

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5120
OFFERED BY M^r. Crawford

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Pipeline Safety Improvement Act of 2019”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Authorization of appropriations.
- Sec. 3. Strengthening operator qualification programs.
- Sec. 4. Safety-related condition reports.
- Sec. 5. Property damage threshold.
- Sec. 6. Pipeline facility security.
- Sec. 7. Access to oil spill response plans.
- Sec. 8. National pipeline mapping system.
- Sec. 9. Depth of cover for inland bodies of water.
- Sec. 10. Pipeline operating status.
- Sec. 11. Advancement of new pipeline safety technologies and approaches.
- Sec. 12. Pipeline safety voluntary information-sharing system.
- Sec. 13. User fees.
- Sec. 14. User fees for underground natural gas storage facilities.
- Sec. 15. Liquefied natural gas facility safety.
- Sec. 16. Unusually sensitive areas.
- Sec. 17. Workforce.
- Sec. 18. Nationwide integrated pipeline safety regulatory database.
- Sec. 19. Regulatory updates.
- Sec. 20. Construction project approvals.
- Sec. 21. Report on emissions.
- Sec. 22. Changes in class location.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) GAS AND HAZARDOUS LIQUID.—Section
3 60125(a) of title 49, United States Code, is amended to
4 read as follows:

5 “(a) GAS AND HAZARDOUS LIQUID.—

6 “(1) IN GENERAL.—To carry out the provisions
7 of this chapter related to gas and hazardous liquid
8 and section 12 of the Pipeline Safety Improvement
9 Act of 2002 (49 U.S.C. 60101 note; Public Law
10 107–355), there are authorized to be appropriated to
11 the Secretary from fees collected under section
12 60301—

13 “(A) \$150,000,000 for fiscal year 2020, of
14 which \$9,000,000 shall be expended for car-
15 rying out such section 12 and \$60,000,000
16 shall be expended for making grants;

17 “(B) \$154,000,000 for fiscal year 2021, of
18 which \$9,000,000 shall be expended for car-
19 rying out such section 12 and \$63,000,000
20 shall be expended for making grants;

21 “(C) \$158,000,000 for fiscal year 2022, of
22 which \$9,000,000 shall be expended for car-
23 rying out such section 12 and \$66,000,000
24 shall be expended for making grants; and

25 “(D) \$162,000,000 for fiscal year 2023, of
26 which \$9,000,000 shall be expended for car-

1 rying out such section 12 and \$69,000,000
2 shall be expended for making grants.

3 “(2) TRUST FUND AMOUNTS.—In addition to
4 the amounts authorized to be appropriated under
5 paragraph (1), there are authorized to be appro-
6 priated from the Oil Spill Liability Trust Fund de-
7 scribed in section 9509(a) of the Internal Revenue
8 Code of 1986 (26 U.S.C. 9509(a)) to carry out the
9 provisions of this chapter relating to hazardous liq-
10 uid and section 12 of the Pipeline Safety Improve-
11 ment Act of 2002 (49 U.S.C. 60101 note; Public
12 Law 107–355)—

13 “(A) \$25,000,000 for fiscal year 2020, of
14 which—

15 “(i) \$3,000,000 shall be used to carry
16 out section 12 of such Act; and

17 “(ii) \$10,000,000 shall be used for
18 making grants;

19 “(B) \$26,000,000 for fiscal year 2021, of
20 which—

21 “(i) \$3,000,000 shall be used to carry
22 out section 12 of such Act; and

23 “(ii) \$11,000,000 shall be used for
24 making grants;

1 “(C) \$27,000,000 for fiscal year 2022, of
2 which—

3 “(i) \$3,000,000 shall be used to carry
4 out section 12 of such Act; and

5 “(ii) \$12,000,000 shall be used for
6 making grants; and

7 “(D) \$28,000,000 for fiscal year 2023, of
8 which—

9 “(i) \$3,000,000 shall be used to carry
10 out section 12 of such Act; and

11 “(ii) \$13,000,000 shall be used for
12 making grants.

13 “(3) UNDERGROUND NATURAL GAS STORAGE
14 FACILITY SAFETY ACCOUNT.—To carry out section
15 60141, there is authorized to be appropriated to the
16 Secretary \$8,000,000 from fees collected under sec-
17 tion 60302 for each of fiscal years 2020 through
18 2023.”.

19 (b) OPERATIONAL EXPENSES.—Section 2(b) of the
20 PIPES Act of 2016 (Public Law 114–183; 130 Stat. 515)
21 is amended by striking paragraphs (1) through (4) and
22 inserting the following:

23 “(1) \$25,000,000 for fiscal year 2020.

24 “(2) \$26,000,000 for fiscal year 2021.

25 “(3) \$27,000,000 for fiscal year 2022.

1 “(4) \$28,000,000 for fiscal year 2023.”.

2 (c) EMERGENCY RESPONSE GRANTS.—Section
3 60125(b) of title 49, United States Code, is amended to
4 read as follows:

5 “(b) EMERGENCY RESPONSE GRANTS.—

6 “(1) IN GENERAL.—The Secretary may estab-
7 lish a program to make grants to State, county,
8 local, and tribal governments and nonprofit organi-
9 zations providing pipeline emergency response train-
10 ing, for—

11 “(A) emergency response management;

12 “(B) training; and

13 “(C) technical assistance.

14 “(2) TRAINING REQUIREMENTS.—To the extent
15 that a grant is used to train emergency responders,
16 any training shall ensure that emergency responders
17 can protect nearby persons, property, and the envi-
18 ronment from the effects of accidents or incidents
19 involving gas or hazardous liquid pipelines, in ac-
20 cordance with existing regulations.

21 “(3) AUTHORIZATION OF APPROPRIATIONS.—

22 There is authorized to be appropriated to carry out
23 this subsection \$12,000,000 for each of fiscal years
24 2020 through 2023.”.

1 (d) ONE-CALL NOTIFICATION PROGRAMS.—Section
2 6107 of title 49, United States Code, is amended by strik-
3 ing “2016 through 2019” and inserting “2020 through
4 2023”.

5 (e) PIPELINE SAFETY INFORMATION GRANTS TO
6 COMMUNITIES.—Section 60130(c) of title 49, United
7 States Code, is amended to read as follows:

8 “(c) FUNDING.—

9 “(1) IN GENERAL.—Of the amounts made
10 available under section 2(b) of the PIPES Act of
11 2016, the Secretary shall use \$1,500,000 for each of
12 fiscal years 2020 through 2023 to carry out this sec-
13 tion.

14 “(2) LIMITATION.—Any amounts used to carry
15 out this section may not be derived from user fees
16 collected under section 60301.”.

17 (f) DAMAGE PREVENTION PROGRAMS.—Section
18 60134(i) of title 49, United States Code, is amended in
19 the first sentence by striking “2012 through 2015” and
20 inserting “2020 through 2023”.

