

HR 5782

Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Transportation and Public Works

Introduced: Jul 13, 2006

Current Status: Became Public Law No: 109-468.

Latest Action: Became Public Law No: 109-468. (Dec 29, 2006)

Law: 109-468 (Enacted Dec 29, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/5782>

Sponsor

Name: Rep. Young, Don [R-AK-At Large]

Party: Republican • **State:** AK • **Chamber:** House

Cosponsors (23 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Jul 13, 2006
Rep. Bachus, Spencer [R-AL-6]	R · AL		Jul 24, 2006
Rep. Baker, Richard H. [R-LA-6]	R · LA		Jul 24, 2006
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Jul 24, 2006
Rep. Diaz-Balart, Mario [R-FL-25]	R · FL		Jul 24, 2006
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Jul 24, 2006
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Jul 24, 2006
Rep. Hayes, Robin [R-NC-8]	R · NC		Jul 24, 2006
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Jul 24, 2006
Rep. Kennedy, Mark R. [R-MN-6]	R · MN		Jul 24, 2006
Rep. Kuhl, John R. "Randy", Jr. [R-NY-29]	R · NY		Jul 24, 2006
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		Jul 24, 2006
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Jul 24, 2006
Rep. Mack, Connie [R-FL-14]	R · FL		Jul 24, 2006
Rep. Poe, Ted [R-TX-2]	R · TX		Jul 24, 2006
Rep. Porter, Jon C. [R-NV-3]	R · NV		Jul 24, 2006
Rep. Reichert, David G. [R-WA-8]	R · WA		Jul 24, 2006
Rep. Schmidt, Jean [R-OH-2]	R · OH		Jul 24, 2006
Resident Commissioner Fortuno, Luis G. [R-PR-At Large]	R · PR		Jul 24, 2006
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Sep 13, 2006
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Dec 5, 2006
Rep. Murphy, Tim [R-PA-18]	R · PA		Dec 5, 2006
Rep. Oberstar, James L. [D-MN-8]	D · MN		Dec 5, 2006

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Aug 1, 2006
Transportation and Infrastructure Committee	House	Discharged from	Jul 19, 2006

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
109 S 3961	Related bill	Nov 16, 2006: Committee on Commerce, Science, and Transportation. Hearings held.
109 HR 5678	Related bill	Jul 17, 2006: Referred to the Subcommittee on Energy and Air Quality, for a period to be subsequently determined by the Chairman .

Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 - (Sec. 2) Amends federal transportation law to add a new requirement to the one-call notification system requirements that prohibits a person engaging in demolition, excavation, tunneling, or construction in the vicinity of a natural gas or hazardous liquid pipeline from: (1) engaging in such activity without first using the state's one-call notification system to establish the location of the underground pipeline; (2) engaging in such activity in disregard of location information or markings established by a pipeline operator; and (3) failing to report promptly pipeline damage to a pipeline operator, or in the case of damage that results in the escape of flammable, toxic, or corrosive gas or liquid, calling 911. Subjects violators to a civil penalty of up to \$1 million.

Subjects to certain civil penalties any pipeline operator who fails to respond to a location request in order to prevent damage to a pipeline or fails to take reasonable steps to ensure accurate marking of the location of the pipeline in order to prevent damage to such pipeline. Prohibits federal imposition of penalties for violations of such requirements that occur in a state that has the authority to impose state penalties against persons who violate state damage prevention laws, unless the state's enforcement is inadequate to protect safety.

Requires state damage prevention programs to subject persons who violate program requirements to certain civil penalties and other enforcement actions.

Makes grants to states to improve their damage prevention programs if such states: (1) have an annual pipeline safety program certification or a pipeline safety agreement; and (2) have a qualified damage prevention program or demonstrate that they have made substantial progress toward establishing such a program. Sets forth required damage prevention program elements.

Increases the federal share for state pipeline safety grants from 50% to 80%.

Makes technology development grants to eligible organizations to prevent pipeline damage caused by demolition, excavation, tunneling, or construction activities.

(Sec. 3) Makes a grant to an appropriate entity to promote public education and awareness of the 811 national excavation damage prevention phone number. Authorizes appropriations through FY2008.

(Sec. 4) Directs the Secretary of Transportation (Secretary), not later than December 31, 2007, to issue regulations that subject low-stress hazardous liquid pipelines to the same standards as other hazardous liquid pipelines, except low-stress hazardous liquid pipelines that: (1) are subject to U.S. Coast Guard safety regulations; or (2) serve refining, manufacturing, or truck, rail, or vessel terminal facilities provided the pipeline is less than one mile long and does not cross an offshore area or waterway. Authorizes the Secretary to retain or remove such exceptions after such regulations become effective, as appropriate.

