

104TH CONGRESS
1ST SESSION

H. R. 1187

To increase the safety for the public health and the environment by reducing the risks associated with the pipeline transportation of natural gas and hazardous liquids, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1995

Mr. PETRI (by request) (for himself and Mr. LAUGHLIN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on 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

A BILL

To increase the safety for the public health and the environment by reducing the risks associated with the pipeline transportation of natural gas and hazardous liquids, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Pipeline Safety Act of 1995”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 49, United States Code, and to the Secretary of
Transportation.

Sec. 3. Definitions.

Sec. 4. General authority.

Sec. 5. Risk management.

Sec. 6. Standards for liquefied natural gas pipeline facilities.

Sec. 7. Inspection and maintenance.

Sec. 8. High-density population areas and environmentally sensitive areas.

Sec. 9. Excess flow valves.

Sec. 10. Pipeline facilities hazardous to life and property.

Sec. 11. Customer-owned natural gas service lines.

Sec. 12. One-call notification systems.

Sec. 13. Technical safety standards committees.

Sec. 14. Public education programs.

Sec. 15. Compliance and waivers.

Sec. 16. Authorization of appropriations.

3 **SEC. 2. REFERENCES TO TITLE 49, UNITED STATES CODE,**
4 **AND TO THE SECRETARY OF TRANSPOR-**
5 **TATION.**

6 (a) REFERENCES TO TITLE 49.—Except as otherwise
7 expressly provided, whenever in this Act an amendment
8 or repeal is expressed in terms of an amendment to, or
9 repeal of, a section or other provision, the reference shall
10 be considered to be made to a section or other provision
11 of title 49, United States Code.

12 (b) REFERENCES TO THE SECRETARY OF TRANSPOR-
13 TATION.—Except as otherwise expressly provided, any ref-
14 erence in this Act to “the Secretary” is a reference to the
15 Secretary of Transportation.

1 **SEC. 3. DEFINITIONS.**

2 Section 60101 of title 49, United States Code,
3 “Transportation” (originally enacted as the Natural Gas
4 Pipeline Safety Act of 1968 and the Hazardous Liquid
5 Pipeline Safety Act of 1979) is amended—

6 (1) by redesignating paragraphs (a)(1) through
7 (a)(19) as paragraphs (a)(4) through (a)(22).

8 (2) by redesignating paragraph (a)(20) as para-
9 graph (a)(27).

10 (3) by redesignating paragraph (a)(21) as para-
11 graph (a)(29), and by striking all the words in para-
12 graph (a)(29(B) and inserting in lieu thereof the fol-
13 lowing: “does not include the gathering of gas in
14 those rural locations which are outside the limits of
15 any incorporated or unincorporated city, town, or
16 village.”

17 (4) by redesignating paragraph (a)(22) as para-
18 graph (a)(30).

19 (5) by inserting the following new definitions as
20 paragraphs (a)(1) through (a)(3):

21 “(1) ‘Best estimate’ means a scientifically ap-
22 propriate estimate which is based, to the extent fea-
23 sible, on one of the following:

24 “(A) Central estimates of risk using the
25 most plausible assumptions.

1 “(B) An approach which combines multiple
2 estimates based on different scenarios and
3 weighs the probability of each scenario.

4 “(C) Any other methodology designed to
5 provide the most unbiased representation of the
6 most plausible level of risk, given the current
7 scientific information available to the Federal
8 agency concerned.

9 “(2) ‘Benefit’ means the reasonably identifiable
10 significant health, safety, environmental, social and
11 economic benefits that are expected to result directly
12 or indirectly from implementation of a rule or alter-
13 native strategy.

14 “(3) ‘Costs’ means the direct and indirect costs
15 to the United States Government, to State, local,
16 and tribal governments, and to the private sector,
17 wage earners, consumers, and the economy, of im-
18 plementing and complying with a rule or alternative
19 strategy.’”.

20 (6) by inserting the following new definitions as
21 paragraphs (a)(23) through (a)(26):

22 “(23) ‘Risk assessment document’ means a doc-
23 ument containing the explanation of how hazards as-
24 sociated with a substance, activity, or condition have
25 been identified, quantified, and assessed. The term

1 also includes a written statement accepting the find-
2 ings of any such document.