21 (g) PIPELINE INTEGRITY PROGRAM.—Section 12(f)
22 of the Pipeline Safety Improvement Act of 2002 (49
23 U.S.C. 60101 note; Public Law 107–355) is amended by
24 striking “2016 through 2019” and inserting “2020
25 through 2023”.

1 **SEC. 3. STRENGTHENING OPERATOR QUALIFICATION PRO-**
2 **GRAMS.**

3 (a) **QUALIFICATIONS OF PIPELINE OPERATORS.**—
4 Section 60102(a)(3) of title 49, United States Code, is
5 amended—

6 (1) by striking “operates and maintains” and
7 inserting “operates and maintains, or constructs,”;

8 (2) by inserting “, a gas gathering line, or a
9 hazardous liquid gathering line” before “shall ad-
10 dress”;

11 (3) by striking “operator of a pipeline facility”
12 and inserting “operator of a pipeline facility, a gas
13 gathering line, or a hazardous liquid gathering line”;

14 (4) by striking “operate and maintain” and in-
15 serting “operate and maintain, or construct” each
16 place it appears; and

17 (5) by inserting “, gas gathering lines, or haz-
18 arduous liquid gathering lines” before the period at
19 the end.

20 (b) **VERIFICATION OF PIPELINE QUALIFICATION**
21 **PROGRAMS.**—Section 60131 of title 49, United States
22 Code, is amended—

23 (1) in subsection (d) by adding at the end the
24 following:

1 “(5) A management of change program that
2 will communicate changes that affect covered tasks
3 to individuals performing those covered tasks.”; and

4 (2) by striking subsection (g) and inserting the
5 following:

6 “(g) DEFINITIONS.—In this section:

7 “(1) COVERED TASK.—The term ‘covered
8 task’—

9 “(A) with respect to a gas pipeline facility,
10 has the meaning such term has under section
11 192.801 of title 49, Code of Federal Regula-
12 tions, including any subsequent modifications;
13 and

14 “(B) with respect to a hazardous liquid
15 pipeline facility, has the meaning such term has
16 under section 195.501 of such title, including
17 any subsequent modifications;

18 “(C) includes, with respect to a gas pipe-
19 line facility or a hazardous liquid pipeline facil-
20 ity described in subparagraphs (A) and (B), a
21 construction task.

22 “(2) PIPELINE FACILITY.—The term ‘pipeline
23 facility’ includes regulated gas gathering lines and
24 regulated hazardous liquid gathering lines.”.

1 (c) OPERATOR QUALIFICATION PROGRAM EFFEC-
2 TIVENESS.—

3 (1) RULEMAKING REQUIRED.—Not later than 1
4 year after the date of enactment of this Act, the
5 Secretary of Transportation shall issue such regula-
6 tions as are necessary to require pipeline facility op-
7 erator qualification programs to include a written
8 process to measure the effectiveness of the program
9 at minimizing human error during the performance
10 of a covered task.

11 (2) CONSIDERATIONS.—In issuing the regula-
12 tions required under paragraph (1), the Secretary
13 shall consider the elements of program effectiveness
14 contained in the notice of proposed rulemaking
15 issued on July 10, 2015 titled “Pipeline Safety: Op-
16 erator Qualification, Cost Recovery, Accident and
17 Incident Notification, and Other Pipeline Safety 3
18 Proposed Changes” (80 Fed. Reg. 39916).

19 (3) COVERED TASK DEFINED.—In this sub-
20 section, the term “covered task” has the meaning
21 given the term in section 60131(g) of title 49,
22 United States Code.

23 **SEC. 4. SAFETY-RELATED CONDITION REPORTS.**

24 Section 60102(h) of title 49, United States Code, is
25 amended—

1 (1) in paragraph (2) by striking “Notice of the
2 condition shall be given concurrently to appropriate
3 State authorities.”; and

4 (2) by adding at the end the following:

5 “(3)(A) Notice of the condition of an intrastate
6 or interstate pipeline facility shall be given concu-
7 rently to appropriate State authorities, as defined by
8 the Secretary.

9 “(B) The Secretary shall require that when a
10 State agency receives a report on a safety-related
11 condition, the State agency shall provide the report
12 to any State emergency response commission, tribal
13 emergency response commission, tribal emergency
14 planning committee, local emergency planning com-
15 mittee, local government, or public agency respon-
16 sible for emergency response that requests the re-
17 port, including any updates to the report received by
18 the State agency.”.

19 **SEC. 5. PROPERTY DAMAGE THRESHOLD.**

20 Section 60123(d)(2)(A) of title 49, United States
21 Code, is amended by striking “\$50,000” and inserting
22 “\$200,000”.

23 **SEC. 6. PIPELINE FACILITY SECURITY.**

24 Section 60123 of title 49, United States Code, is
25 amended by adding at the end the following:

1 “(e) PENALTY FOR ALTERING PHYSICAL INFRA-
2 STRUCTURE.—

3 “(1) DEFINITION OF ALTERING A PIPELINE FA-
4 CILITY.—In this subsection, the term ‘altering a
5 pipeline facility’ means—

6 “(A) the unauthorized turning or manipu-
7 lation of any valve of a pipeline facility de-
8 scribed in subsection (b);

9 “(B) the puncturing of—

10 “(i) an existing pipeline that is in use
11 for a facility described in subsection (b); or

12 “(ii) a pipeline pipe, pump, or valve
13 intended to be used by a facility described
14 in subsection (b); or

15 “(C) causing a defect that would affect the
16 integrity of safe operations for—

17 “(i) an existing pipeline that is in use
18 for a facility described in subsection (b); or

19 “(ii) a pipeline pipe, pump, or valve
20 intended to be used by a facility described
21 in subsection (b).

22 “(2) PENALTY.—A person knowingly and will-
23 fully altering a pipeline facility shall be fined or im-
24 prisoned in accordance with subsection (a).”.

1 “(3) RULE OF CONSTRUCTION.—Nothing in
2 this subsection abridges the exercise of rights guar-
3 anteed under the First Amendment to the Constitu-
4 tion of the United States.”.

5 **SEC. 7. ACCESS TO OIL SPILL RESPONSE PLANS.**

6 Section 60138 of title 49, United States Code, is
7 amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1) by striking “and”;

10 (B) in paragraph (2)(D) by striking the
11 period and inserting “; and”; and

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

13 “(3) provide to a Member of Congress, upon
14 written request from such Member, access to view a
15 copy of the plan, the contents of which the Secretary
16 may not redact, but may note as the Secretary de-
17 termines appropriate—

18 “(A) proprietary information; and

19 “(B) security-sensitive information, includ-
20 ing information described in section 1520.5(a)
21 of title 49, Code of Federal Regulations.”;

22 (2) by redesignating subsection (b) as sub-
23 section (d); and

24 (3) by adding at the end the following:

1 “(c) LIMITATIONS ON INFORMATION PROVIDED TO
2 CONGRESS.—The following requirements shall apply to
3 any activities carried out under subsection (a)(3):

4 “(1) To review an oil spill response plan, the
5 Administrator shall provide the Member access to a
6 full and unredacted paper copies of the plans for the
7 Congressional district of such Member in a secure
8 reading room for purposes of review only.

