

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

Add at the end the following new section:

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.—

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

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

7 “(B) to implement an innovative safety
8 program established by the Administrator pur-
9 suant to such subsection.

10 “(2) APPROVALS.—The Secretary shall review
11 proposals submitted under paragraph (1) and ap-
12 prove such proposals as the Secretary determines
13 appropriate.

14 “(3) INNOVATIVE SAFETY PROGRAM IMPLEMEN-
15 TATION.—The Secretary shall collaborate with an
16 operator of a pipeline facility implementing an inno-
17 vative safety program pursuant to an approval under
18 paragraph (2).

19 “(c) EXEMPTION FROM CERTAIN REGULATIONS.—

20 “(1) IN GENERAL.—The Secretary may grant
21 an exemption from a regulation under this chapter,
22 to the extent such regulation would otherwise apply
23 with respect to the implementation of an innovative
24 safety program approved under subsection (b), if the
25 safety technologies and practices included in such in-

1 innovative safety program are designed to achieve a
2 level of safety that is equivalent to or greater than
3 the level of safety that would otherwise be achieved
4 through compliance with such regulation.

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

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

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

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

23 “(2) continued implementation of the innovative
24 safety program would not be consistent with the
25 goals and objectives of this chapter.

1 “(f) TERMINATION OF PILOT PROGRAM.—The Sec-
2 retary shall terminate the pilot program under subsection
3 (a) if the Secretary determines that continuation of the
4 pilot program would not be consistent with the goals and
5 objectives of this chapter.

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

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

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

22 “(2) any recommendations for amendments to
23 laws or regulations—

24 “(A) to promote the safe operation of a
25 pipeline facility; and

1 “(B) that are technically, operationally,
2 and economically feasible.

3 “(i) REGULATIONS.—

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

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

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

60145. Evaluation of innovative pipeline safety technology.