3 “(24) ‘Risk management’ means the systematic
4 application, by the owner or operator of a pipeline
5 facility, of management policies, procedures, finite
6 resources and practices to the tasks of analyzing, as-
7 ssuming and controlling risk in order to protect em-
8 ployees, the general public, the environment and
9 pipeline facilities.

10 “(25) ‘Risk management plan’ means a man-
11 agement plan utilized by a natural gas or hazardous
12 liquid pipeline owner or operator that encompasses
13 risk management.

14 “(26) ‘Significant standard’ means any safety
15 or environmental standard or regulatory requirement
16 or closely related group of safety or environmental
17 standards or regulatory requirements that is likely
18 to result in compliance costs in excess of
19 \$1,000,000.

20 (7) By inserting the following new definition as
21 paragraph (a)(28):

22 “(28) ‘Substitution risk’ means a potential risk
23 to human health, safety, or the environment from a
24 regulatory alternative designed to decrease other
25 risks.”.

1 (b) Section 60101(b)(2)(A) is amended—

2 (1) in the first sentence after the words “the
3 Secretary shall” by inserting the words “, if appro-
4 priate,”.

5 (2) in the last sentence after the words “phys-
6 ical characteristics” by inserting the words “and is
7 justified, based on a risk assessment document and
8 cost/benefit analysis”.

9 **SEC. 4. GENERAL AUTHORITY.**

10 Section 60102 of title 49, United States Code,
11 “Transportation” (originally enacted as the Natural Gas
12 Pipeline Safety Act of 1968 and the Hazardous Liquid
13 Pipeline Safety Act of 1979) is amended—

14 (1) in subparagraph (a)(1)(A) by striking
15 “transporters of gas and hazardous liquid and to”.

16 (2) in subparagraph (a)(1)(C) by striking all
17 words and inserting in lieu thereof the following:
18 “shall include a requirement that all individuals who
19 operate and maintain pipeline facilities must be
20 qualified. Such qualifications shall address the abil-
21 ity to recognize and react appropriately to abnormal
22 operating conditions that may indicate a dangerous
23 situation or a condition exceeding design limits. The
24 operator of the pipeline facility shall ensure such
25 qualifications.”.

1 (3) by inserting the following new subparagraph
2 after subparagraph (a)(1)(C):

3 “(D) Shall be applied as mandatory re-
4 quirements to owners and operators of regu-
5 lated pipeline facilities only after certification
6 by the Secretary that such compliance is justi-
7 fied based on—

8 “(i) an objective and unbiased sci-
9 entific and economic evaluation of all sig-
10 nificant and relevant information and risk
11 assessments performed by the Secretary
12 and provided to the Secretary by interested
13 parties relating to costs, risks, risk reduc-
14 tion or other benefits addressed by the
15 standard;

16 “(ii) the incremental risk reduction or
17 other benefits of any regulatory or non-
18 regulatory option chosen that will equal or
19 exceed, and be reasonably related to, the
20 incremental costs incurred by the Federal
21 Government, State and local governments
22 and public and private entities; and

23 “(iii) the conclusion that no regu-
24 latory or nonregulatory option considered
25 by the agency or proposed during the com-

1 ment period would be more likely to
2 achieve a substantially equivalent reduction
3 in risk in a more cost-effective manner or
4 would be more likely to provide flexibility
5 to the regulated entities in achieving the
6 objectives of the standard along with a
7 brief explanation of why other regulatory
8 or nonregulatory options that were consid-
9 ered by the Secretary were found to be less
10 feasible.”.

11 (4) By striking all of paragraph (a)(2) and in-
12 serting in lieu thereof the following:

13 “(2) The requirements of subsection (a)(1)(D)
14 shall apply to—

15 “(A) all significant standards promulgated
16 by the Secretary after the date of enactment of
17 this Act, and

18 “(B) any significant standard or group of
19 closely related standards upon a petition for re-
20 consideration by an owner or operator of a reg-
21 ulated facility pursuant to subsection (a)(4) of
22 this section.”.

