

AMENDMENT TO H.R. _____

OFFERED BY MR. KENNEDY OF MASSACHUSETTS

At the end of section 3, add the following:

1 (e) CERTAIN REQUIREMENTS FOR NATURAL GAS
2 DISTRIBUTION SYSTEMS.—Section 60102 of title 49,
3 United States Code, is further amended by adding at the
4 end the following:

5 “(r) CERTAIN REQUIREMENTS FOR NATURAL GAS
6 DISTRIBUTION SYSTEMS.—

7 “(1) EMERGENCY RESPONSE PLANS.—Not later
8 than 1 year after the date of the enactment of this
9 subsection, the Secretary shall revise the standards
10 prescribed under subsection (d)(5) to require that an
11 emergency response plan maintained by an operator
12 of a natural gas distribution system include—

13 “(A) written procedures for—

14 “(i) establishing communication with
15 first responders and other relevant public
16 officials as soon as practicable, but not
17 later than 30 minutes after the operator
18 confirms the discovery of a natural gas
19 pipeline emergency involving an unintended

1 release of natural gas from the operator’s
2 distribution system that results in—

3 “(I) a fire, explosion, or one or
4 more fatalities; or

5 “(II) the unscheduled shutdown
6 of natural gas service to a significant
7 number of customers;

8 “(ii) establishing, in consultation with
9 first responders and other public officials,
10 communication with the public as soon as
11 practicable after a natural gas pipeline
12 emergency described in clause (i); and

13 “(B) the implementation of a voluntary,
14 opt-in system that would allow such operator to
15 rapidly communicate with customers in the
16 event of a natural gas pipeline emergency.

17 “(2) OPERATIONS AND MAINTENANCE MANU-
18 ALS.—Not later than 1 year after the date of enact-
19 ment of this subsection, the Secretary shall revise
20 the standards prescribed under subsection (d)(4) to
21 require that each manual maintained by an operator
22 of a natural gas distribution system under such sub-
23 section includes written procedures for—

24 “(A) responding to indicators of over-
25 pressurization, including specific actions to take

1 in response to such indicators, and an order for
2 such actions, including reducing pressure or
3 shutting down portions of the natural gas dis-
4 tribution system, if necessary; and

5 “(B) managing change to the natural gas
6 distribution system, which shall apply to signifi-
7 cant technology, equipment, procedural, and or-
8 ganizational changes to the system.

9 “(3) OTHER PIPELINE SAFETY PRACTICES.—

10 “(A) RECORDS.—Not later than 1 year
11 after the date of enactment of this subsection,
12 the Secretary shall issue regulations to require
13 an operator of a natural gas distribution sys-
14 tem—

15 “(i) to identify, manage, and maintain
16 traceable, reliable, and complete records,
17 including maps and drawings, that are
18 critical to assuring proper pressure con-
19 trols for the natural gas distribution sys-
20 tem, and to update such records as needed;
21 and

22 “(ii) to ensure that the records de-
23 scribed in clause (i) are—

24 “(I) accessible to all personnel
25 responsible for performing or over-

1 seeing any activity that has the poten-
2 tial to cause a hazardous over-
3 pressurization event; and

4 “(II) provided to the Secretary or
5 the relevant State authority for re-
6 view.

7 “(B) PRESENCE OF QUALIFIED EMPLOY-
8 EES.—

9 “(i) IN GENERAL.—Not later than 1
10 year after the date of enactment of this
11 subsection, the Secretary shall issue regu-
12 lations to require that not fewer than 1
13 employee or contractor of an operator of a
14 natural gas distribution system who is
15 qualified to perform relevant covered tasks,
16 as determined by the Secretary, monitor
17 natural gas pressure and have the capa-
18 bility to promptly shut the flow of natural
19 gas or otherwise prevent overpressurization
20 during any activity that has the potential
21 to cause a hazardous overpressurization
22 event.

23 “(ii) APPLICABILITY.—The Secretary
24 shall ensure that the regulations issued
25 under clause (i) do not apply to any dis-

1 trict regulating station regulated pursuant
2 to subparagraph (C).

3 “(C) DISTRICT REGULATING STATIONS.—

4 Not later than 1 year after the date of enact-
5 ment of this subsection, the Secretary shall
6 issue regulations to require each operator of a
7 natural gas distribution system to assess and
8 upgrade, as appropriate, each district regu-
9 lating station of the operator to ensure that—

10 “(i) the risk of exceeding maximum
11 allowable operating pressure is minimized;

12 “(ii) the station has monitoring tech-
13 nology that ensures the operating pressure
14 of a natural gas distribution system is con-
15 stantly monitored, including at or near the
16 location of critical pressure control equip-
17 ment; and

18 “(iii) the station has pressure-reliev-
19 ing and overpressure protection safety
20 technology, such as a relief valve, auto-
21 matic shut-off valve, or other pressure-lim-
22 iting device, as appropriate for the configu-
23 ration and siting of the station.

24 “(4) CONSTRUCTION PROJECT APPROVALS.—

1 “(A) IN GENERAL.—Not later than 1 year
2 after the date of enactment of this subsection,
3 the Secretary shall issue regulations to require
4 that before construction on a natural gas dis-
5 tribution system project may commence, the
6 construction plans for the project shall be ap-
7 proved by a professional engineer with appro-
8 priate subject matter expertise, as defined by
9 the Secretary, who is licensed to practice in the
10 State in which the construction is to be carried
11 out.

