Sec. 7. Cast iron gas pipelines.

Sec. 4. Automatic and remote-controlled emergency shut-off systems.

Sec. 2. Civil penalties.

The text of the concurrent resolution is as follows:

H. CON. RES. 93

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 2845, the Clerk of the House of Representatives shall make the following correction: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE; DEFINITIONS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011”.

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal of a section or other provision is expressed to be made by this Act or a reference is made to any section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) DEFINITIONS.—

(1) APPLICABILITY OF CHAPTER 601 DEFINITIONS.—In this Act, any term defined in chapter 601 of title 49, United States Code, has the meaning given that term in that chapter.

(2) HIGH-CONSEQUENCE AREA.—In this Act, the term “high-consequence area” means an area described in section 60109(a) of title 49, United States Code.

SECTION 2. DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO CORRECT THE ENROLLMENT OF THE BILL H.R. 1540

Mr. McKEON. Madam Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The Speaker pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 92

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 1540, the Clerk of the House of Representatives shall strike subsection (b) of section 310 of title 37, United States Code, as inserted by section 616(a)(2) of the bill, and insert the following:

“(b) PAY AMOUNT.—(1) Except as provided in paragraph (2), the amount of special pay authorized by subsection (a) for qualifying service during a day or portion of a day shall be the amount equal to 1/30th of the maximum monthly amount of special pay payable to a member as specified in paragraph (3).

“(2) In the case of a member who is exposed to hostile fire or a hostile mine explosion event in or for a day or portion of a day, the Secretary concerned may, at the election of the Secretary, pay the member special pay under subsection (a) for such service in an amount not to exceed the maximum monthly amount of special pay payable to a member as specified in paragraph (3).

“(3) The maximum monthly amount of special pay payable to a member under this section for any month is $225.”

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR A CORRECTION TO THE ENROLLMENT OF THE BILL H.R. 2845

Mr. SHUSTER. Madam Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The Speaker pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 93

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 2845, the Clerk of the House of Representatives shall make the following correction: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE; DEFINITIONS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011”.

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal of a section or other provision is expressed to be made by this Act or a reference is made to any section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) DEFINITIONS.—

(1) APPLICABILITY OF CHAPTER 601 DEFINITIONS.—In this Act, any term defined in chapter 601 of title 49, United States Code, has the meaning given that term in that chapter.

(2) HIGH-CONSEQUENCE AREA.—In this Act, the term “high-consequence area” means an area described in section 60109(a) of title 49, United States Code.

TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; amendment of title 49, United States Code; definitions; table of contents.

Sec. 2. Civil penalties.

Sec. 3. Pipeline damage prevention.

Sec. 4. Automatic and remote-controlled shut-off valves.

Sec. 5. Integrity management.

Sec. 6. Public education and awareness.

Sec. 7. Cast iron gas pipeline replacement.

Sec. 8. Leak detection.

Sec. 9. Accident and incident notification.

Sec. 10. Transportation-related onshore facility response plan compliance.
Sec. 11. Pipeline infrastructure data collection.
Sec. 12. Transportation-related oil flow lines.
Sec. 13. Coordination for design reviews.
Sec. 15. Carbon dioxide pipelines.
Sec. 16. Study of transportation of diluted liquids transported by pipeline.
Sec. 17. Study of nonpetroleum hazardous liquids transported by pipeline.
Sec. 18. Clarifications.
Sec. 19. Maintenance of effort.
Sec. 20. Administrative enforcement process.
Sec. 21. Gas and hazardous liquid gathering lines.
Sec. 22. Excess flow valves.
Sec. 23. Maximum allowable operating pressures.
Sec. 24. Limitation on incorporation of documents by reference.
Sec. 25. Pipeline safety training for State and local government personnel.
Sec. 27. Report on pipeline projects.
Sec. 28. Cover over buried pipelines.
Sec. 29. Seismicity.
Sec. 30. Tribal consultation for pipeline projects.
Sec. 31. Pipeline inspection and enforcement needs.
Sec. 32. Authorization of appropriations.

SEC. 2. CIVIL PENALTIES.

