

AMENDMENT TO H.R. _____
OFFERED BY MR. LATTA OF OHIO

Add at the end the following:

1 **SEC. ____ . TECHNOLOGY INNOVATION WORKING GROUP.**

2 (a) **IN GENERAL.**—Not later than 180 days after the
3 date of the enactment of this Act, the Secretary of Trans-
4 portation shall convene a working group to foster the de-
5 velopment of new technologies and to consider rec-
6 ommendations to enable the Pipeline and Hazardous Ma-
7 terials Safety Administration to update pipeline safety
8 regulatory requirements based on technology advances.

9 (b) **MEMBERSHIP.**—The working group convened
10 pursuant to subsection (a) shall include representatives
11 from—

12 (1) Federal, Tribal, State, and local officials re-
13 sponsible for pipeline safety oversight;

14 (2) industry stakeholders, including operators
15 of pipeline facilities, inspection technology, coating,
16 and cathodic protection vendors, and pipeline inspec-
17 tion organizations; and

18 (3) public, safety, environmental, and labor ad-
19 vocates and representatives.

1 (c) CONSIDERATIONS.—The working group convened
2 pursuant to subsection (a) shall consider and provide rec-
3 ommendations to the Secretary on—

4 (1) current technologies and analytical capabili-
5 ties that would enhance pipeline safety;

6 (2) new technologies or analytical capabilities
7 that could be developed that would enhance pipeline
8 safety;

9 (3) pipeline safety regulatory provisions or gaps
10 in regulations that would benefit from current or
11 new technologies and analytical capabilities;

12 (4) types of data or technology demonstration
13 that would enable the Pipeline and Hazardous Mate-
14 rials Safety Administration to modernize or fill gaps
15 in its pipeline safety regulations; and

16 (5) improvements to Pipeline and Hazardous
17 Materials Safety Administration regulatory processes
18 and capabilities to review technology or analytical
19 capabilities and incorporate improvements into pipe-
20 line safety regulatory requirements.

21 (d) PUBLICATION.—Not later than 2 years after the
22 date of enactment of this Act, the Secretary shall publish
23 the consensus recommendations of the working group.

1 **SEC. ____ . PILOT PROGRAM FOR INNOVATIVE PIPELINE**
2 **SAFETY TECHNOLOGY.**

3 (a) IN GENERAL.—Chapter 601 of title 49, United
4 States Code, is further amended by adding at the end the
5 following new section:

6 **“§ 60145. Pilot program for innovative pipeline safety**
7 **technology**

8 “(a) IN GENERAL.—

9 “(1) ESTABLISHMENT.—The Secretary shall es-
10 tablish a pilot program to evaluate innovative safety
11 technologies and practices for the operation of a
12 pipeline facility through the implementation of inno-
13 vative safety programs.

14 “(2) PUBLIC NOTICE.—In carrying out para-
15 graph (1), the Secretary shall publish in the Federal
16 Register a notice of the pilot program, including any
17 exemptions to be considered under subsection (c),
18 and provide an opportunity for public comment.

19 “(b) INNOVATIVE SAFETY PROGRAMS.—

20 “(1) INNOVATIVE SAFETY PROGRAM PRO-
21 POSALS.—The operator of a pipeline facility may
22 submit to the Secretary, at such time and in such
23 form as the Secretary may require, a proposal—

24 “(A) for an innovative safety program to
25 be implemented pursuant to subsection (a); or

1 “(B) to implement an innovative safety
2 program established by the Administrator pur-
3 suant to such subsection.

4 “(2) APPROVALS.—The Secretary shall review
5 proposals submitted under paragraph (1) and ap-
6 prove such proposals as the Secretary determines
7 appropriate.

8 “(3) INNOVATIVE SAFETY PROGRAM IMPLEMEN-
9 TATION.—The Secretary shall collaborate with an
10 operator of a pipeline facility implementing an inno-
11 vative safety program pursuant to an approval under
12 paragraph (2).

13 “(c) EXEMPTION FROM CERTAIN REGULATIONS.—

14 “(1) IN GENERAL.—The Secretary may grant
15 an exemption from a regulation under this chapter,
16 to the extent such regulation would otherwise apply
17 with respect to the implementation of an innovative
18 safety program approved under subsection (b), if the
19 safety technologies and practices included in such in-
20 novative safety program are designed to achieve a
21 level of safety that is equivalent to or greater than
22 the level of safety that would otherwise be achieved
23 through compliance with such regulation.

1 “(2) DURATION.—The Secretary may not grant
2 an exemption under paragraph (1) for a period that
3 exceeds 7 years.

4 “(d) AMERICAN NATIONAL STANDARDS INSTITUTE
5 STANDARDS AND PRACTICES.—The Secretary may con-
6 sider practices and proposals developed or accredited by
7 the American National Standards Institute in evaluating
8 a proposal for an innovative safety program under sub-
9 section (b).

10 “(e) REVOCATION OF INNOVATIVE SAFETY PROGRAM
11 APPROVAL.—The Secretary shall revoke the approval of
12 an innovative safety program, including any exemption
13 granted under subsection (c), if the Secretary determines
14 that—

15 “(1) the operator of the pipeline facility has
16 failed to comply with any term, or condition of ap-
17 proval, of the innovative safety program set by the
18 Secretary pursuant to subsection (a); or

19 “(2) continued implementation of the innovative
20 safety program would not be consistent with the
21 goals and objectives of this chapter.

22 “(f) TERMINATION OF PILOT PROGRAM.—The Sec-
23 retary shall terminate the pilot program under subsection
24 (a) if the Secretary determines that continuation of the

1 pilot program would not be consistent with the goals and
2 objectives of this chapter.

3 “(g) PREEMPTION OF STATE LAWS AND REGULA-
4 TIONS.—No State may enforce any law or regulation that
5 imposes, on the operator of a pipeline facility imple-
6 menting an innovative safety program approved under
7 subsection (b) (including through the use of an exemption
8 granted under subsection (c)), a safety requirement that
9 is inconsistent with the requirements of the innovative
10 safety program set by the Secretary under the pilot pro-
11 gram established under subsection (a).

12 “(h) REPORT.—Not later than 2 years after the date
13 of enactment of this section, the Secretary shall submit
14 to Congress a report that contains—

15 “(1) any findings or conclusions of the Sec-
16 retary relating to the pilot program established
17 under subsection (a) and any innovative safety pro-
18 gram approved pursuant to such pilot program; and

19 “(2) any recommendations for amendments to
20 laws or regulations—

21 “(A) to promote the safe operation of a
22 pipeline facility; and

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

25 “(i) REGULATIONS.—

1 “(1) IN GENERAL.—If the Secretary deter-
2 mines, based on the outcome of any innovative safe-
3 ty program approved under subsection (b), that a re-
4 vision to a regulation under this chapter is appro-
5 priate, the Secretary shall issue a rule revising such
6 regulations.

7 “(2) FEASIBLE STANDARDS.—If a rule issued
8 under paragraph (1) requires the use of a technology
9 or practice, the Secretary shall establish technically,
10 operationally, and economically feasible standards
11 for the use of such technology or practice.”.

12 (b) CLERICAL AMENDMENT.—The analysis for chap-
13 ter 601 of title 49, United States Code, is further amend-
14 ed by adding at the end the following:

60145. Evaluation of innovative pipeline safety technology.