12 “(B) ACCESS TO RECORDS.—In issuing the
13 regulations under subparagraph (A), the Sec-
14 retary shall require the owner or operator of a
15 natural gas distribution system with respect to
16 which an approval is required under such sub-
17 paragraph to provide to the professional engi-
18 neer access to all relevant records and prior
19 plans needed to approve the safety of the con-
20 struction project.”.

Strike section 4 and insert the following:

21 **SEC. 4. STATE PIPELINE SAFETY PROGRAM CERTIFI-**
22 **CATIONS.**

23 (a) CONTENTS.—

1 (1) IN GENERAL.—Section 60105(b) of title 49,
2 United States Code, is amended—

3 (A) in paragraph (6), by striking “; and”
4 and inserting a semicolon;

5 (B) in paragraph (7), by striking the pe-
6 riod at the end and inserting a semicolon; and

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

8 “(8) has the capability to sufficiently review
9 and evaluate the adequacy of the plans and manuals
10 described in section 60109(e)(7)(C)(i); and

11 “(9) has a sufficient number of employees de-
12 scribed in paragraph (3) to ensure safe operations of
13 pipeline facilities, as determined by the Secretary,
14 taking into account factors including—

15 “(A) the number of miles of cast iron, or
16 bare steel, natural gas and hazardous liquid
17 pipelines in the State;

18 “(B) the number of service lines in the
19 State;

20 “(C) the age of the natural gas and haz-
21 ardous liquid pipelines in the State; and

22 “(D) environmental factors that could af-
23 fect the integrity of the natural gas and haz-
24 ardous liquid pipelines, including relevant geo-
25 logical issues.”.

1 (2) DEADLINE FOR REGULATIONS.—Not later
2 than 1 year after the date of enactment of this Act,
3 the Secretary of Transportation shall issue regula-
4 tions to implement the amendments made by this
5 subsection.

6 (b) MONITORING.—Section 60105(e) of title 49,
7 United States Code, is amended to read as follows:

8 “(e) MONITORING.—The Secretary may monitor a
9 safety program established under this section to ensure
10 that the program complies with the certification. In car-
11 rying out this subsection, the Secretary may request that
12 a State authority provide records of any inspection of a
13 pipeline facility made by the State authority or any inves-
14 tigation described in subsection (c)(1)(B). A State author-
15 ity shall cooperate with the Secretary under this sub-
16 section, including, upon request by the Secretary, by au-
17 thorizing the Secretary to participate in such an inspection
18 or investigation.”.

Page 11, strike lines 7 through 10 and insert the
following:

19 **SEC. 7. HIGH-DENSITY POPULATION AREAS AND ENVIRON-**
20 **MENTALLY SENSITIVE AREAS.**

21 (a) RISK ANALYSIS AND INTEGRITY MANAGEMENT
22 PROGRAMS.—Section 60109(c) of title 49, United States
23 Code, is amended by adding at the end the following:

At the end of section 7, add the following:

1 (b) DISTRIBUTION INTEGRITY MANAGEMENT PRO-
2 GRAMS.—Section 60109(e) of title 49, United States
3 Code, is amended by adding at the end the following:

4 “(7) IN GENERAL.—

5 “(A) EVALUATION OF RISK.—Not later
6 than 1 year after the date of enactment of this
7 paragraph, the Secretary shall issue regulations
8 that ensure that each integrity management
9 program developed under paragraph (5) by an
10 operator of a natural gas distribution system
11 includes—

12 “(i) an evaluation—

13 “(I) of the risks resulting from
14 the presence of cast iron or bare steel
15 pipes in the distribution system; and

16 “(II) of the risks that could lead
17 to or result from the operation of a
18 distribution system at a pressure that
19 makes the operation of any connected
20 and properly adjusted low-pressure
21 gas burning equipment unsafe, as de-
22 termined by the Secretary; and

1 “(ii) a ranking of such risks, and
2 identification of measures to mitigate such
3 risks.

4 “(B) CONSIDERATIONS.—In carrying out
5 subparagraph (A)(ii), the Secretary shall ensure
6 that operators—

7 “(i) consider factors other than past
8 abnormal operating conditions (as defined
9 in section 192.803 of title 49, Code of
10 Federal Regulations (or successor regula-
11 tions)); and

12 “(ii) may not determine that there are
13 no potential consequences associated with
14 a low-probability event unless such deter-
15 mination is supported by engineering anal-
16 ysis or operational knowledge.

17 “(C) DEADLINES.—

18 “(i) IN GENERAL.—Not later than 1
19 year after the date of enactment of this
20 paragraph, each operator of a natural gas
21 distribution system shall submit to the
22 Secretary or to the State authority having
23 a current certification under section
24 60105, if applicable, a copy of—

1 “(I) the integrity management
2 program of the operator;

3 “(II) the emergency response
4 plan maintained under section
5 60102(d)(5); and

6 “(III) the manual maintained
7 under section 60102(d)(4).

8 “(ii) UPDATES.—Each operator of a
9 natural gas distribution system shall sub-
10 mit to the Secretary or make available for
11 inspection to the State authority described
12 in clause (i), if applicable, any updated
13 plan or manual described in clause (i) by
14 not later than 60 days after the date of a
15 significant update, as determined by the
16 Secretary.”.