(a) GENERAL PENALTIES; PENALTY CONSIDERATIONS.—Section 60122 is amended—
(1) in subsection (a)—
(A) in the first sentence by striking "$1,000,000" and inserting "$200,000"; and
(B) in the third sentence by striking "$1,000,000" and inserting "$2,000,000"; and
(2) in subsection (b)(1)(B) by striking "the ability to pay,".

(b) OPERATOR ASSISTANCE IN INVESTIGATIONS.—Section 60119(a) is amended—
(1) in the subsection heading by striking "AND WATER WORKS OPERATORS, "WATER WORKS, AND OTHER FINAL AGENCY ACTIONS"; and
(2) by striking "abstract application for a waiver under subsection 6108(a)(d) of this title" and inserting "under this chapter".

SEC. 3. PIPELINE DAMAGE PREVENTION.

(a) MINIMUM STANDARDS FOR STATE ONE-CALL NOTIFICATION PROGRAMS.—Section 6103(a) is amended to read as follows:
"(a) MINIMUM STANDARDS.—
(1) IN GENERAL.—In order to qualify for a grant under section 6106, a State one-call notification program may not be exempt municipalities, State agencies, or their contractors from the one-call notification system requirements of the program.

(b) STATE EXCAVATION PROGRAMS.—Section 60134(a) is amended—
(1) in paragraph (b) by striking "(b); and"; and
(2) by adding at the end the following:
"(3) REPORT.—Not later than 2 years after the date of enactment of this subsection, the Comptroller General shall submit to the Committee on Transportation and Infrastructure and the Committee on Commerce, Science, and Transportation of the House a report on the results of the study conducted under subsection (a), containing the Secretary's analysis and findings regarding—"
(1) expansion of integrity management requirements, or elements thereof, beyond high-consequence areas; and
(2) with respect to gas transmission pipeline facilities, whether applying the integrity management program requirements, or elements thereof, to additional areas would mitigate the need for class location requirements.
(d) Data Reporting.—The Secretary shall collect any relevant data necessary to complete the evaluation required by subsection (a).
(e) Technical Correction.—Section 60109(c)(1)(B) is amended to read as follows: "(B) Subject to paragraph (5), periodic reassessment intervals are a more effective alternative for monitoring requirements in high-consequence areas than annual reassessment intervals because the number of anomalies found in baselines assessments are complete when compared to the reassessment interval specified in section 60109(c)(2) of title 49, United States Code; (2) the number of anomalies found in baseline assessments required under section 60109(c)(3)(A) of title 49, United States Code, are calculated as the number of anomalies found in reassessment required under section 60109(c)(3)(B) of such title; and (3) the progress made in implementing the recommendations in GAO Report 06–945 and the current relevance of those recommendations that have not been implemented.

SEC. 6. PUBLIC EDUCATION AND AWARENESS.
(a) National Pipeline Mapping System.—Section 60132 is amended by adding at the end the following:
(1) maintain, as part of the National Pipeline Mapping System, a map of designated high-consequence areas (as described in section 60132(g)), with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(ii) maintain, as part of the National Pipeline Mapping System, a map of designated high-consequence areas (as described in section 60132(g)), with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(2) update the map biennially.
(b) Program to Promote Awareness of National Pipeline Mapping System.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and implement a program promoting greater awareness of the existence of the National Pipeline Mapping System to State and local emergency responders and other interested parties. The program shall include guidance on how to use the National Pipeline Mapping System to locate pipelines in communities and utilities and to develop community-specific information about their pipeline facilities to emergency response agencies of the communities and jurisdictions in which those facilities are located.
(c) Information to Emergency Response Agencies.—(1) GUIDANCE.—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue guidance to owners and operators of pipeline facilities on the importance of providing system-specific information about their pipeline facilities to emergency response agencies of the communities and jurisdictions in which those facilities are located.
(2) Consultation.—Before issuing guidance under paragraph (1), the Secretary shall consult with owners and operators of pipeline facilities to determine to which the owners and operators are already providing system-specific information about their pipeline facilities to emergency response agencies.
(d) Response Plans.—(1) IN GENERAL.—Chapter 601 is amended by adding at the end the following:
(2) LEAK DETECTION REPORT.—(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary, during the review period, may issue final regulations described in subparagraph (A), if any, to—(i) expand integrity management system requirements, or elements thereof, beyond high-consequence areas; and (ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(b) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary, during the review period, may issue final regulations described in subparagraph (A), if any, to—(i) expand integrity management system requirements, or elements thereof, beyond high-consequence areas; and (ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(3) CLERICAL AMENDMENT.—The analysis for chapter 601 is amended by adding at the end the following:
(4) CAST IRON GAS PIPELINES.—(a) FOLLOW-UP SURVEYS.—Section 60109(d) is amended by adding at the end the following:
(b) STATUS REPORT.—Not later than December 31, 2013, the Secretary of Transportation shall transmit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—(i) identifies the total mileage of cast iron gas pipelines in the United States; and (ii) evaluates the progress that owners and operators of pipeline facilities have made in implementing their plans for the safe management and replacement of cast iron gas pipelines.