9 “(2) Congressional review of full and
10 unredacted copies of oil spill response plans carried
11 out under such subsection shall be the exclusive au-
12 thority for congressional review of such plans.

13 “(3) Information identified under subparagraph
14 (A) and (B) of subsection (a)(3) may not be distrib-
15 uted in any form, including verbal, electronic or
16 written communication, or transmittal of copied
17 image.

18 “(4) All information described in paragraph (3)
19 shall remain confidential and any unauthorized dis-
20 closure of such information is subject to a fine of
21 \$10,000.

22 “(5) The provision of access to information de-
23 scribed in paragraph (3) shall not be construed to
24 waive or amend the obligations or authorities of the
25 Administrator to protect information from disclosure

1 pursuant to section 552(b) of title 5, section 60138,
2 or any other applicable laws.”.

3 **SEC. 8. NATIONAL PIPELINE MAPPING SYSTEM.**

4 (a) IN GENERAL.—Section 60132 of title 49, United
5 States Code, is amended by striking subsection (f) and in-
6 serting the following:

7 “(f) PUBLIC DISCLOSURE LIMITED.—Data and in-
8 formation submitted to the Secretary under this section
9 may not be disclosed to the public pursuant to section
10 552(b)(3)(B) of title 5.”.

11 (b) EVALUATION OF INFORMATION.—Not later than
12 1 year after the date of enactment of this Act, the Sec-
13 retary shall issue regulations on the evaluation of the in-
14 formation required under paragraphs (1) through (4) of
15 section 60132(a) of title 49, United States Code, with re-
16 spect to gathering lines.

17 **SEC. 9. DEPTH OF COVER FOR INLAND BODIES OF WATER.**

18 Section 60140 of title 49, United States Code, is
19 amended by adding at the end the following:

20 “(c) DATA SET FOR PIPELINES CROSSING CERTAIN
21 WATER BODIES.—

22 “(1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this subsection, the Sec-
24 retary shall collect and maintain geospatial data ca-
25 pable of identifying hazardous liquid pipelines cross-

1 ing inland bodies of water with a width of at least
2 100 feet from high water mark to high water mark
3 and where the pipeline segment is within, or could
4 affect, a high consequence area (as defined in sec-
5 tions 192.903 and 195.450 of title 49, Code of Fed-
6 eral Regulations).

7 “(2) PUBLIC INFORMATION.—The Secretary
8 shall make the data set collected and maintained
9 under paragraph (1) available on the publicly avail-
10 able website of the Department of Transportation.

11 “(3) NATIONAL PIPELINE MAPPING SYSTEM.—
12 The Secretary shall include such data set in the Na-
13 tional Pipeline Mapping System for purposes of
14 meeting the requirement under paragraph (2).”.

15 **SEC. 10. PIPELINE OPERATING STATUS.**

16 (a) IN GENERAL.—Chapter 601 of title 49, United
17 States Code, is amended by adding at the end the fol-
18 lowing:

19 **“§ 60142. Idled pipelines**

20 “(a) DEFINITION OF IDLED.—In this section, the
21 term ‘idled’, with respect to a pipeline, means that the
22 pipeline—

23 “(1)(A) has ceased normal operations; and

24 “(B) will not resume service for a period of not
25 less than 180 days and

1 “(2) has been isolated from all sources of haz-
2 ardous liquid, natural gas, or other gas; and

3 “(3) has been purged of combustibles and haz-
4 ardous materials; and

5 “(4) if a blanket of inert, nonflammable gas is
6 placed in the line, such gas must be at low pressure
7 and odorized; and,

8 “(5) has received approval from the Secretary
9 to be removed as an active pipeline.

10 “(b) APPROVAL.—Before an operator may place a
11 natural or other gas pipeline facility or hazardous liquid
12 pipeline facility into idled status, the operator must re-
13 quest an approval, in writing, from the Secretary.

14 “(c) EXTENSION.—The Secretary may allow idled
15 natural or other gas pipeline facilities and hazardous liq-
16 uid pipeline facilities to remain in idled status for a period
17 longer than described in paragraph (a), provided that such
18 request be made in writing and not exceed a period of 5
19 years for each requested extension.

20 “(d) RULEMAKING.—

21 “(1) IN GENERAL.—Not later than 3 years
22 after the date of enactment of this Act, the Sec-
23 retary shall promulgate regulations prescribing the
24 applicability of the pipeline safety requirements to

1 idled natural or other gas pipeline facilities and haz-
2 arduous liquid pipeline facilities.

3 “(2) REQUIREMENTS.—The regulations promul-
4 gated under paragraph (1) shall contain the fol-
5 lowing requirements:

6 “(A) IN GENERAL.—The applicability of
7 the regulations under paragraph (1) shall be
8 based on the risk that idled natural or other
9 gas pipeline facilities and hazardous liquid pipe-
10 line facilities pose to the public, property, and
11 the environment, and shall include requirements
12 to resume operation.

13 “(B) NOTIFICATION AND APPROVAL.—The
14 Secretary shall establish procedures, including a
15 requirement for notification to the public, for
16 requesting an approval, described in subsection
17 (b), and an extension, described in subsection
18 (c), before an operator changes the operating
19 status of a natural or other gas pipeline facility
20 or hazardous liquid pipeline facility.

21 “(C) INSPECTION.—The Secretary or an
22 appropriate State agency shall inspect each
23 idled natural or other gas pipeline facility or
24 hazardous liquid pipeline facility and verify that

1 the pipeline has been purged of combustibles
2 and hazardous materials.

3 “(D) REQUIREMENTS FOR REINSPEC-
4 TION.—The Secretary shall determine the re-
5 quirements for periodic reinspection of idled
6 natural or other gas pipeline facilities and haz-
7 ardous liquid pipeline facilities.

8 “(E) INVENTORY.—The Secretary shall re-
9 quire operators to report to the Secretary infor-
10 mation on idled natural or other gas pipeline
11 facilities and hazardous liquid pipeline facilities
12 in their system, including the location of a pipe-
13 line, whether the pipeline has been purged of
14 combustibles and hazardous materials, whether
15 a blanket of inert gas remains in the line, the
16 date on which the operator idled the pipeline,
17 and a written description for why the operator
18 chose to place each pipeline into idle status.