(Sec. 5) Revises pipeline safety information grants to communities provisions to include the technology development grants established by section 2 among the grants that must be made on a competitive basis. Requires at least the first three grants made under such provisions to be demonstration grants for the purpose of demonstrating and evaluating the utility of such grants. Authorizes appropriations through FY2010 for such grants.

(Sec. 6) Requires the Secretary, not later than December 31, 2007, to provide for pipeline safety enforcement transparency, including a monthly updated summary to the public of all gas and hazardous liquid pipeline enforcement actions taken by the Secretary or the Pipeline and Hazardous Materials Safety Administration.

(Sec. 7) Revises the terms "interstate gas pipeline facility" and "intrastate gas pipeline facility" to subject gas pipelines transporting gas from an interstate gas pipeline in a state to a direct sales customer in that state buying gas for its own consumption to federal pipeline safety requirements.

(Sec. 8) Directs the Secretaries of Transportation and Energy to conduct periodic analyses of the domestic transport capacity of petroleum products by pipeline. Directs the Secretaries to report to Congress, not later than June 1, 2008, on their recommendations to reduce the likelihood of shortages of petroleum products or price disruptions due to shortages of pipeline capacity.

(Sec. 9) Directs the Secretary, not later than December 31, 2007, to prescribe minimum standards for integrity management programs for distribution pipelines. Authorizes the Secretary to require operators of distribution pipelines to continually identify and assess risks on their distribution lines, to remediate conditions that present a potential threat to line integrity, and to monitor program effectiveness. Requires that the minimum standards require operators of natural gas distribution systems to install excess flow valves on, and report annually on the number of such valves installed on, single family residential service lines that are connected to a natural gas distribution system. Requires each operator of a distribution pipeline that the Secretary determines is subject to the prescribed minimum standards to develop and implement an integrity management program in accordance with those standards.

(Sec. 10) Authorizes the Secretary to waive federal pipeline safety requirements with respect to a pipeline operator for a period of not more than 60 days without prior notice and opportunity for public comment if: (1) it is in the public interest; and (2) such waiver is not inconsistent with pipeline safety and is necessary to address an emergency involving pipeline transportation (including an emergency caused by a natural or manmade disaster).

(Sec. 11) Authorizes the Secretary to assist with heads of federal and state agencies, and public and private agencies and persons, to restore pipeline operations that have been or are anticipated to become disrupted by manmade or natural disasters.

(Sec. 12) Directs the Secretary, not later than June 1, 2008, to issue regulations to require operators of natural gas or hazardous liquid pipelines to develop, implement, and submit for approval to the Secretary (or in the case of intrastate pipeline operators, to the appropriate state authority) a human factors management plan to reduce risks associated with human factors, including fatigue, in pipeline control centers.

(Sec. 13) Directs the Secretary, not later than December 31, 2007, to issue regulations to authorize the Secretary after determining that a pipeline has a condition that poses a pipeline integrity risk to public safety, property, or the environment to issue a safety order to the pipeline operator to take corrective action, including physical inspection, testing, repair, or other appropriate action, to remedy the condition.

(Sec. 14) Authorizes the Secretary to conduct certain proceedings against natural gas or hazardous liquid pipeline operators that have not adequately implemented a risk analysis or integrity management program.

(Sec. 15) Directs the Secretary, not later than December 31, 2007, to review incident reporting requirements for natural gas pipeline operators and modify reporting criteria as appropriate to ensure that incident data gathered accurately reflects incident trends over time, taking into consideration the recommendations from the Comptroller General in GAO report 06-946.

(Sec. 16) Requires the Secretary to establish procedures to require certification (signature) of annual and semiannual pipeline integrity management program performance reports by senior executive officers of companies operating

pipelines.

(Sec. 17) Authorizes the Secretary to require a person requesting a pipeline design safety review of a proposal to construct, expand, or operate a liquefied natural gas pipeline to pay associated staff costs related to such review. Directs the Secretary to deposit funds paid into the Treasury. Authorizes appropriations from such funds for natural gas and hazardous liquid pipeline related activities.

(Sec. 18) Authorizes appropriations for FY2007-FY2010 to the Department of Transportation (DOT) for natural gas and hazardous liquid pipeline safety, including pipeline integrity, safety, and reliability research and development activities. Earmarks amounts from the Oil Spill Liability Trust Fund for FY2007-FY2010 for such activities.

Requires the Secretary to ensure, under the program for making grants to state, county, and local governments in high consequence areas that the Secretary is authorized to establish for emergency response management, training, and technical assistance, to the extent that such grants are used to train emergency responders, that such responders are trained in the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving gas or hazardous liquid pipelines, in accordance with existing regulations.

Authorizes appropriations for FY2007-FY2010 for: (1) grants to improve state one-call notification programs; and (2) administrative expenses.

