21 (d) *ANNUAL PIPELINE OWNERS FEE.—Not later than*
22 *180 after the date of enactment of this Act, the Bureau of*
23 *Safety and Environmental Enforcement shall issue regula-*
24 *tions to assess an annual fee on owners of offshore oil and*
25 *gas pipelines for the purpose of providing the Bureau with*

1 *funds to decommission or remove such pipelines in the event*
 2 *an owner files for bankruptcy. Such fee shall be no less*
 3 *than—*

4 (1) \$10,000 per mile for such pipelines in water
 5 with a depth of 500 feet or greater; and

6 (2) \$1,000 per mile for pipelines in water depth
 7 of under 500 feet.

8 **SEC. 4. REQUIREMENT RELATING TO EXPOSED SEGMENTS**
 9 **OF OFFSHORE PIPELINES.**

10 *If the Bureau of Safety and Environmental Enforce-*
 11 *ment identifies any exposed segment of any active or decom-*
 12 *missioned pipeline, the Bureau shall either remove the pipe-*
 13 *line from the ocean or ensure it is properly decommissioned*
 14 *and does not pose a threat. If a segment of any active pipe-*
 15 *line is exposed or shifts, the Bureau shall re-secure such seg-*
 16 *ment to the sea floor.*

17 **SEC. 5. COMPLETION OF STUDY RELATING TO ENVIRON-**
 18 **MENT RISKS OF CHEMICAL PRODUCTS USED**
 19 **IN OIL AND GAS OPERATIONS.**

20 (a) *COMPLETION OF STUDY.—The Bureau of Safety*
 21 *and Environmental Enforcement shall complete a study ad-*
 22 *dressing the risks to the environment of chemical products*
 23 *used in oil and gas operations including umbilical lines.*
 24 *In conducting the study, the Bureau shall seek input from*
 25 *chemical suppliers and the oil and gas industry.*

1 (b) *REPORT.*—Not later than two years after the date
2 of enactment of this Act, the Bureau shall transmit a report
3 of the findings and determinations in such study to Con-
4 gress, including any recommendations for legislation.

5 **SEC. 6. EFFECTIVE DATE.**

6 No provision of this Act shall take effect without con-
7 sidering whether such action will result in a reduction of
8 reef fish habitat.

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