19 “(e) AVAILABILITY OF DATA.—

20 “(1) IN GENERAL.—The Secretary shall make
21 available to the public the inventory required under
22 subsection (d)(E), and publish annually on a website
23 accessible to the public a list indicating pipeline op-
24 erating status changes. The list shall include—

25 “(A) the name of the operator; and

1 “(B) the operating status change of the
2 pipeline; and

3 “(C) the approximate location, including
4 beginning and end point for the pipeline that is
5 subject to the change in operating status.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 for chapter 601 of title 49, United States Code, is amend-
8 ed by adding at the end the following new item:

 “60142. Idled pipelines.”.

9 **SEC. 11. ADVANCEMENT OF NEW PIPELINE SAFETY TECH-**
10 **NOLOGIES AND APPROACHES.**

11 (a) IN GENERAL.—Chapter 601 of title 49, United
12 States Code, is further amended by adding at the end the
13 following:

14 **“§ 60143. Pipeline safety technology testing programs**

15 “(a) IN GENERAL.—The Secretary may establish and
16 carry out limited safety-enhancing testing programs to
17 evaluate innovative technologies and operational practices
18 testing the safe operation of—

19 “(1) a natural gas pipeline facility; or

20 “(2) a hazardous liquid pipeline facility.

21 “(b) LIMITATIONS.—

22 “(2) HIGH POPULATION AREAS.—Any program
23 established under subsection (a) shall not be located
24 in a high population area (as defined in section
25 195.450 of title 49, Code of Federal Regulations).

1 “(c) DURATION.—The term of a testing program es-
2 tablished under subsection (a) shall be not more than a
3 period of 4 years beginning on the date of approval of the
4 program.

5 “(d) SAFETY STANDARDS.—

6 “(1) IN GENERAL.—The Secretary shall re-
7 quire, as a condition of approval of a testing pro-
8 gram under subsection (a), that the safety measures
9 in the testing program are designed to achieve a
10 level of safety that is greater than, or equivalent to,
11 the level of safety required by this chapter.

12 “(2) DETERMINATION.—

13 “(A) IN GENERAL.—The Secretary may
14 issue an order under subparagraph (A) of sec-
15 tion 60118(c)(1) to accomplish the purpose of
16 a testing program for a term not to exceed the
17 time period described in subsection (c) if the
18 condition described in paragraph (1) is met, as
19 determined by the Secretary.

20 “(B) LIMITATION.—An order under sub-
21 paragraph (A) of such section shall pertain only
22 to those regulations that would otherwise pre-
23 vent the use of the safety technology to be test-
24 ed under the testing program.

1 “(e) CONSIDERATIONS.—In establishing a testing
2 program under subsection (a), the Secretary shall con-
3 sider—

4 “(1) whether the owners or operators partici-
5 pating in the program have a safety management
6 system in place;

7 “(2) whether the proposed safety technology
8 has been tested through a research and development
9 program carried out by—

10 “(A) the Secretary;

11 “(B) collaborative research development
12 organizations; or

13 “(C) other institutions; and

14 “(3) whether the pipeline segments tested by
15 the program are outside of a high population area
16 (as defined in section 195.450 of title 49, Code of
17 Federal Regulations).

18 “(f) DATA AND FINDINGS.—As a participant in a
19 testing program established under subsection (a), an oper-
20 ator shall submit to the Secretary detailed findings and
21 a summary of data collected as a result of participation
22 in the testing program.

23 “(g) AUTHORITY TO REVOKE PARTICIPATION.—The
24 Secretary shall immediately revoke participation in a test-
25 ing program under subsection (a) if—

1 “(1) the participant fails to comply with the
2 terms and conditions of the testing program; or

3 “(2) in the determination of the Secretary, con-
4 tinued participation in the testing program by the
5 participant would be unsafe or would not be con-
6 sistent with the goals and objectives of this chapter.

7 “(h) **AUTHORITY TO TERMINATE PROGRAM.**—The
8 Secretary shall immediately terminate a testing program
9 under subsection (a) if continuation of the testing pro-
10 gram would not be consistent with the goals and objectives
11 of this chapter.

12 “(i) **STATE RIGHTS.**—

13 “(1) **EXEMPTION.**—Except as provided in para-
14 graph (2), if a State submits to the Secretary notice
15 that the State requests an exemption from any test-
16 ing program considered for establishment under this
17 section, the State shall be exempt.

18 “(2) **LIMITATIONS.**—

19 “(A) **IN GENERAL.**—The Secretary shall
20 not grant a requested exemption under para-
21 graph (1) after a testing program is estab-
22 lished.

23 “(B) **LATE NOTICE.**—The Secretary shall
24 not grant a requested exemption under para-
25 graph (1) if the notice submitted under that

1 paragraph is submitted to the Secretary more
2 than 10 days after the date on which the Sec-
3 retary issues an order providing an effective
4 date for the testing program.

5 “(3) EFFECT.—If a State has not submitted a
6 notice requesting an exemption under paragraph (1),
7 the State shall not enforce any law (including regu-
8 lations) that is inconsistent with a testing program
9 in effect in the State under this section.

10 “(j) PROGRAM REVIEW PROCESS AND PUBLIC NO-
11 TICE.—

12 “(1) IN GENERAL.—The Secretary shall publish
13 in the Federal Register a notice of each testing pro-
14 gram under subsection (a), including the order to be
15 considered, and provide an opportunity for public
16 comment for not less than 60 days.

17 “(2) RESPONSE FROM SECRETARY.—Not later
18 than the date on which the Secretary issues an order
19 providing an effective date of a testing program no-
20 ticed under paragraph (1), the Secretary shall re-
21 spond to each comment submitted under that para-
22 graph.

23 “(k) REPORT.—At the conclusion of each testing pro-
24 gram, the Secretary shall make publicly available on the

1 website of the Department of Transportation a report con-
2 taining—

3 “(1) the findings and conclusions of the Sec-
4 retary with respect to the testing program; and

5 “(2) any recommendations of the Secretary
6 with respect to the testing program, including any
7 recommendations for amendments to laws (including
8 regulations) and the establishment of standards,
9 that—

10 “(A) would enhance the safe operation of
11 interstate gas or hazardous liquid pipeline fa-
12 cilities; and

13 “(B) are technically, operationally, and
14 economically feasible.

15 “(l) STANDARDS.—If a report under subsection (k)
16 indicates that it is practicable to establish technically,
17 operationally, and economically feasible standards for the
18 use of a safety-enhancing technology and any cor-
19 responding operational practices tested by the testing pro-
20 gram described in the report, the Secretary, as soon as
21 practicable after submission of the report, may promulgate
22 regulations consistent with chapter 5 of title 5 (commonly
23 known as the ‘Administrative Procedures Act’) that—

1 “(1) allow operators of interstate gas or haz-
2 ardous liquid pipeline facilities to use the relevant
3 technology or practice to the extent practicable; and

4 “(2) establish technically, operationally, and
5 economically feasible standards for the capability
6 and deployment of the technology or practice.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 for chapter 601 of title 49, United States Code, is further
9 amended by adding at the end the following:

 “60143. Pipeline safety technology testing programs.”.

