

AMENDMENT TO H.R. 5120
OFFERED BY MRS. FLETCHER OF TEXAS

At the end of the bill, add the following:

1 **SEC. ____.** **LIQUEFIED NATURAL GAS FACILITIES STAND-**
2 **ARDS UPDATE AND TECHNICAL EXPERTISE.**

3 (a) LIQUEFIED NATURAL GAS FACILITY STANDARDS
4 UPDATE.—

5 (1) IN GENERAL.—Not later than 3 years after
6 the date of enactment of this Act, the Secretary of
7 Transportation shall—

8 (A) review the minimum operating and
9 maintenance standards for liquefied natural gas
10 facilities, including small-scale liquefied natural
11 gas facilities, peak shaving facilities, and large-
12 scale liquefied natural gas facilities, prescribed
13 pursuant to section 60103(d) of title 49, United
14 States Code; and

15 (B) based on the review under subpara-
16 graph (A), update the safety standards de-
17 scribed in that paragraph applicable to liquefied
18 natural gas facilities to provide for a risk-based
19 regulatory approach.

1 (2) CONSIDERATIONS.—In updating the safety
2 standards under paragraph (1)(B), the Secretary
3 shall consider the report prepared by the Liquefied
4 Natural Gas Federal Advisory Committee required
5 under subsection (d)(5).

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

11 (A) to develop and maintain written safety
12 information identifying hazards associated
13 with—

14 (i) the processes of liquefied natural
15 gas conversion, storage, and transport;

16 (ii) equipment used in the processes;

17 and

18 (iii) technology used in the processes;

19 (B) to conduct a hazard assessment, in-
20 cluding the identification of potential sources of
21 accidental releases, along with reassessments
22 periodically;

23 (C) to establish a system to respond to the
24 findings of a hazard assessment conducted

1 under subparagraph (B) that addresses preven-
2 tion, mitigation, and emergency response; and

3 (D) to train employees in operating proce-
4 dures with an emphasis on addressing hazards,
5 using safe practices, and carrying out emer-
6 gency response activities.

7 (b) LIQUEFIED NATURAL GAS STAFFING AND EX-
8 PERTISE.—

9 (1) LIQUEFIED NATURAL GAS EXPERTISE.—

10 Not later than 60 days after the date of enactment
11 of the SAFER Pipelines Act of 2019, the Secretary
12 shall establish a division within the Office of Pipe-
13 line Safety to ensure the safety and oversight of liq-
14 uefied natural gas facilities under sections 60103
15 and 60111 of title 49, United States Code, including
16 small-scale liquefied natural gas facilities, peak shav-
17 ing facilities, and import or export facilities.

18 (2) FUNCTIONS.—The liquefied natural gas di-
19 vision shall be responsible for—

20 (A) developing regulations and guidance
21 materials for liquefied natural gas facilities;

22 (B) conducting compliance reviews and in-
23 spections of liquefied natural gas facilities
24 under section 60103 of title 49, United States
25 Code;

1 (C) participate in liquefied natural gas fa-
2 cility incident investigations;

3 (D) participate in enforcing applicable
4 Federal statutes and regulations for the safety
5 of liquefied natural gas facilities;

6 (E) conduct education, training, and out-
7 reach regarding liquefied natural gas facility
8 safety;

9 (F) manage the agency's research and de-
10 velopment activities for liquefied natural gas fa-
11 cilities; and

12 (G) perform other functions consistent
13 with sections 60103 and 60111 of title 49,
14 United States Code.

15 (3) STAFFING.—The Secretary shall employ
16 personnel necessary for carrying out the functions of
17 the liquefied natural gas division set forth in para-
18 graph (2) including—

19 (A) a Deputy Associate Administrator; and

20 (B) adequate staffing and support staff po-
21 sitions, including subject matter experts in liq-
22 uefied natural gas facilities who shall be dedi-
23 cated to rulemaking activities, subject matter
24 experts in liquefied natural gas facilities who
25 shall perform inspection and enforcement activi-

1 ties, and other necessary personnel to support
2 such activities.

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

9 (5) REPORT.—Not later than 90 days after the
10 date of enactment of the SAFER Pipelines Act of
11 2019, and every 90 days thereafter until the lique-
12 fied natural gas division is sufficiently staffed with
13 liquefied natural gas subject matter experts, the Sec-
14 retary shall submit to the Committee on Transpor-
15 tation and Infrastructure of the House of Represent-
16 atives, the Committee on Energy and Commerce of
17 the House of Representatives, and the Committee on
18 Commerce, Science, and Transportation of the Sen-
19 ate a report on the progress to staff the liquefied
20 natural gas division and any impediments to staff-
21 ing.

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

24 (1) IN GENERAL.—Not later than 3 years after
25 the date of enactment of the SAFER Pipelines Act

1 of 2019, the Secretary shall establish a Center of
2 Excellence for Liquefied Natural Gas Safety and
3 Training (in this subsection referred to as the “Center”).
4

5 (2) FUNCTIONS.—The Center shall—

6 (A) promote, facilitate, and conduct—

7 (i) education;

8 (ii) training; and

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

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

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

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

21 (F) other functions determined appropriate
22 by the Secretary.

23 (3) BRIDGE PERIOD.—Until the Center is oper-
24 ational and able to meet the mission in paragraph
25 (2), the Secretary may enter into an agreement with

1 an institution of higher education or the liquefied
2 natural gas industry to provide education and train-
3 ing on the safe operations of liquefied natural gas
4 facilities, provided that the duration of such agree-
5 ment does not exceed 3 years.

6 (4) CONSULTATION.—In establishing the Cen-
7 ter, the Secretary 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 the SAFER Pipelines
25 Act of 2019, the Secretary shall establish, in accord-

1 ance with the requirements of the Federal Advisory
2 Committee Act (5 U.S.C. App.), a Liquefied Natural
3 Gas Federal Advisory Committee (in this subsection
4 referred to 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 liquefied natural gas safety, as the
9 Secretary deems 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 1 representative of each
6 of the following Federal regulatory agencies of
7 jurisdiction:

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 U.S. Coast Guard.

14 (5) REPORT TO THE SECRETARY.—Not later
15 than 2 years after the date of enactment of the
16 SAFER Pipelines Act of 2019, the Committee
17 shall—

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

23 (B) provide a report and recommendation
24 to the Secretary on how to best align regula-

1 tions with industry standards that apply risk-
2 based principles for process safety practices.

3 (6) REPORT TO CONGRESS.—Not later than 90
4 days after the date of enactment of the SAFER
5 Pipelines Act of 2019, and not less frequently than
6 every 30 days thereafter until the date on which all
7 members of the Committee have been appointed, the
8 Secretary shall submit to the Committee on Trans-
9 portation and Infrastructure of the House of Rep-
10 representatives, the Committee on Energy and Com-
11 merce of the House of Representatives, and the
12 Committee on Commerce, Science, and Transpor-
13 tation of the Senate a report to update Congress on
14 the status of the Committee, the progress of ap-
15 pointing members to the Committee, and the identi-
16 ties of individuals appointed to the Committee.

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