SEC. 8. LEAK DETECTION.
(a) LEAK DETECTION REPORT.—(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on leak detection systems utilized by operators of hazardous liquid pipeline facilities and transportation-related flow lines.
(b) CONTENTS.—The report shall include—(i) an analysis of the technical limitations of leak detection technologies, including the ability of the systems to detect ruptures and small leaks that are ongoing or intermittent, and what can be done to foster development of better technologies; and (ii) an analysis of the practicability of establishing technically, operationally, and economically feasible standards for the capability of such systems to detect leaks, and the safety benefits and adverse consequences of requiring operators to use leak detection systems.
(c) Rulemaking Requirements.—(1) REVIEW PERIOD DEFINED.—In this subsection, the term ‘‘review period’’ means the period beginning on the date of enactment of this Act and ending on the earlier of—(A) the date that is 1 year after the date of enactment of this Act and ending on the earlier of—(B) the date that is 2 years after the date of enactment of this Act.
(2) RELATIONSHIP TO FOIA.—Nothing in this section may be construed to require disclosure of information or records that are exempt from disclosure under section 552 of title 5.
(3) CLERICAL AMENDMENT.—The analysis for chapter 601 is amended by adding at the end the following:
(4) LEAK DETECTION REPORT.—(a) LEAK DETECTION REPORT.—(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary, during the review period, may issue final regulations described in subparagraph (A), if any, to—(i) expand integrity management system requirements, or elements thereof, beyond high-consequence areas; and (ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(3) Public Education and Awareness.—(1) IN GENERAL.—Chapter 601 of title 49, Code of Federal Regulations, including information described in section 1520.5(a) of title 49, Code of Federal Regulations;
(5) RESPONSE PLANS.—(1) IN GENERAL.—Chapter 601 is amended by adding at the end the following:
(2) LEAK DETECTION REPORT.—(a) LEAK DETECTION REPORT.—(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary, during the review period, may issue final regulations described in subparagraph (A), if any, to—(i) expand integrity management system requirements, or elements thereof, beyond high-consequence areas; and (ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(c) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary, during the review period, may issue final regulations described in subparagraph (A), if any, to—(i) expand integrity management system requirements, or elements thereof, beyond high-consequence areas; and (ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(3) CLERICAL AMENDMENT.—The analysis for chapter 601 is amended by adding at the end the following:
(4) CAST IRON GAS PIPELINES.—(a) FOLLOW-UP SURVEYS.—Section 60109(d) is amended by adding at the end the following:
(b) STATUS REPORT.—Not later than December 31, 2012, and every 2 years thereafter, the Secretary shall conduct a follow-up survey to measure the progress that owners and operators of pipeline facilities have made in adopting and implementing their plans for the safe management and replacement of cast iron gas pipelines.

SEC. 7. CAST IRON GAS PIPELINES.
(a) FOLLOW-UP SURVEYS.—Section 60109(d) is amended by adding at the end the following:
(b) STATUS REPORT.—Not later than December 31, 2013, the Secretary of Transportation shall transmit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—(i) identifies the total mileage of cast iron gas pipelines in the United States; and (ii) evaluates the progress that owners and operators of pipeline facilities have made in implementing their plans for the safe management and replacement of cast iron gas pipelines.