10 **SEC. 12. PIPELINE SAFETY VOLUNTARY INFORMATION-**
11 **SHARING SYSTEM.**

12 (a) IN GENERAL.—Chapter 601 of title 49, United
13 States Code, is further amended by adding at the end the
14 following:

15 **“§ 60144. Voluntary information-sharing system**

16 “(a) ESTABLISHMENT.—

17 “(1) IN GENERAL.—Subject to the availability
18 of funds, the Secretary may establish a confidential
19 and nonpunitive voluntary information-sharing sys-
20 tem (referred to in this section as the ‘System’) to
21 encourage collaborative efforts to improve inspection
22 information feedback and information sharing, with
23 the purpose of improving natural gas transmission
24 and hazardous liquid pipeline safety.

25 “(2) COMPONENTS.—The System—

1 “(A) shall include pipeline integrity risk
2 analysis information; and

3 “(B) may include other information relat-
4 ing to reducing pipeline incidents, such as—

5 “(i) lessons learned from accidents
6 and near misses;

7 “(ii) process improvements;

8 “(iii) technology deployments; and

9 “(iv) other voluntary information-
10 sharing systems.

11 “(3) REQUIREMENT.—The System shall protect
12 proprietary information while encouraging the ex-
13 change of data, including in-line inspection and dig
14 verification data, among operators, tool vendors, and
15 the representatives of the Secretary to facilitate the
16 development of—

17 “(A) advanced pipeline-inspection tech-
18 nologies; and

19 “(B) enhanced risk analysis.

20 “(4) CONSULTATION.—If appropriate, the Sec-
21 retary may involve other public and private stake-
22 holders in establishing and maintaining the System.

23 “(b) DATA MANAGER.—In carrying out this section,
24 the Secretary may engage a partner agency or nongovern-

1 mental entity to receive, store, manage, and provide for
2 the use of—

3 “(1) system data; and

4 “(2) information submitted to the System.

5 “(c) LIMITATION ON DISCLOSURE.—

6 “(1) APPLICABILITY OF FOIA.—Any part of any
7 record (including, but not limited to an analysis by
8 a pipeline operator of the safety risks of the pipeline
9 operator and a statement of the mitigation measures
10 identified by the pipeline operator to address those
11 risks) provided to the Secretary and retained in the
12 System is exempt from the requirements of section
13 552 of title 5, and specifically exempt from release
14 under subsection (b)(3) of that section, if the record
15 is—

16 “(A) supplied to the Secretary for purposes
17 of the System; or

18 “(B) made available for inspection and
19 copying by an officer, employee, or agent of the
20 Secretary for purposes of the System.

21 “(2) EXCEPTION.—Notwithstanding paragraph
22 (1), the Secretary in consultation with the informa-
23 tion owner, may disclose deidentified material or any
24 part of any record comprised of facts otherwise
25 available to the public if, in the sole discretion of the

1 Secretary, the Secretary determines that disclosure
2 would be consistent with the confidentiality needed
3 for the System and improve pipeline safety.

4 “(d) EXCLUDED EVIDENCE.—Except as provided in
5 subsection (f), any data or information submitted to or
6 stored, managed, analyzed, or produced by the System
7 shall not be used—

8 “(1) as evidence for any purpose in any Fed-
9 eral, State, local, Tribal, or private litigation, includ-
10 ing any action or proceeding; or

11 “(2) to support any corrective action relating to
12 a probable violation under this chapter (including
13 any regulation promulgated or order issued under
14 this chapter).

15 “(e) EXCLUSION FROM DISCOVERY.—Except as pro-
16 vided in subsection (f), any data or information submitted
17 to or stored, managed, analyzed, or produced by the Sys-
18 tem shall not be subject to discovery in any Federal, State,
19 local, Tribal, or private litigation or other proceeding.

20 “(f) LIMITATIONS ON EXCLUSION.—The exclusions
21 described in subsections (d) and (e) shall not apply to—

22 “(1) evidence of a knowing and willful violation;

23 “(2) a reportable release under sections 191.7
24 or 195.50 of title 49, Code of Federal Regulations
25 (or a successor regulation);

1 “(3) a safety-related condition under sections
2 191.7 or 195.55 of title 49, Code of Federal Regula-
3 tions (or a successor regulation); or

4 “(4) data or information obtained by the Sec-
5 retary independently of the System.

6 “(g) GOVERNING BOARD.—Not later than 180 days
7 after the date of enactment of this Act, the Administrator
8 shall establish a governing board co-chaired by the Admin-
9 istrator and a representative of the pipeline industry to—

10 “(1) govern the System through consensus of
11 the board and co-chairs;

12 “(2) develop governance documents and oversee
13 their enforcement; and

14 “(3) establish and appoint members of issue
15 analysis teams;

16 “(h) CONFIDENTIALITY.—No person, including any
17 System governing board member, program manager,
18 third-party data manager, issue analysis team member,
19 nor any Federal, State, local or tribal agency, having or
20 obtaining access to any data or information submitted to,
21 stored, managed, analyzed or produced by the System,
22 shall release or communicate that information to any per-
23 son outside the System, with the sole exception being the
24 publication of reports by the System based on analysis of
25 de-identified information and safety related findings that

1 the System governing board in its sole discretion deter-
2 mines to publish or authorize the Administration to pub-
3 lish.

4 “(i) VOLUNTARY PARTICIPATION.—No person may
5 be compelled to participate in or submit data or informa-
6 tion to the System.

7 “(j) SUSTAINABLE FUNDING.—The Secretary shall
8 explore sustainable funding sources for the System, in-
9 cluding public-private partnerships.

10 “(k) EFFECT.—Nothing in this section affects any
11 Federal or State pipeline safety law.

12 “(l) LIMITATION ON FUNDING.—The Secretary may
13 expend not more than \$1,000,000 for each of the fiscal
14 years 2020 through 2024 to establish the System.

15 “(m) SAVINGS CLAUSE.—Notwithstanding the pro-
16 tections provided under this section, no pipeline operator
17 may use the submission of information to the System as
18 protection against enforcement actions or corrective orders
19 that are based on information or evidence obtained outside
20 of the System.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 for chapter 601 of title 49, United States Code, is further
23 amended by adding at the end the following:

“60144.Voluntary information-sharing system.”.

