

S 235

Pipeline Safety Improvement Act of 2001

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Feb 1, 2001

Current Status: Referred to the Subcommittee on Energy and Air Quality, for a period to be subsequently determined b

Latest Action: Referred to the Subcommittee on Energy and Air Quality, for a period to be subsequently determined by the Chairman. (Mar 14, 2001)

Official Text: https://www.congress.gov/bill/107th-congress/senate-bill/235

Sponsor

Name: Sen. McCain, John [R-AZ]

Party: Republican • State: AZ • Chamber: Senate

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bingaman, Jeff [D-NM]	D · NM		Feb 1, 2001
Sen. Breaux, John B. [D-LA]	D · LA		Feb 1, 2001
Sen. Brownback, Sam [R-KS]	R · KS		Feb 1, 2001
Sen. Domenici, Pete V. [R-NM]	R · NM		Feb 1, 2001
Sen. Hollings, Ernest F. [D-SC]	D · SC		Feb 1, 2001
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Feb 1, 2001
Sen. Murray, Patty [D-WA]	D · WA		Feb 1, 2001
Sen. Smith, Gordon H. [R-OR]	R · OR		Feb 1, 2001
Sen. Landrieu, Mary L. [D-LA]	D · LA		Feb 6, 2001

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Mar 14, 2001
Transportation and Infrastructure Committee	House	Referred to	Feb 14, 2001

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
107 HR 3609	Related bill	<b>Dec 17, 2002:</b> Became Public Law No: 107-355.
107 HR 459	Related bill	<b>Mar 14, 2001:</b> Referred to the Subcommittee on Energy and Air Quality, for a period to be subsequently determined by the Chairman.
107 S 299	Related bill	<b>Feb 8, 2001:</b> Read twice and referred to the Committee on Commerce, Science, and Transportation.
107 S 141	Identical bill	<b>Jan 22, 2001:</b> Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S500-505)

Pipeline Safety Improvement Act of 2001 - Directs the Secretary of Transportation to: (1) implement the oil and gas pipeline safety improvement recommendations provided for in the Department of Transportation (DOT) Inspector General's Report (RT-2000-069); and (2) report every 90 days to specified congressional committees on the specific actions taken to implement them. Requires the DOT Inspector General to assess periodically for the same committees the Secretary's progress in doing so.

(Sec. 3) Directs the Secretary, the Administrator of Research and Special Program Administration, and the Director of the Office of Pipeline Safety to: (1) comply fully with certain Federal transportation law requirements to ensure timely responsiveness to National Transportation Safety Board recommendations about pipeline safety; and (2) make a copy of each recommendation on pipeline safety and response available to the public at reasonable cost.

(Sec. 4) Requires each pipeline operator, or, in the case of an intrastate pipeline facility operator, the appropriate State regulatory agency, to submit to the Secretary a plan designed to enhance the qualifications of pipeline personnel and reduce the likelihood of accidents and injuries.

(Sec. 5) Requires the Secretary to issue regulations requiring operators of natural gas transmission pipelines and of hazardous liquid pipelines to: (1) evaluate the risks to their pipeline facilities in environmentally sensitive areas and high-density population areas; and (2) adopt and implement a program for integrity management that reduces the risk of incident in those areas.

Directs the Secretary to require an operator's integrity management plan to be based on risk analysis and contain at least a five-year periodic assessment of pipeline integrity, clearly defined criteria, and measures that prevent and mitigate unintended releases.

Authorizes a State authority under contract with the Secretary to review and assess an operator's risk analyses and integrity management plans required for interstate pipelines located in that State.

Requires the Secretary to: (1) review and monitor such plans; and (2) establish a process for raising and addressing local safety concerns about pipeline integrity and the operator's pipeline integrity plan.

(Sec. 6) Amends Federal transportation law to revise the Secretary's authority to decide a pipeline facility is hazardous.

(Sec. 7) Revises the public education program requirements for gas pipeline facility owners or operators, including specified items. Applies such requirements to owners or operators of a hazardous liquid pipeline facility.

Requires an operator of a gas transmission or hazardous liquid pipeline facility to initiate and maintain liaison with the State emergency response commissions, and local emergency planning committees (or local fire, police, and other emergency response agencies in the absence of a committee) in the areas of pipeline right-of-way, established under the Emergency Planning and Community Right-To-Know Act of 1986 in each State in which it operates.

Requires an operator to make available, upon request, to the State emergency response commissions and local emergency planning committees, and in a standardized form to the Office of Pipeline Safety for public dissemination, specified information as well as the operator's integrity management program.

Requires the owner or operator of each gas or hazardous liquid pipeline facility to provide annually to the governing body of each municipality in which the pipeline facility is located a map identifying the facility's location.

(Sec. 8) Increases from \$25,000 to \$500,000 the civil penalty for each facility operator failure to: (1) mark accurately the location of pipeline facilities in the vicinity of a demolition, excavation, tunneling, or construction; or (2) comply with safety standards, prepare and carry out an inspection and maintenance plan, allow access to records, or allow required entries or inspections. Increases the maximum civil penalty for a related series of violations to \$1 million.

Authorizes a court to award temporary or permanent injunctive relief and to assess civil penalties in a civil action brought by the Attorney General to enforce pipeline safety law.

(Sec. 9) Authorizes the Secretary, if a State pipeline safety program certification is accepted, to make an agreement with a State authority authorizing it to: (1) participate in the oversight of interstate pipeline transportation, including a plan for the State authority to participate in special investigations involving incidents or new construction, as well as (subject to specified requirements) other activities involving interstate pipeline transportation; or (2) assume additional inspection or investigatory duties.