SEC. 8. LEAK DETECTION.
(a) LEAK DETECTION REPORT.—(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary, during the review period, may issue final regulations described in subparagraph (A), if any, to—(i) expand integrity management system requirements, or elements thereof, beyond high-consequence areas; and (ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(c) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary, during the review period, may issue final regulations described in subparagraph (A), if any, to—(i) expand integrity management system requirements, or elements thereof, beyond high-consequence areas; and (ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, beyond high-consequence areas; and
(3) CLERICAL AMENDMENT.—The analysis for chapter 601 is amended by adding at the end the following:
(4) CAST IRON GAS PIPELINES.—(a) FOLLOW-UP SURVEYS.—Section 60109(d) is amended by adding at the end the following:
(b) STATUS REPORT.—Not later than December 31, 2012, and every 2 years thereafter, the Secretary shall conduct a follow-up survey to measure the progress that owners and operators of pipeline facilities have made in adopting and implementing their plans for the safe management and replacement of cast iron gas pipelines.
the capability of leak detection systems to detect leaks, the Secretary shall issue final regulations that—

(A) require operators of hazardous liquid pipelines or transportation-related oil flow lines to implement leak detection systems that are practicable; and

(B) establish technically, operationally, and economically feasible standards for the capability of such systems to detect leaks.

(4) SAVINGS CLAUSE.—

(A) IN GENERAL.—Notwithstanding any other provision of this subsection, the Secretary may not disclose information collected pursuant to subsection (a) except to the extent permitted by section 552 of title 5.

SEC. 11. PIPELINE INFRASTRUCTURE DATA COLLECTION.

(a) IN GENERAL.—Section 60132(a)(9) is amended—

(1) by striking "use", and in the place struck inserting "use or"

(2) by striking the last full sentence and inserting in its place the following:

"(9) 'use' means that the Secretary shall develop a national pipeline facility construction project in which the Secretary will conduct design reviews, the person proposing the project shall notify the Secretary and provide the Secretary with the specifications, construction plans and procedures, and related materials at least 120 days prior to the commencement of construction. To the maximum extent practicable, not later than 90 days after receiving such design specifications, construction plans and procedures, and related materials, the Secretary shall provide the individual with comments, feedback, and guidance on the project.

(3) PIPELINE SAFETY DESIGN REVIEW FUND.

(A) ESTABLISHMENT.—There is established a Pipeline Safety Design Review Fund in the Treasury of the United States.

(B) DEPOSITS.—The Secretary shall deposit funds paid under this subsection into the Fund.

(C) USE.—Amounts in the Fund shall be available to the Secretary, in amounts specified in appropriations Acts, to offset the costs of conducting facility design safety reviews under this subsection.

(4) NO ADDITIONAL PERMITTING AUTHORIZATION.—Nothing in this subsection authorizes the Secretary to require a person to obtain a permit before beginning design and construction in connection with a project described in paragraph (1)(B).".

(b) GUIDANCE.—Not later than 1 year after the effective date of this Act, the Secretary of Transportation shall provide the Assistant Secretary for Pipeline and Hazardous Materials Safety and Related Materials, the Secretary of the Treasury, the National Response Center, and other appropriate agencies with guidance on the project described in paragraph (1)(B).

SEC. 12. TRANSPORTATION-RELATED OIL FLOW LINES.

Section 60132 as amended by this Act, is further amended by adding at the end the following:

(0) TRANSPORTATION-RELATED OIL FLOW LINES.—

(1) DATA COLLECTION.—The Secretary may obtain information on transportation-related oil flow lines and the amount of oil flowing on them for the purposes of evaluating the need for regulations, assessing the effectiveness of existing regulations, and improving the efficiency of regulation.

(2) TRANSPORTATION-RELATED OIL FLOW LINE DEFINITION.—In this section, the term 'transportation-related oil flow line' means a pipeline transporting oil off of the grounds of wells.''

SEC. 13. COST RECOVERY FOR DESIGN REVIEWS.

(a) IN GENERAL.—Section 60117(a) is amended to read as follows:

(1) COST RECOVERY FOR DESIGN REVIEWS.—

(i) IN GENERAL.—

(A) REQUIREMENT.—For any project described in paragraph (4) of section 60301 for the same design safety review.