1 **SEC. 13. USER FEES.**

2 Section 60301(d)(1) of title 49, United States Code,
3 is amended—

4 (1) in subparagraph (A) by striking “and” at
5 the end; and

6 (2) by adding at the end the following:

7 “(C) related to a liquefied natural gas
8 pipeline facility may be used only for an activity
9 related to liquefied natural gas pipeline facility
10 under this chapter; and”.

11 **SEC. 14. USER FEES FOR UNDERGROUND NATURAL GAS**
12 **STORAGE FACILITIES.**

13 Section 60302 of title 49, United States Code, is
14 amended—

15 (1) in subsection (c)(2)—

16 (A) in subparagraph (A) by striking “and”
17 at the end;

18 (B) in subparagraph (B) by striking the
19 period at the end and inserting “; and”; and

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

21 “(C) may only be used to the extent pro-
22 vided in advance in an appropriations Act.”;

23 (2) by striking paragraph (3) of subsection (c);

24 and

25 (3) by adding at the end the following:

1 “(d) LIMITATIONS.—Fees imposed under subsection
2 (a) shall be sufficient to pay for the costs of activities de-
3 scribed in subsection (c), except that the total amount col-
4 lected for a fiscal year may not be more than 105 percent
5 of the total amount of the appropriations made for the
6 fiscal year activities to be financed by fees.”.

7 **SEC. 15. LIQUEFIED NATURAL GAS FACILITY SAFETY.**

8 (a) LIQUEFIED NATURAL GAS FACILITY STANDARDS
9 UPDATE.—

10 (1) IN GENERAL.—Not later than 3 years after
11 the date of enactment of this Act, the Secretary
12 shall—

13 (A) review the minimum operating and
14 maintenance standards for liquefied natural gas
15 facilities, including small scale liquefied natural
16 gas facilities, peak shaving facilities, and large-
17 scale liquefied natural gas facilities, prescribed
18 under section 60103(d) of title 49, United
19 States Code; and

20 (B) based on the review under subpara-
21 graph (A), update the safety standards de-
22 scribed in that paragraph applicable to liquefied
23 natural gas facilities to provide for a risk-based
24 regulatory approach.

1 (2) CONSIDERATIONS.—In updating the min-
2 imum standards under paragraph (1)(B), the Sec-
3 retary shall consider the report prepared under sub-
4 section (d)(5).

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

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

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

15 (ii) equipment used in the processes;

16 and

17 (iii) technology used in the processes;

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

22 (C) to establish a system to respond to the
23 findings of a hazard assessment conducted
24 under subparagraph (B) that addresses preven-
25 tion, mitigation, and emergency response; and

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

5 (b) LIQUEFIED NATURAL GAS STAFFING AND EX-
6 PERTISE.—

7 (1) LIQUEFIED NATURAL GAS EXPERTISE.—
8 Not later than 60 days after the date of enactment
9 of this Act, the Secretary shall establish a division
10 within the Office of Pipeline Safety to ensure the
11 safety and oversight of liquefied natural gas facilities
12 under section 60103 and 60111 of title 49, United
13 States Code, including small-scale liquefied natural
14 gas facilities, peak shaving facilities, and import or
15 export facilities.

16 (2) FUNCTIONS.—The Liquefied Natural Gas
17 division shall be responsible for—

18 (A) developing regulations and guidance
19 materials for liquefied natural gas facilities;

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

24 (C) participate in liquefied natural gas fa-
25 cility incident investigations;

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

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

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

10 (G) perform other functions consistent
11 with section 60103 and 60111 of such title.

12 (3) STAFFING.—The Secretary shall employ
13 personnel necessary for carrying out the functions of
14 the Liquefied Natural Gas division set forth in para-
15 graph (2) including—

16 (A) a deputy associate administrator; and

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

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

7 (5) REPORT.—Not later than 90 days after the
8 date of enactment of this Act, and every 90 days
9 thereafter until the division is sufficiently staffed
10 with LNG subject matter experts, the Secretary
11 shall report to the Committee on Transportation and
12 Infrastructure of the House of Representatives, the
13 Committee on Energy and Commerce of the House
14 of Representatives, and the Committee on Com-
15 merce, Science, and Transportation of the Senate on
16 the progress to staff the division and any impedi-
17 ments to staffing.

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

20 (1) IN GENERAL.—Not later than 3 years after
21 the date of enactment of this Act, the Secretary
22 shall establish a Center of Excellence for Liquefied
23 Natural Gas Safety and Training (in this subsection
24 referred to as the “Center”).

25 (2) FUNCTIONS.—The Center shall—

- 1 (A) promote, facilitate, and conduct—
2 (i) education;
3 (ii) training; and
4 (iii) research and technological devel-
5 opment;
- 6 (B) be a repository of information on best
7 practices relating to, and expertise on, liquefied
8 natural gas facility operations;
- 9 (C) foster collaboration among regulators,
10 industry, and other stakeholders;
- 11 (E) promote process safety advancements
12 for liquefied natural gas export facilities and
13 the incorporation of risk-based principles into
14 the operation, management, and regulatory
15 oversight of LNG facilities; and
- 16 (F) other functions deemed appropriate by
17 the Secretary.
- 18 (2) BRIDGE PERIOD.—Until the Center is oper-
19 ational and able to meet the mission in paragraph
20 (2), the Secretary may enter into an agreement with
21 an institution of higher education or the LNG indus-
22 try to provide education and training on the safe op-
23 erations of liquefied natural gas facilities, provided
24 that such period does not exceed 3 years.

1 (3) CONSULTATION.—When establishing the
2 Center, the agency may consult with—

3 (A) Federal regulatory agencies of jurisdic-
4 tion, including—

5 (i) the Pipeline and Hazardous Mate-
6 rials Safety Administration;

7 (ii) the Federal Energy Regulatory
8 Commission;

9 (iii) the Department of Energy;

10 (iv) the U.S. Coast Guard; and

11 (v) the Maritime Administration.

12 (B) States and units of local government;

13 (C) Liquefied natural gas facility opera-
14 tors; and

15 (D) other interested parties.

16 (d) LIQUEFIED NATURAL GAS FEDERAL ADVISORY
17 COMMITTEE.—

18 (1) ESTABLISHMENT.—Not later than 60 days
19 after the date of enactment of this Act, the Sec-
20 retary shall establish, in accordance with the re-
21 quirements of the Federal Advisory Committee Act
22 (5 U.S.C. App.), a Liquefied Natural Gas Federal
23 Advisory Committee (in this subsection referred to
24 as the “Committee”).