Allows the Secretary to end an agreement for the oversight of interstate pipeline transportation when the State authority has not complied with any provision of the agreement. Requires the Secretary to end such an agreement when: (1) gaps are found in the State authority's responsibilities for oversight of intrastate pipeline transportation; (2) the State actions under the agreement have failed to meet certain requirements; or (3) continued oversight participation by the State authority is not promoting pipeline safety.

(Sec. 10) Directs the Secretary to develop and implement a comprehensive plan for the collection and use of gas and hazardous liquid pipeline data to revise the causal categories on the accident report forms to eliminate overlapping and confusing categories and include subcategories. Requires the plan to include components to provide the capability to perform sound accident trend analysis and evaluations of pipeline operator performance using normalized accident data.

Requires any owner or operator of a hazardous liquid pipeline facility to report to the Secretary each release to the environment greater than five gallons of the hazardous liquid or carbon dioxide.

Directs the Secretary to establish a national depository of data on events and conditions, including spill histories and corrective actions for specific incidents, that can be used to evaluate the risk of, and to prevent, pipeline failures and releases.

(Sec. 11) Requires the Secretary, as part of the DOT research and development program, to direct research attention to the development of alternative technologies: (1) to expand the defect detection capabilities of internal inspection devices; (2) to inspect pipelines that cannot accommodate internal inspection devices available on the date of enactment; and (3) to develop innovative techniques measuring the structural integrity of pipelines.

Requires the Secretary, in coordination with the Secretary of Energy, to develop and implement an accelerated cooperative five-year program of research and development in specified technical areas to ensure the integrity of natural gas and hazardous liquid pipelines.

(Sec. 12) Directs the Secretary to arrange with the National Academy of Sciences to establish and manage the Pipeline Integrity Technical Advisory Committee, which shall advise the Secretary and the Secretary of Energy on the development and implementation of the five-year research, development, and demonstration program plan.

(Sec. 13) Authorizes appropriations with respect to gas and hazardous liquid, State grants, and the pipeline integrity program. Requires the transfer of specified amounts from the Oil Spill Liability Trust Fund to carry out authorized

programs.

(Sec. 14) Requires the operator involved in an accident the Department of Transportation or the National Transportation Safety Board investigates to: (1) make available to their representatives all records and information pertaining to the accident (including integrity management plans and test results); and (2) afford all reasonable assistance in such investigation.

Requires the Secretary to require an operator to relieve from performing certain activities, reassign, or place on leave until a specified time any employee carrying out a regulated activity who a corrective action order determines may have contributed substantially to an accident's cause.

(Sec. 15) Sets forth whistle blower protections prohibiting discrimination by pipeline operators or contractors or subcontractors against employees who: (1) provide information, directly or indirectly, to the employer or the Federal Government about any alleged violation of Federal law or regulations relating to pipeline safety; (2) file a related Federal proceeding; or (3) testify or otherwise assist or participate in such a proceeding.

Prescribes a Department of Labor complaint procedure for persons who believe they have been discharged or discriminated against by any person in violation of this prohibition.

(Sec. 16) Requires the Secretary to respond in writing within 90 days after receiving recommendations for improvements to pipeline safety from a State Governor-appointed advisory committee. Requires the Secretary's response to state: (1) what actions, if any, will be taken; and (2) the reasons for acting or not acting on any of such recommendations.

(Sec. 17) Directs the DOT Inspector General to analyze and report to specified congressional committees on: (1) DOT's assessment of fines and penalties on gas transmission and hazardous liquid pipelines, including the cost of corrective actions required by DOT in lieu of fines; and (2) recommendations for actions by the Secretary or Congress to ensure the fines assessed are an effective deterrent for reducing safety risks.

(Sec. 18) Authorizes the Secretary to study how best to preserve environmental resources in conjunction with maintaining pipeline rights-of-way.

(Sec. 19) Directs the Secretary of Energy to request the National Academy of Sciences to study and report to Congress on: (1) the causes of recent increases in the price of natural gas (including whether they have been caused by problems with the natural gas supply or by problems with the natural gas transmission system); (2) any Federal or State policies that may have contributed to the price increases; and (3) what Federal action would be necessary to improve the natural gas reserve supply during natural gas shortages and price increases, including determining the feasibility of a Federal strategic natural gas reserve system.

(Sec. 20) Directs the Federal Energy Regulatory Commission to study and report to specified congressional committees on the natural gas pipeline transmission network in New England, and natural gas storage facilities associated with it.

## Actions Timeline

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- **Mar 14, 2001:** Referred to the Subcommittee on Energy and Air Quality, for a period to be subsequently determined by the Chairman.
- **Feb 14, 2001:** Referred to the Subcommittee on Highways and Transit.
- **Feb 13, 2001:** Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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- **Feb 12, 2001:** Message on Senate action sent to the House.
- **Feb 12, 2001:** Received in the House.
- **Feb 12, 2001:** Held at the desk.
- **Feb 8, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S1176-1205)
- **Feb 8, 2001:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 98 - 0. Record Vote Number: 11.(text: CR S1200-1205)
- **Feb 8, 2001:** Passed Senate with amendments by Yea-Nay Vote. 98 - 0. Record Vote Number: 11. (text: CR S1200-1205)
- **Feb 6, 2001:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 8.
- **Feb 1, 2001:** Introduced in Senate
- **Feb 1, 2001:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.