(B) PROJECTS TO WHICH APPLICABLE.—Subparagraph (C) applies to projects for which—

(i) require a person to obtain a permit before beginning design and construction in connection with a project described in paragraph (1)(B).".

(b) GUIDANCE.—Not later than 1 year after the effective date of this Act, the Secretary of Transportation shall provide the Assistant Secretary for Pipeline and Hazardous Materials Safety and Related Materials, the Secretary of the Treasury, the National Response Center, and other appropriate agencies with guidance on the project described in paragraph (1)(B).

SEC. 14. BIOFUEL PIPELINES.

Section 60114(a)(4) is amended—

(1) by striking "(and)" after the semicolon:

(2) by redesignating subparagraph (B) as paragraph (C); and

(3) by inserting after paragraph (A) the following:

(B) PROJECTS TO WHICH APPLICABLE.—Subparagraph (A) applies to projects for which the Secretary exercises the cost recovery authority described in this paragraph.

(C) COSTS.—The Secretary shall regulate''.

SEC. 15. CARBON DIOXIDE PIPELINES.

Section 60121 is amended—

(1) by striking ""The Secretary shall regulate"" and inserting the following:

(ii) TRANSPORTATION IN LIQUID STATE.—The Secretary shall regulate";

(2) by adding at the end the following new paragraph:

(G) TRANSPORTATION IN GASEOUS STATE.—

(A) REQUIREMENT.—The Secretary shall prescribe minimum safety standards for the transportation of carbon dioxide by pipeline in a gaseous state.

(B) CONSIDERATIONS.—In establishing the standards, the Secretary shall consider whether applying the minimum safety standards in part 195 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act, the Secretary shall regulate''.

(c) AMENDMENTS.—Subsection (b) of section 60117 is amended by adding at the end the following:

(iii) TRANSPORTATION IN LIQUID STATE.—The Secretary shall regulate";

(3) by adding at the end the following new paragraph:

(G) TRANSPORTATION IN GASEOUS STATE.—

(A) REQUIREMENT.—The Secretary shall prescribe minimum safety standards for the transportation of carbon dioxide by pipeline in a gaseous state.

(B) CONSIDERATIONS.—In establishing the standards, the Secretary shall consider whether applying the minimum safety standards in part 195 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act, the Secretary shall regulate''.

SEC. 10. TRANSPORTATION-RELATED ONSHORE FACILITY RESPONSE PLAN COMPLIANCE.

(a) IN GENERAL.—Subparagraphs (A) and (B) of section 311(b)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1322(b)(3)) are each amended by striking "Administrator" and inserting "Secretary", (B) CONFORMING AMENDMENT.—Subsection (b) of section 311(b)(6)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1322(b)(6)(A)) is amended by striking "Secretary" and inserting "Secretary of Transportation", or

(1) have design and construction costs totaling at least $2,500,000,000, as periodically adjusted by the Secretary to take into account increases in the Consumer Price Index for all urban consumers published by the Department of Labor, based on—

(i) the cost estimate provided to the Federal Energy Regulatory Commission in an application for a certificate of public convenience and necessity for a gas pipeline facility or an application for authorization for a liquid natural gas pipeline facility; or

(ii) a good faith estimate developed by the Secretary based on data, if the Secretary determines that such data, if the Secretary determines that such data
pipeline at production, refining, or manufacturing facilities.’’.

SEC. 16. STUDY OF TRANSPORTATION OF DILUTED BITUMEN.

Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall complete a comprehensive review of hazardous liquid pipeline facility regulations to determine whether the regulations are sufficient to regulate pipeline facilities used for the transportation of diluted bitumen. In conducting the review, the Secretary shall conduct an analysis of whether any increase in the risk of a release exists for pipeline facilities transporting diluted bitumen. The Secretary shall report the results of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives.

SEC. 17. STUDY OF NONPETROLEUM HAZARDOUS LIQUIDS TRANSPORTED BY PIPELINE.