23 (5) By inserting after new paragraph (a)(2) the
24 following new paragraphs:

1 “(3) Not later than September 30, 1996, the
2 Secretary shall establish by regulation a procedure
3 for petitioning the Secretary for reconsideration, in-
4 cluding the risk assessment and cost/benefit require-
5 ments under (4) of this subsection, of any signifi-
6 cant standard or group of closely related standards.

7 “(4) When prescribing standards or regulations
8 under sections 60102, 60103, 60108, 60109, 60110,
9 and 60113 the Secretary shall—

10 “(A) prepare a risk assessment document
11 and conduct a cost/benefit analysis that—

12 “(i) shall explicitly distinguish sci-
13 entific findings from other considerations
14 affecting the design and choice of regu-
15 latory strategies, including substitution
16 risks, if any are present;

17 “(ii) shall consider and discuss both
18 negative and positive data of sufficient
19 quality when presenting assessments of
20 public safety or environmental risks.
21 Where conflicts among such data appear to
22 exist, the assessment shall include discus-
23 sion of possible reconciliation of conflicting
24 information;

1 “(iii) where a risk assessment docu-
2 ment involves selection of any significant
3 assumption, inference, or model, the docu-
4 ment shall, to the extent feasible—

5 “(I) present a representative list
6 and explanation of plausible and alter-
7 native assumptions, inferences, or
8 models;

9 “(II) explain the basis for any
10 choices;

11 “(III) identify any policy or value
12 judgments;

13 “(IV) fully describe any model
14 used in the risk assessment and make
15 explicit the assumptions incorporated
16 in the model;

17 “(V) indicate the extent to which
18 any model has been validated by, or
19 conflicts with, empirical data;

20 “(iv) shall include a statement that
21 places the nature and magnitude of the
22 risk in context, which statement shall, to
23 the extent feasible, provide a comparison of
24 any public safety or environmental risks
25 addressed by the regulatory alternatives to

1 other risks chosen by the Secretary and fa-
2 miliar to the public;

3 “(v) shall provide the best estimate
4 for the impacts addressed;

5 “(vi) shall provide opportunity for
6 public participation; and

7 “(vii) shall indicate whether the esti-
8 mated benefits to public safety are equal to
9 or greater than the costs of compliance;

10 “(B) submit, all data and testing (includ-
11 ing the details of the methodology) for the risk
12 assessment document and cost/benefit analysis
13 for review by the Technical Pipeline Safety
14 Standards Committee and the Hazardous Liq-
15 uid Pipeline Safety Standards Committee and
16 make available for public review. The Technical
17 Pipeline Safety Standards Committee and the
18 Hazardous Liquid Pipeline Safety Standards
19 Committee shall function as a peer review pan-
20 els that shall prepare a report and any rec-
21 ommended alternatives for any significant
22 standard to be submitted to the Secretary with-
23 in one hundred and twenty days of receipt of
24 the information required by subsection 4(A)
25 that includes an evaluation of the technical sci-

1 entific merit of the data and scientific method
2 used for the risk assessment document and the
3 cost-benefit analysis, and a list of any consider-
4 ations that were not taken into account in the
5 risk and cost benefit assessments, but were con-
6 sidered appropriate by a majority of the Tech-
7 nical Pipeline Safety Standards Committee or
8 the Hazardous Liquid Pipeline Safety Stand-
9 ards Committee;

10 “(C) review the report and recommenda-
11 tions of the Technical Pipeline Safety Stand-
12 ards Committee and the Hazardous Liquid
13 Pipeline Safety Standards Committee. The Sec-
14 retary shall, within ninety days of receipt of a
15 peer review panel’s report—

16 “(i) provide a written response to all
17 significant peer review comments and rec-
18 ommended alternatives;

19 “(ii) prepare a new risk assessment
20 document or cost/benefit analysis, as appli-
21 cable, when the Technical Pipeline Safety
22 Standards Committee or the Hazardous
23 Liquid Pipeline Safety Standards Commit-
24 tee gives a negative recommendation re-

1 garding the data or methodology used for
2 such risk assessment.

3 “(5) All peer review comments and conclusions
4 and any related response by the Secretary shall be
5 made available to the public and shall be made part
6 of the administrative record for the purpose of judi-
7 cial review of any final agency action.

8 “(6) The Secretary may consult with owners or
9 operators of pipeline facilities prior to initiating a
10 formal regulatory action for the purpose of exchang-
11 ing ideas and information which may be addressed
12 in the formal regulatory action.”.