25 (2) DUTIES.—The Committee shall—

1 (A) facilitate communication between lique-
2 fied natural gas facility operators, public safety
3 experts, and Federal agencies on practices to
4 ensure the safe operation and maintenance of
5 liquefied natural gas facilities;

6 (B) provide the Secretary with timely in-
7 formation about new liquefied natural gas facil-
8 ity technology and safety practices and meth-
9 odologies;

10 (C) provide a forum for the Secretary to
11 provide information on and to discuss the ac-
12 tivities of the Department of Transportation re-
13 lating to liquefied natural gas facility safety,
14 and the policies underlying such activities;

15 (D) advise the Secretary on how to pro-
16 mote, facilitate, and conduct education, train-
17 ing, and research on the industry best practices,
18 industry consensus standards, and expertise in
19 liquefied natural gas operations;

20 (E) advise the Secretary on how to recruit
21 and retain qualified personnel;

22 (F) advise the Secretary regarding the reg-
23 ulations prescribed under section 60103 of title
24 49, United States Code, and when updates to
25 such regulations are recommended; and

1 (G) advise the Secretary on other matters
2 affecting LNG safety, as the Secretary con-
3 siders appropriate.

4 (3) MEETINGS.—The Committee shall hold reg-
5 ular meetings, not less than biannually, to discuss
6 issues related to liquefied natural gas pipeline facil-
7 ity safety.

8 (4) MEMBERSHIP.—The Committee shall be
9 composed of the following members:

10 (A) Four individuals appointed by the Sec-
11 retary to represent the public, such as public
12 safety experts with knowledge of liquefied nat-
13 ural gas pipeline facility safety, academics, or
14 other qualified individuals.

15 (B) Four individuals appointed by the Sec-
16 retary to represent States and units of local
17 governments.

18 (C) Four individuals appointed by the Sec-
19 retary to represent the liquefied natural gas in-
20 dustry, two of whom shall represent large-scale
21 liquefied natural gas facilities, one from a
22 small-scale facility, and one with peak shaving
23 operations.

1 (D) Not less than one representative of the
2 following Federal regulatory agencies of juris-
3 diction:

4 (i) The Pipeline and Hazardous Mate-
5 rials Safety Administration.

6 (ii) The Maritime Administration.

7 (iii) The Federal Energy Regulatory
8 Commission.

9 (iv) The Coast Guard.

10 (5) REPORT TO THE SECRETARY.—Not later
11 than 2 years after the date of enactment of this Act,
12 the Committee shall—

13 (A) review regulations issued pursuant to
14 section 60103(d) of title 49, United States
15 Code for conformity with industry standards
16 that apply risk-based principles for process
17 safety practices; and

18 (B) provide a report and recommendation
19 to the Secretary on how to best align regula-
20 tions with industry standards that apply risk-
21 based principles for process safety practices.

22 (6) REPORT TO CONGRESS.—Not later than 90
23 days after the date of enactment of this Act, and not
24 less frequently than every 30 days thereafter until
25 the date on which all members of the Committee

1 have been appointed, the Secretary shall submit a
2 report to the Committee on Transportation and In-
3 frastructure of the House of Representatives, the
4 Committee on Energy and Commerce of the House
5 of Representatives, and the Committee on Com-
6 merce, Science, and Transportation of the Senate to
7 update Congress on the status of the Committee, the
8 progress of appointing members to the Committee,
9 and the identities of individuals appointed to the
10 Committee.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to the Department of
13 Transportation such sums as may be necessary to carry
14 out this section.

15 **SEC. 16. UNUSUALLY SENSITIVE AREAS.**

16 (a) IN GENERAL.—Not later than 90 days after the
17 date of enactment of this Act, the Secretary of Transpor-
18 tation shall complete the revision required under section
19 19(b) of the PIPES Act of 2016 (49 U.S.C. 60109 note).

20 (b) FURTHER REQUIREMENT.—In completing the re-
21 vision described in subsection (a), the Secretary of Trans-
22 portation shall use the following definitions:

23 (1) MARINE COASTAL WATER.—The term “ma-
24 rine coastal water” means the territorial sea of the
25 United States, the Great Lakes and their connecting

1 waters, the marine and estuarine waters of the
2 United States up to the head of tidal influence, and
3 the Exclusive Economic Zone as established by Pres-
4 idential Proclamation Number 5030, dated March
5 10, 1983.

6 (2) COASTAL BEACH.—The term “coastal
7 beach” means land between high and low water
8 marks in a marine coastal water.

9 **SEC. 17. WORKFORCE.**

10 (a) STAFFING.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment, the Secretary shall increase
13 the number of full-time equivalent employees (as
14 compared to the number of positions on the date of
15 enactment of this Act) by—

16 (A) at least 8 full-time employees with sub-
17 ject matter expertise in pipeline safety, pipeline
18 facilities, and pipeline systems to finalize out-
19 standing pipeline safety rulemakings and fulfill
20 mandates for the Office of Pipeline Safety of
21 the Pipeline and Hazardous Materials Safety
22 Administration; and

23 (B) at least 3 full-time attorneys with
24 pipeline industry of safety expertise in the Of-

1 fice of Chief Counsel of the Pipeline Hazardous
2 Materials Safety Administration.

3 (2) PIPELINE INSPECTION AND ENFORCEMENT
4 PERSONNEL.—The Secretary shall ensure that the
5 number of positions for pipeline inspection and en-
6 forcement personnel in the Office of Pipeline Safety
7 of the Pipeline and Hazardous Materials Safety Ad-
8 ministration does not fall below the following:

9 (A) 222 for fiscal year 2020.

10 (B) 233 for fiscal year 2021.

11 (C) 245 for fiscal year 2022.

12 (D) 258 for fiscal year 2023.

13 (E) 272 for fiscal year 2024.

14 (b) RECRUITMENT AND RETENTION AUTHORITIES.—
15 Not later than 30 days after the date of enactment of this
16 Act, the Secretary shall request authority from the Office
17 of Personnel Management to use incentives, as necessary,
18 to recruit and retain a qualified workforce, including—

19 (1) for inspection and enforcement personnel
20 and subject matter experts dedicated to rulemaking
21 activities in the Office of Pipeline Safety, including
22 the Liquefied Natural Gas division of the Pipeline
23 Hazardous Materials Safety Administration, as es-
24 tablished under section 16(b)—

1 (A) special pay rates permitted under sec-
2 tion 5305 of title 5, United States Code; and

3 (B) repayment of student loans accom-
4 panied by a continued service agreement, per-
5 mitted under section 5379 of title 5, United
6 States Code;

7 (2) for the Deputy Associate Administrator of
8 the Liquefied Natural Gas division in the Office of
9 Pipeline Safety, as established under section 16(b),
10 critical position pay permitted under section 5377 of
11 title 5, United States Code.