The Secretary of Transportation may conduct an analysis of the transportation of nonpetroleum hazardous liquids by pipeline facilities across land areas not owned by the producer that are accessible to the public. The analysis should identify the extent to which such pipeline facilities may present significant risks to public safety, property, or the environment in the absence of regulation. The results of the analysis shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives.

SEC. 18. CLARIFICATIONS.

(a) INSPECTION AND MAINTENANCE.—Section 60108(a)(1) is amended by striking ‘‘an intra-state pipeline’’ and inserting ‘‘a’’.
(b) REPORTING.—Section 60108(a)(2)(A) is amended by striking ‘‘owners and operators’’ and inserting ‘‘any or all of the owners or operators’’.

SEC. 19. MAINTENANCE OF EFFORT.

Section 60107(b) is amended by adding at the end the following: ‘‘Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the review.”

SEC. 20. ADMINISTRATIVE ENFORCEMENT PROCEDURE.

(a) ISSUANCE OF REGULATIONS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall issue regulations—

(A) requiring hearings under sections 60112, 60117, 60118, and 60122 of title 49, United States Code, to be convened before a presiding official;

(B) providing for the opportunity for any person requesting a hearing under section 60112, 60117, 60118, or 60122 to submit for the transcript of the hearing, at the expense of the requesting person;

(C) ensuring expedited review of any order issued pursuant to section 60112(e) of such title;

(D) implementing a separation of functions between personnel involved with the investigation and prosecution of an enforcement case and advising the Secretary on findings and determinations; and

(E) providing for a public hearing or other appropriate communication relevant to the question to be decided in such a case by parties to an investigation or hearing.

(2) PRESIDING OFFICIAL.—The regulations issued under this subsection shall—

(A) define the term ‘‘presiding official’’ to mean the person who conducts any hearing relating to citation, civil penalty orders, safety orders, or corrective action orders; and

(B) require that the presiding official be an attorney or operator described in the Deputy Chief Counsel of the Pipeline and Hazardous Materials Safety Administration that is not engaged in investigative or prosecutorial functions.

(3) EXPEDITED REVIEW.—The regulations issued under this subsection shall define the term ‘‘expedited review’’ for the purposes of paragraph (1)(C).

(b) STANDARDS OF JUDICIAL REVIEW.—Section 60119(a) is amended by adding at the end the following:

‘‘(3) A judicial review of agency action under this section shall apply the standards of review established in section 706 of title 5.’’

SEC. 21. GAS AND HAZARDOUS LIQUID GATHERING LINES.

(a) REVIEW.—The Secretary of Transportation shall conduct a review of existing Federal and State regulations for gas and hazardous liquid gathering lines located onshore and offshore in the United States, including within the inlets of the Gulf of Mexico, to ensure the safety of the pipelines.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the review.

(2) RECOMMENDATIONS.—The report shall include the Secretary’s recommendations with respect to—

(A) the sufficiency of existing Federal and State laws and regulations to ensure the safety of gas and hazardous liquid gathering lines;

(B) the economic impacts, technical practicability, and challenges of applying existing Federal regulations to gathering lines that are not currently subject to Federal regulation when compared to the public safety benefits; and

(C) subject to a risk-based assessment, the need to modify or revoke existing exemptions from Federal regulation for gas and hazardous liquid gathering lines.

(c) OFFSHORE GATHERING LINES.—Section 60119(c) is amended by adding at the end the following:

‘‘(8) If, after reviewing existing Federal and State regulations for hazardous liquid gathering lines located offshore in the United States, including within the inlets of the Gulf of Mexico, the Secretary determines it is appropriate, the Secretary shall issue regulations to subject to the notice and an opportunity for a hearing, subjecting offshore hazardous liquid gathering lines and hazardous liquid gathering lines located within the inlets of the Gulf of Mexico to the same standards and regulations as other hazardous liquid gathering lines. The regulations issued under this subsection shall not apply to production pipelines or flow lines.’’

SEC. 22. EXCESS FLOW VALVES.