13 (b) Subsection 60102(b) is amended—

14 (1) in subparagraph (1)(B) by inserting the
15 word “safety” after the words “hazardous liquid
16 pipeline”;

17 (2) in paragraph (3) by striking the word
18 “and”;

19 (3) in paragraph (4) by striking the words
20 “contribute to” and inserting the word “benefit” in
21 lieu thereof;

22 (4) by replacing the period at the end of para-
23 graph (4) with a semicolon and adding the following
24 new paragraphs:

1 “(5) the costs of compliance with the standard;
2 and

3 (6) the recommendations of the Technical Pipe-
4 line Safety Standards Committee and the Hazardous
5 Liquid Pipeline Safety Standards Committee.”.

6 (c) Subsection 60102(d) is amended—

7 (1) by striking the words “operating the facility
8 and, when requested, to provide the information to
9 the Secretary and an appropriate State official” and
10 inserting in lieu thereof “operating the facility as re-
11 quired by the standards prescribed under Chapter
12 601 and, when requested, to make such information
13 available to the Secretary and an official of the
14 State pipeline safety agency that is certified under
15 Section 60105.”.

16 (2) in paragraph (2) by striking the words “and
17 a” and inserting the word “or” in lieu thereof.

18 (d) Subsection 60102(e) is amended—

19 (1) in the first sentence by striking the words
20 “to the extent the Secretary considers necessary, an
21 operator of a gathering line that is not a regulated
22 gathering line (as defined under section 60101(b)(2)
23 of this title),”.

1 (2) in the first sentence by striking the word
2 “transmission” and inserting the word “transportation” in lieu thereof.

3
4 (e) Subsection 60102(f) is amended—

5 (1) by striking paragraph (1) and inserting in
6 lieu thereof the following new paragraph:

7 “(1) The Secretary shall prescribe minimum
8 safety standards requiring that the design and construction of a new gas pipeline transmission facility
9 or hazardous liquid pipeline facility be carried out,
10 to the extent practicable, in a way that accommodates the passage through the facility of an instrumented
11 internal inspection device (commonly referred to as a ‘smart pig’). The Secretary shall also
12 prescribe minimum safety standards requiring replacement of an existing gas pipeline transmission
13 facility, hazardous liquid pipeline facility, or equipment, be carried out, to the extent practicable, in a
14 way that replacement of the existing gas pipeline transmission facility, hazardous liquid pipeline facility,
15 or equipment being replaced accommodates the passage through the facility of an instrumented internal
16 inspection device. The Secretary may apply the standard to an existing gas or hazardous liquid
17 transmission facility, and require the facility to be
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1 changed to allow the facility to be inspected with an
2 instrumented internal inspection device if the basic
3 construction of the facility will accommodate the de-
4 vice.”.

5 (2) in paragraph (2) after the words “The Sec-
6 retary shall prescribe” by inserting “, if necessary,
7 additional”.

8 (f) by adding after subsection (k) the following new
9 subsection:

10 “(l) UPDATING STANDARDS.—The Secretary shall, to
11 the extent practicable, keep current industry standards
12 that have been adopted as part of the federal pipeline safe-
13 ty regulatory program.”.

14 **SEC. 5. RISK MANAGEMENT.**

15 (a) ESTABLISHMENT.—Subtitle VIII, chapter 601,
16 title 49, United States Code, “Transportation” is amend-
17 ed by adding the following new section:

18 **“§ 60126. Risk Management**

19 “(a) RISK MANAGEMENT PROGRAM DEMONSTRA-
20 TION PROJECT.—The Secretary shall establish a project
21 with voluntary participation by owners and operators of
22 pipeline facilities to demonstrate the effectiveness of risk
23 management programs in lieu of compliance with regula-
24 tions that would otherwise apply under this chapter. In

1 establishing the Demonstration Project the Secretary
2 shall—

3 “(1) invite owners and operators of pipeline fa-
4 cilities to submit risk management plans on a vol-
5 untary basis, subject to approval by the Secretary;

6 “(2) for the duration of the project, not require
7 participating owner and operators of pipeline facili-
8 ties to implement new regulations promulgated after
9 the start date of their participation in the Dem-
10 onstration Project as to facilities covered by the
11 project;