12 (c) REPORT TO CONGRESS.—

13 (1) IN GENERAL.—Not later than 60 days after
14 the date of enactment of this Act, the Administrator
15 shall transmit to the Committees on Transportation
16 and Infrastructure and the Committee on Energy
17 and Commerce of the House of Representatives, and
18 the Committee on Commerce, Science, and Trans-
19 portation of the Senate, a report that contains—

20 (A) the number of full-time personnel the
21 agency has hired to meet the requirements of
22 subsection (a), as well as the total number of
23 personnel employed by the Administrator;

24 (B) a description of the agency's efforts to
25 comply with subsection (b);

1 (C) a description of the personnel of the
2 Liquefied Natural Gas division in the Office of
3 Pipeline Safety, any impediments to hiring, and
4 any personnel constraints affecting the ability
5 of the agency to fulfill the authorities of such
6 division; and

7 (D) any other details associated with the
8 agency's progress toward fulfilling the staffing
9 levels and pursuing the financial incentives as
10 directed by this section.

11 (2) UPDATES TO REPORT.—Not later than 90
12 days after the date on which the report is trans-
13 mitted under paragraph (1) and not later than every
14 90 days thereafter until all statutory mandates
15 under this section are met, the Administrator shall
16 transmit an updated report that describes the ac-
17 tions taken since the previous report.

18 **SEC. 18. NATIONWIDE INTEGRATED PIPELINE SAFETY REG-**
19 **ULATORY DATABASE.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of enactment of this Act, the Secretary of Transpor-
22 tation shall submit to the Committee on Appropriations
23 of the House of Representatives and the Committee on
24 Appropriations of the Senate a report describing the re-
25 sources necessary for the Pipeline and Hazardous Mate-

1 rials Safety Administration to establish the national inte-
2 grated pipeline safety regulatory inspection database de-
3 scribed in the report required under section 11(a) of the
4 PIPES Act of 2016 (49 U.S.C. 60108 note).

5 (b) CONTENTS.—The report required to be submitted
6 under subsection (a) shall include—

7 (1) a description of the steps necessary for the
8 Pipeline and Hazardous Materials Safety Adminis-
9 tration and State pipeline regulators to establish
10 such database; and

11 (2) a timeline for the completion of such data-
12 base.

13 **SEC. 19. REGULATORY UPDATES.**

14 (a) OFFICE OF MANAGEMENT AND BUDGET REVIEW
15 OF REGULATIONS.—Not later than 5 days after the date
16 on which an outstanding regulation has been under review
17 by the Office of Management and Budget for more than
18 90 days, and every 15 days thereafter until the regulation
19 is published in the Federal Register, the Secretary of
20 Transportation shall notify the Committee on Transpor-
21 tation and Infrastructure of the House of Representatives,
22 the Committee on Energy and Commerce of the House
23 of Representatives, and the Committee on Commerce,
24 Science, and Transportation of the Senate that the out-

1 standing regulation remains under review by the Office of
2 Management and Budget.

3 (b) DEFINITION.—In this section, the term “out-
4 standing regulation” means a regulation regarding pipe-
5 line facilities required under this Act or an Act enacted
6 prior to the date of enactment of this Act for which a final
7 rule has not been published in the Federal Register.

8 **SEC. 20. CONSTRUCTION PROJECT APPROVALS.**

9 (a) IN GENERAL.—Not later than 1 year after the
10 date of enactment of this Act, the Secretary shall issue
11 such regulations as are necessary to require that before
12 a distribution pipeline construction project begins, the
13 plans for such project shall be approved by a professional
14 engineer, a subject matter expert, or other qualified pro-
15 fessional who possesses the necessary knowledge, experi-
16 ence, and skills regarding natural gas distribution sys-
17 tems, as determined by the Secretary.

18 (b) ACCESS TO RECORDS.—In issuing the regulations
19 under subsection (a), the Secretary shall ensure that the
20 any individuals approving projects under subsection (a)
21 are provided access to all relevant records and prior work
22 plans needed to approve the safety of the construction
23 project.

1 (c) APPLICATION.—Section 60118(e)(1) of title 49,
2 United States Code, shall not apply to a regulation issued
3 under subsection (a).

4 **SEC. 21. REPORT ON EMISSIONS.**

5 (a) ESTABLISHMENT.—Not later than 180 days after
6 the date of enactment of this Act, the Secretary of Trans-
7 portation shall enter into an agreement with the National
8 Academy of Sciences to conduct a study on technologies
9 and measures that reduce the amount of natural gas re-
10 leased during venting and blowdowns of natural gas dis-
11 tribution systems and transmission pipelines.

12 (b) CONSULTATION.—In carrying out the study, the
13 National Academy of Sciences may consult entities with
14 expertise in the causes and effects of natural gas releases
15 and the use of technologies or measures that prevent or
16 mitigate releases of natural gas during venting and
17 blowdowns of natural gas distribution systems and trans-
18 mission pipelines.

19 (d) REPORT.—

20 (1) IN GENERAL.—Not later than 18 months
21 after the date on which the National Academy of
22 Sciences initiates the study, the National Academy
23 of Sciences shall submit to the Committee on Trans-
24 portation and Infrastructure of the House of Rep-
25 resentatives, the Committee on Energy and Com-

1 merce of the House of Representatives, and the
2 Committee on Commerce, Science, and Transpor-
3 tation of the Senate a report on the technologies and
4 measures described in subsection (a).

5 (2) CONTENTS.—The report required under
6 paragraph (1) shall include—

7 (A) an analysis of the amount of natural
8 gas released during venting and blowdowns of
9 natural gas distribution systems and trans-
10 mission pipelines;

11 (B) an analysis of the environmental and
12 health impacts of releases of natural gas during
13 such venting and blowdowns; and

14 (C) an evaluation of pipeline technologies
15 or measures capable of safely and effectively re-
16 ducing the amount of natural gas released, in-
17 cluding—

18 (i) an analysis of the environmental
19 and health benefits resulting from lower
20 natural gas releases as a result of using
21 such technologies or measures;

22 (ii) an analysis of the economic value
23 of the natural gas that is prevented from
24 being released as a result of the tech-
25 nologies or measures;

- 1 (iii) an analysis of the cost of using
2 such technologies or measures, including
3 the cost to operators and any impacts on
4 pipeline safety and reliability;
- 5 (iv) an analysis of factors that affect
6 the feasibility and effectiveness of using
7 such technologies and measures; and
- 8 (v) a determination of whether the
9 benefits described in clauses (i) and (ii)
10 outweigh the costs described in clause (iii).

11 **SEC. 22. CHANGES IN CLASS LOCATION.**

12 Not later than 18 months after the date of enactment
13 of this Act, the Secretary of Transportation shall issue
14 final regulations that permit the use of integrity manage-
15 ment program requirements, or elements thereof, to man-
16 age the safety of gas transmission pipeline segments that
17 experience a change in class location. Such regulations
18 shall be an alternative to the requirements of section
19 192.611 of title 49, Code of Federal Regulations, as in
20 effect on the date of enactment of this Act.