Section 60108(b)(3) is amended by—

(1) redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after paragraph (A) the following:

‘‘(B) DISTRIBUTION BRANCH SERVICES, MULTI-FAMILY FACILITIES, AND SMALL COMMERCIAL FACILITIES.—Not later than 2 years after the date of enactment of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, and after issuing a final report on the evaluation of the National Transportation Safety Board’s recommendation on excess flow valves in applications other than service lines serving one single family residence, the Secretary, if appropriate, shall by regulation require the use of excess flow valves, or equivalent technology, where economically, technically, and operationally feasible on new or entirely replaced distribution branch services, multi-family facilities, and small commercial facilities.’’

SEC. 23. MAXIMUM ALLOWABLE OPERATING PRESSURE.

(a) IN GENERAL.—Chapter 601, as amended by this Act, is further amended by adding at the end the following:

‘‘60135. Maximum allowable operating pressure.

‘‘(a) VERIFICATION OF RECORDS.—

‘‘(1) IN GENERAL.—The Secretary of Transportation shall require each owner or operator of a pipeline facility to conduct, not later than 6 months after the date of enactment of this section, a verification of the records of the owner or operator relating to the operate and transmission pipelines of the owner or operator in class 3 and class 4 locations and class 1 and class 2 high-consequence areas.

‘‘(2) PURPOSE.—The purpose of the verification shall be to ensure that the records accurately reflect the physical and operational characteristics of the pipelines described in paragraph (1) and confirm the established maximum allowable operating pressure of the pipelines.

‘‘(b) VERIFICATION PROCESS.—The verification process under this subsection shall include such elements as the Secretary considers appropriate.

‘‘(b) REPORTING.—

‘‘(1) DOCUMENTATION OF CERTAIN PIPELINES.—Not later than 18 months after the date of enactment of this Act, each owner or operator of a pipeline facility shall identify and submit to the Secretary documentation relating to each pipeline segment of the owner or operator described in subsection (a)(1) for which the records of the owner or operator are insufficient to confirm the established maximum allowable operating pressure of the segment.

‘‘(2) EXEMPTION FOR LINES WITH MAXIMUM ALLOWABLE OPERATING PRESSURE.—If there is an exceedance of the maximum allowable operating pressure with respect to a gas transmission pipeline of an owner or operator of a pipeline facility that exceeds the build-up allowed for operation of pressure-limiting or control devices, the owner or operator shall report the exceedance to the Secretary and appropriate State authorities on or before the 5th day following the date on which the exceedance occurs.

‘‘(c) DETERMINATION OF MAXIMUM ALLOWABLE OPERATING PRESSURE.—

‘‘(1) IN GENERAL.—In the case of a transmission pipeline of an owner or operator described in subsection (b)(1), the Secretary shall—
"(A) require the owner or operator to reconfirm a maximum allowable operating pressure as expeditiously as economically feasible; and

"(B) determine what actions are appropriate for the pipeline owner or operator to take to maintain safety until a maximum allowable operating pressure is confirmed.

SEC. 24. LIMITATION ON INCORPORATION OF DOCUMENTS BY REFERENCE. Section 60102, as amended by this Act, is further amended by adding at the end the following:

"(p) LIMITATION ON INCORPORATION OF DOCUMENTS BY REFERENCE.—Beginning 1 year after the date of enactment of this Act, the Comptroller General shall submit to the committees referred to in subparagraph (A), the Secretaries of Transportation and Commerce, and the Federal Energy Regulatory Commission a report assessing the levels and types of participation of minority-owned business enterprises, woman-owned business enterprises, disadvantaged business enterprises, woman-owned business enterprises, and disadvantaged business enterprises in pipeline projects, the relationship between the States and the Federal Government in issuing such permits, and any recommendations from the States for improving the permitting process.

SEC. 25. PIPELINE SAFETY TRAINING FOR STATE AND LOCAL GOVERNMENT PERSONNEL.

(a) In General.—To further the objectives of chapter 601 of title 49, United States Code, the Secretary of Transportation may provide the services of personnel from the Pipeline and Hazardous Materials Safety Administration to provide training for State and local government personnel at a pipeline safety training facility that is established and operated by an agency or instrumentality of the United States, the State or local government, or an educational institution.

(b) Reimbursements for Training Expenditures.—

(1) In General.—Notwithstanding any other provision of law, the Secretary may require reimbursement from sources other than the Federal Government for all expenses incurred by the Secretary in providing training for State and local government personnel under subsection (a), including, but not limited to, travel, transportation for Pipeline and Hazardous Materials Safety Administration personnel, and the cost of training materials.