12 “(3) include in the scope of the project the fol-
13 lowing—

14 “(A) development of a screening model to
15 categorize the risks inherent to a selected pipe-
16 line facility, considering the location, volume,
17 pressure and material transported or stored by
18 the pipeline facility;

19 “(B) application of risk assessment and
20 risk management methodologies suitable to the
21 inherent risks determined to exist by the hazard
22 screening model;

23 “(C) development of program elements
24 needed to ensure that the owner or operator
25 can demonstrate that risks are being effectively

1 managed and that the program can be audited;
2 and

3 “(D) amendments, modification or adjust-
4 ments of approved plans, as requested.

5 “(4) continue any approved plan under the
6 Demonstration Project for no more than four years.
7 At the conclusion of the Demonstration Project, the
8 Secretary shall submit a report to Congress of the
9 results of the Demonstration Project.

10 “(b) APPROVED RISK MANAGEMENT PLANS.—Upon
11 completion of the Risk Management Demonstration
12 Project under subsection (a) of this section, an owner or
13 operator of a pipeline facility may submit for approval by
14 the Secretary a Risk Management Plan that would apply
15 to a pipeline facility, or portion of a pipeline facility, in
16 lieu of compliance with some or all regulations that would
17 otherwise apply under this Chapter. Such Plan may take
18 effect after review and approval by the Secretary. In re-
19 viewing a proposed Risk Management Plan the Secretary
20 shall consider—

21 “(1) the appropriateness of the plan for the
22 particular type of pipeline facility;

23 “(2) the effectiveness of the plan in providing
24 equivalent or greater protection than relevant pre-
25 scribed minimum safety standards;

1 “(3) the past performance record of the owner
2 or operator and the selected pipeline facility; and

3 “(4) amendments, modification or adjustments
4 of approved plans, as requested.

5 “(c) Pipeline facilities being operated under an ap-
6 proved Risk Management Plan shall be subject to such
7 inspection and reporting requirements deemed appropriate
8 by the Secretary.

9 “(d) No Risk Management Plan shall be approved
10 until completion of the Risk Management Demonstration
11 Project described in (a) above.”.

12 **SEC. 6. STANDARDS FOR LIQUIFIED NATURAL GAS PIPE-**
13 **LINE FACILITIES.**

14 (a) Section 60103 of title 49, United States Code,
15 “Transportation” (originally enacted as the Natural Gas
16 Pipeline Safety Act of 1968) is amended by adding after
17 subsection (g) the following new subsection:

18 “(h) ALTERNATE STANDARDS AND GUIDELINES.—
19 The Secretary may adopt current standards or guidelines
20 published by the National Fire Protection Association for
21 use in this section.”.

22 **SEC. 7. INSPECTION AND MAINTENANCE.**

23 (a) Section 60108 of title 49, United States Code,
24 “Transportation” (originally enacted as the Natural Gas

1 Pipeline Safety Act of 1968 and the Hazardous Liquid
2 Pipeline Safety Act of 1979) is amended—

3 (1) in paragraph (a)(1) by striking the words
4 “transporting gas or hazardous liquid or”;

5 (2) in paragraph (b)(2) by striking the second
6 sentence “However, an inspection must occur at
7 least once every 2 years”;

8 (3) by adding the following new subparagraph
9 after subparagraph (c)(1)(C):

10 “(D) navigable waters means any portion
11 of a waterway currently and regularly used for
12 the transport of interstate or foreign com-
13 merce.”; and

14 (4) in subparagraph (c)(2)(A)(ii) by striking
15 “(as defined by the Secretary)”.

16 **SEC. 8. HIGH-DENSITY POPULATION AREAS AND ENVIRON-**
17 **MENTALLY SENSITIVE AREAS.**

18 (a) Section 60109 of title 49, United States Code,
19 “Transportation” (originally enacted as the Natural Gas
20 Pipeline Safety Act of 1968 and the Hazardous Liquid
21 Pipeline Safety Act of 1979) is amended—

22 (1) in subparagraph (a)(1)(B)(i) by striking
23 “as the Secretary defines by regulation” and insert-
24 ing “as defined in section 60108(c)(1)(D)” in lieu
25 thereof; and

1 (2) in subsection (b) by deleting all words in
2 the subsection after the words “the Secretary shall”
3 and inserting in lieu thereof the words “limit consid-
4 eration to areas of critical biological or ecological re-
5 sources and community water systems.”.