Prohibits staffing position levels for pipeline inspection and enforcement at the Pipeline and Hazardous Materials Safety Administration from falling below: (1) 100 for FY2007; (2) 111 for FY2008; (3) 123 for FY2009; and (4) 135 for FY2010.

(Sec. 19) Directs the Secretary, not later than June 1, 2008, to issue standards to implement specified recommendations in the National Transportation Safety Board's report entitled "Supervisory Control and Data Acquisition (SCADA) in Pipelines" and adopted November 29, 2005.

(Sec. 20) Directs the Secretary, not later than December 31, 2007, to amend accident reporting forms to require natural gas and hazardous liquid pipeline operators to provide data on controller fatigue.

(Sec. 21) Directs the Secretary, not later than December 31, 2007, to report to Congress on the inadequacies of current leak detection systems used by hazardous liquid pipeline operators, including a discussion of what can be done to foster the development of better technologies to address such inadequacies.

(Sec. 22) Directs the Secretary, in consultation with the Technical Hazardous Liquid Pipeline Safety Standards Committee and other appropriate entities, to review, and report to Congress on, certain federal internal corrosion control regulations to determine whether such regulations are currently adequate to ensure pipelines will not present a hazard to public safety or the environment.

(Sec. 23) Directs the Inspector General of DOT, not later than December 31, 2007, to assess, and report to Congress on, DOT actions in implementing the annex to the memorandum of understanding between the Secretary and the Secretary of Homeland Security, dated September 28, 2004, on pipeline security.

(Sec. 24) Authorizes the Secretary to award competitive grants to universities with pipeline safety and security expertise to establish jointly, in cooperation with the Pipeline and Hazardous Materials Safety Administration and representatives from states and boards of public utilities, a collaborative program to conduct pipeline safety and technical assistance programs. Requires certain reports to Congress. Authorizes appropriations for FY2007-FY2010.

(Sec. 25) Directs the Secretary to review and comment on the Comptroller General's assessment and evaluation of the effects on public safety and the environment of the integrity pipeline management program located in high-density and environmentally sensitive areas. Requires the Secretary to report to Congress on any legislative recommendations deemed appropriate to implement conclusions made in such report.

(Sec. 26) Amends the Pipeline Safety Improvement Act of 2002 to include as an element of the pipeline integrity, safety, and reliability research and development program research, development, demonstration, and standardization activities related to pipeline corrosion detection and improving methods, best practices, and technologies for identifying, detecting, preventing, and managing internal and external corrosion and other safety risks. Requires agency heads participating in such program to use the results of such activities to support development and improvement of national consensus standards.

Actions Timeline

- **Dec 29, 2006:** Signed by President.
- **Dec 29, 2006:** Signed by President.
- **Dec 29, 2006:** Became Public Law No: 109-468.
- **Dec 29, 2006:** Became Public Law No: 109-468.
- **Dec 20, 2006:** Presented to President.
- **Dec 20, 2006:** Presented to President.
- **Dec 7, 2006:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S11535-11536)
- **Dec 7, 2006:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S11535-11536)
- **Dec 7, 2006:** Message on Senate action sent to the House.
- **Dec 6, 2006:** Mr. Young (AK) moved to suspend the rules and pass the bill, as amended.
- **Dec 6, 2006:** Considered under suspension of the rules. (consideration: CR 12/7/2006 H8834-8845)
- **Dec 6, 2006:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5782.
- **Dec 6, 2006:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR 12/7/2006 H8834-8839)
- **Dec 6, 2006:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR 12/7/2006 H8834-8839)
- **Dec 6, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 6, 2006:** Received in the Senate, read twice.
- **Dec 5, 2006:** Reported (Amended) by the Committee on Transportation. H. Rept. 109-717, Part I.
- **Dec 5, 2006:** Reported (Amended) by the Committee on Transportation. H. Rept. 109-717, Part I.
- **Dec 5, 2006:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-717, Part II.
- **Dec 5, 2006:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-717, Part II.
- **Dec 5, 2006:** Placed on the Union Calendar, Calendar No. 429.
- **Sep 27, 2006:** Committee Consideration and Mark-up Session Held.
- **Sep 27, 2006:** Ordered to be Reported (Amended) by Voice Vote.
- **Aug 1, 2006:** Referred to the Subcommittee on Energy and Air Quality, for a period to be subsequently determined by the Chairman .
- **Jul 19, 2006:** Committee Consideration and Mark-up Session Held.
- **Jul 19, 2006:** Ordered to be Reported (Amended) by Voice Vote.
- **Jul 19, 2006:** Subcommittee on Highways, Transit and Pipelines Discharged.
- **Jul 14, 2006:** Referred to the Subcommittee on Highways, Transit and Pipelines.
- **Jul 13, 2006:** Introduced in House
- **Jul 13, 2006:** Introduced in House
- **Jul 13, 2006:** 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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