"(2) Determination of Appropriations.—Amounts collected as reimbursement under paragraph (1) are authorized to be appropriated for the purposes set forth in chapter 601 of title 49, United States Code.

SEC. 26. REPORT ON MINORITY-OWNED, WOMAN-OWNED, AND DISADVANTAGED BUSINESSES.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the House of Representatives a comprehensive report on the participation of minority-owned business enterprises, woman-owned business enterprises, disadvantaged business enterprises, woman-owned business enterprises, and disadvantaged business enterprises in pipeline projects, the relationship between the States and the Federal Government in issuing such permits, and any recommendations from the States for improving the permitting process.

(-continued-)

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(1) on or before September 30, 2014, the Secretary fills the 135 full-time equivalent positions for pipeline inspection and enforcement personnel specified in section 18(e) of the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (120 Stat. 3398); and
(2) in preparing the report under subsection (a), the Secretary finds that additional pipeline inspection and enforcement personnel are necessary.

SEC. 32. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125(a) is amended to read as follows:

“(a) GAS AND HAZARDOUS LIQUID.—

“(1) IN GENERAL.—To carry out the provisions of this chapter related to gas and hazardous liquids under section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355), there is authorized to be appropriated to the Secretary to provide grants under this section and in the implementation of the program every 2 years. The biennial report shall include a summary of updated research needs and priorities identified through the consultation requirements of paragraph (2).”

(2)咨询服务.—The Secretary shall comply with the consultation requirements of paragraph (2) when preparing the program plan and in the implementation of program-wide research and development projects.

“(C) FUNDING FROM NON-FEDERAL SOURCES.—The Secretary shall ensure at least 30 percent of the costs of program-wide research and development activities are carried out using non-Federal sources.”

(2) in subsection (i) by striking ‘‘2003 through 2006.’’ and inserting ‘‘2012 through 2015.’’.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. AUSTIN SCOTT of Georgia). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules and pass the bill (H.R. 443) to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska, as amended.

The Chair recognizes the gentleman from the Northern Mariana Islands (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 443) to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska, as amended.

The Speaker, I move to suspend the rules and pass the bill (H.R. 443) to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska, as amended.

Mr. Speaker, I yield myself such time as I may consume.

H.R. 443 is sponsored by our colleague from Alaska (Mr. YOUNG). The legislation directs the Indian Health Service to transfer three parcels of Federal land in Alaska to the Maniilaq Association. The association is a nonprofit entity that runs federal Indian health services for Native people in northwest Alaska. The parcels of land subject to this legislation, which total about 15

Self-Determination and Education Assistance Act (25 U.S.C. 458aaa–11(c)(2)(B)).

SEC. 2. PROPERTY DESCRIBED.

The property, including all land and appurtenances, to be conveyed pursuant to section 1 is as follows:

(1) KOTZEBUE HOSPITAL AND LAND.—Re-Plat of Friends Mission Reserve, Subdivision No. 2, U.S. Survey 2062, Lot 1, Block 12, Kotzebue, Alaska, containing 5.229 acres recorded in the Kotzebue Recording District, Kotzebue, Alaska, on August 18, 2009.


SEC. 3. ENVIRONMENTAL LIABILITY.

(a) IN GENERAL.—Notwithstanding any other provision of Federal law, the Maniilaq Association shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination, including or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal law, on any property described in section 2 as of the date of the conveyance.

(b) EASEMENT.—The Secretary shall accord any easement or property conveyed as may be reasonably necessary to satisfy any retained obligations and liability of the Secretary.

(c) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND LIABILITY.—The Secretary shall comply with section 120(h)(3)(A) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)(A)).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington? There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

H.R. 443 is sponsored by our colleague from Alaska (Mr. YOUNG). The legislation directs the Indian Health Service to transfer three parcels of Federal land in Alaska to the Maniilaq Association. The association is a nonprofit entity that runs federal Indian health services for Native people in northwest Alaska. The parcels of land subject to this legislation, which total about 15