6 **SEC. 9. EXCESS FLOW VALVES.**

7 (a) Section 60110 of title 49, United States Code,
8 “Transportation” (originally enacted as the Natural Gas
9 Pipeline Safety Act of 1968) is amended—

10 (1) in subsection (b) by inserting “, if any,”
11 after the word “circumstances”;

12 (2) in paragraph (b)(4) by inserting “, operat-
13 ing and maintaining” after the words “cost of in-
14 stalling”;

15 (3) by deleting subsection (c) and redesignating
16 subsections (d) and (e) as subsections (c) and (d);
17 and

18 (4) by inserting the following sentence after the
19 first sentence of the new subsection (d): “The Sec-
20 retary may adopt industry accepted performance and
21 manufacturing standards in order to comply with
22 this requirement.”.

1 **SEC. 10. PIPELINE FACILITIES HAZARDOUS TO LIFE AND**
2 **PROPERTY.**

3 Section 60112 of title 49, United States Code,
4 “Transportation” (originally enacted as the Natural Gas
5 Pipeline Safety Act of 1968 and the Hazardous Liquid
6 Pipeline Safety Act of 1979) is amended in subsection
7 (b)(4) by striking the words “to environmentally sensitive
8 areas” and inserting the words “in areas defined as an
9 area unusually sensitive to environmental damage pursu-
10 ant to section 60109(b)”.

11 **SEC. 11. CUSTOMER-OWNED NATURAL GAS SERVICE LINES.**

12 Section 60113 of title 49, United States Code,
13 “Transportation” (originally enacted as the Natural Gas
14 Pipeline Safety Act of 1968) is amended—

15 (1) in subsection (a) by inserting the word “un-
16 derground” after the words “does not maintain”;
17 and

18 (2) by deleting subsection (b).

19 **SEC. 12. ONE-CALL NOTIFICATION SYSTEMS.**

20 Section 60114 of title 49, United States Code,
21 “Transportation” (originally enacted as the Natural Gas
22 Pipeline Safety Act of 1968 and the Hazardous Liquid
23 Pipeline Safety Act of 1979) is amended in paragraph
24 (a)(1) by striking the words “the system apply to” and
25 adding the words “be covered by a system” to the end
26 of the sentence.

1 **SEC. 13. TECHNICAL SAFETY STANDARDS COMMITTEES.**

2 Section 60115 of title 49, United States Code,
3 “Transportation” (originally enacted as the Natural Gas
4 Pipeline Safety Act of 1968 and the Hazardous Liquid
5 Pipeline Safety Act of 1979) is amended—

6 (1) in subsection (a) by adding the following
7 sentence at the end of the subsection: “The commit-
8 tees shall serve as “peer review” committees and
9 such service shall be deemed in compliance with the
10 requirements of other applicable federal statutes.”;

11 (2) in subparagraph (b)(1) by adding the words
12 “or risk management” at the end of the last sen-
13 tence;

14 (3) in subparagraph (b)(2) by adding the words
15 “or risk management” at the end of the last sen-
16 tence;

17 (4) in subparagraph (b)(3)(B) by striking the
18 number “4” and inserting the number “5” in lieu
19 thereof;

20 (5) in subparagraph (b)(3)(C) by striking the
21 number “6” and inserting the number “5” in lieu
22 thereof;

23 (6) in subparagraph (b)(4)(B) by adding the
24 following sentences to the end of the subparagraph:
25 “At least one of the individuals selected for each
26 committee under paragraph (3)(B) of this subsection

1 must have education, background, or experience in
2 risk assessment and cost/benefit analysis. The Sec-
3 retary shall consult with the national organizations
4 representing the owners and operators of pipeline fa-
5 cilities before selecting individuals under paragraph
6 (3)(B) of this subsection.”;

7 (7) in subparagraph (b)(4)(C) by inserting the
8 following sentence after the first sentence: “At least
9 one of the individuals selected for each committee
10 under paragraph (3)(C) of this subsection must have
11 education, background, or experience in risk assess-
12 ment and cost/benefit analysis.”;

13 (8) in subparagraph (c)(1)(A) by inserting the
14 following phrase after “gas pipeline facilities”:
15 “, including the risk assessment document, cost/ben-
16 efit and other analyses supporting each proposed
17 standard.”;

18 (9) in subparagraph (c)(1)(B) by inserting the
19 following phrase after “hazardous liquid pipeline fa-
20 cilities”: “, including the risk assessment document,
21 cost/benefit and other analyses supporting each pro-
22 posed standard”; and

23 (10) in paragraph (c)(2)—

1 (A) by inserting “and supporting analyses”
2 after the words “receiving the proposed stand-
3 ard” in the first sentence;

4 (B) by inserting “cost effectiveness” after
5 the word “reasonableness,” in the first sen-
6 tence;

7 (C) by inserting “and provide a rec-
8 ommended action to the Secretary” after “prac-
9 ticability of the proposed standard” in the first
10 sentence; and

11 (D) by inserting “any recommended ac-
12 tions and” after the word “including” in the
13 second sentence.

14 (11) in subsection (e) by striking the word
15 “twice” and inserting the words “four times” in lieu
16 thereof; and

17 (12) after subsection (f) by adding the following
18 new subsection:

19 “(g) TERMS.—Individuals described in paragraphs
20 (3)(B) and (3)(C) shall serve for a term of no more than
21 36 months.”.

22 **SEC. 14. PUBLIC EDUCATION PROGRAMS.**

23 Section 60116 of title 49, United States Code,
24 “Transportation” (originally enacted as the Natural Gas
25 Pipeline Safety Act of 1968) is amended in the first sen-

1 tence by inserting the words “the use of damage preven-
2 tion (“one-call”) systems prior to excavation,” after the
3 words “educate the public on”.

4 **SEC. 15. COMPLIANCE AND WAIVERS.**

5 Section 60118 of title 49, United States Code,
6 “Transportation” (originally enacted as the Natural Gas
7 Pipeline Safety Act of 1968 and the Hazardous Liquid
8 Pipeline Safety Act of 1979) is amended by adding after
9 subsection (d) the following new subsection:

10 “(e) COMPLIANCE WITH RISK MANAGEMENT
11 PLANS.—The Secretary shall allow owners and operators
12 of natural gas or hazardous liquid pipelines who have vol-
13 untarily developed and implemented risk management
14 plans meeting the requirements of section 60126 the op-
15 tion to follow those plan requirements. Owners and opera-
16 tors that choose to utilize an approved risk management
17 plan shall be considered to be in compliance with any pre-
18 scribed safety standard that is covered by such a plan.”.

19 **SEC. 16. AUTHORIZATIONS OF APPROPRIATION.**

20 Section 60125 of title 49, United States Code,
21 “Transportation” (originally enacted as the Natural Gas
22 Pipeline Safety Act of 1968 and the Hazardous Liquid
23 Pipeline Safety Act of 1979) is amended—

24 (1) in subsection (a) by adding the following
25 new paragraphs:

1 “(4) \$7,500,000 for the fiscal year ending Sep-
2 tember 30, 1996.

3 “(5) \$7,500,000 for the fiscal year ending Sep-
4 tember 30, 1997.

5 “(6) \$7,500,000 for the fiscal year ending Sep-
6 tember 30, 1998.”.

7 (2) in subsection (b) by adding the following
8 new paragraphs:

9 “(4) \$2,000,000 for the fiscal year ending Sep-
10 tember 30, 1996.

11 “(5) \$2,000,000 for the fiscal year ending Sep-
12 tember 30, 1997.

13 “(6) \$2,000,000 for the fiscal year ending Sep-
14 tember 30, 1998.”; and

15 (3) in paragraph (c)(1) by adding the following
16 new subparagraphs:

17 “(D) \$10,000,000 for the fiscal year end-
18 ing September 30, 1996.

19 “(E) \$10,000,000 for the fiscal year end-
20 ing September 30, 1997.

21 “(F) \$10,000,000 for the fiscal year end-
22 ing September 30, 1998.”.

○

HR 1187 IH—2

HR 1187 IH—3