

**SECTION-BY-SECTION SUMMARY OF
S. 2276, THE PROTECTING OUR INFRASTRUCTURE OF PIPELINES
AND ENHANCING SAFETY ACT OF 2016 (PIPES ACT OF 2016)**

*Prepared by Committee on Transportation and Infrastructure Democratic Staff
June 6, 2016*

Section 1. Short Title; Table of Contents; References. This section designates the Act as the “Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016” (PIPES Act of 2016).

Sec. 2. Authorization of Appropriations. This section authorizes \$720 million over four years (FY 2016 – FY 2019) for the Pipeline and Hazardous Materials Safety Administration’s (PHMSA) gas and hazardous liquid pipeline safety program and the agency’s administrative expenses. These authorization levels are equal to Congressional Budget Office baseline funding levels. This section provides \$632 million for the pipeline safety program, including \$211 million in grants to States and \$6 million in guaranteed funding for pipeline safety information grants to communities out of PHMSA’s \$88 million in operational expenses.

Sec. 3. Regulatory Updates. This section requires the Secretary of Transportation (Secretary) to submit reports to Congress every 90 days on actions taken to complete outstanding statutorily mandated rulemakings until each mandate is completed.

Sec. 4. Natural Gas Integrity Management Review. This section requires the Government Accountability Office (GAO), within 18 months of publication of PHMSA’s final rule titled “Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines”, to submit to Congress a report of how natural gas integrity management programs have improved the safety of natural gas transmission pipeline facilities.

Sec. 5. Hazardous Liquid Integrity Management Review. This section requires GAO, within 18 months of publication of PHMSA’s final rule titled “Pipeline Safety: Safety of Hazardous Liquid Pipelines”, to submit to Congress a report of how hazardous liquid pipeline facility integrity management programs have improved the safety of hazardous liquid pipeline facilities.

Sec. 6. Technical Safety Standards Committees. This section requires the Secretary to fill all vacancies on the Technical Pipeline Safety Standard Committees within 90 days of the date of enactment of this Act. After that period, all vacancies must be filled within 60 days.

Sec. 7. Inspection Report Information. This section requires PHMSA or certified state authorities performing pipeline inspections to provide a post-inspection briefing to the pipeline owner or operator within 30 days of the date of inspection, and written preliminary findings of the inspection within 90 days, to the extent practicable.

Sec. 8. Improving Damage Prevention Technology. This section requires the Secretary to submit to Congress a report on the technology available to reduce pipeline damage caused by excavation.

Sec. 9. Workforce Management. This section requires the Department of Transportation’s Inspector General (DOT IG) to submit to Congress a review of PHMSA’s hiring challenges and recommendations to address resource needs. This section also authorizes PHMSA to apply to the

Office of Personnel Management for authority to appoint qualified candidates to any position relating to pipeline safety.

Section 10. Information-Sharing System. This section requires the Secretary to convene a working group to consider the development of a voluntary information-sharing system to improve inspection feedback and pipeline integrity management.

Section 11. Nationwide Integrated Pipeline Safety Regulatory Database. This section requires the Secretary to submit to Congress a report on the feasibility of establishing a nationwide integrated pipeline safety regulatory inspection database to improve communication and collaboration between PHMSA and state pipeline regulators.

Sec. 12. Underground Natural Gas Storage Facilities. This section requires the Secretary to issue minimum safety standards for underground natural gas storage facilities while allowing States to go above and beyond Federal regulations for regulating intrastate facilities. It also imposes a fee on operators of underground natural gas storage facilities to support the Federal underground natural gas storage safety program.

Sec. 13. Joint Inspection and Oversight. This section allows state inspection authorities to join PHMSA in the inspection of interstate pipeline facilities.

Sec. 14. Safety Data Sheets. This section requires hazardous liquid pipeline operators to provide Federal On-Scene Coordinators and state and local emergency responders with Safety Data Sheets (SDSs) within six hours of a hazardous liquid spill to provide greater information for emergency response.

Sec. 15. Hazardous Materials Identification Numbers. This section requires the Secretary to issue an advanced notice of proposed rulemaking to take comments on an October 25, 2015 petition for rulemaking about gasoline and diesel placards.

Sec. 16. Emergency Order Authority. This section authorizes the Secretary to impose certain emergency restrictions and safety measures on pipeline operators to address an imminent hazard resulting from a pipeline incident or unsafe practice.

Sec. 17. State Grant Funds. This section relieves States of the requirement to ensure that the total state amount spent for a safety program will at least equal the average amount spent for gas and hazardous liquid safety programs for the last three fiscal years to qualify for Federal funding. It also allows the Secretary to repurpose funds from de-certified state safety programs to carry out pipeline safety activities for that State.

Sec. 18. Response Plans. This section requires oil spill response plans to consider the impact of a discharge into or on navigable waters and adjoining shorelines, including those covered by ice, and to include in those response plans procedures and resources for responding to such discharge.

Sec. 19. High Consequence Areas. This section explicitly states that the Great Lakes, coastal beaches, and marine coastal waters are high-consequence areas (HCAs). Pipeline operators are required to regularly inspect and make repairs to pipelines in HCAs.

Sec. 20. Pipeline Safety Technical Assistance Grants. This section requires the DOT IG to submit a report to Congress evaluating compliance and oversight of PHMSA's Technical Assistance Grants.

Sec. 21. Study of Materials and Corrosion Prevention in Pipeline Transportation. This section requires GAO to submit to Congress a report on materials, training, and corrosion prevention technologies used in pipeline transportation.

Sec. 22. Research and Development. This section requires the Secretary to ensure that there are no conflicts of interest in administering PHMSA research and development grants.

Sec. 23. Active and Abandoned Pipelines. This section requires the Secretary to issue an advisory bulletin to owners and operators of gas and hazardous liquid pipeline facilities and Federal and state pipeline safety personnel regarding procedures to change the status of a pipeline facility from active to abandoned.

Sec. 24. State Pipeline Safety Agreements. This section requires GAO to submit a report to Congress on state pipeline safety agreements.

Sec. 25. Requirements for Certain Hazardous Liquid Pipeline Facilities. This section requires owners and operators of hazardous liquid pipelines to conduct annual inspections of such pipelines located in the Great Lakes.

Sec. 26. Study on Propane Gas Pipeline Facilities. This section requires the Secretary to enter into an agreement with the Transportation Research Board of the National Academies to conduct a study of the safety of certain pipeline facilities that transport or store petroleum gas or mixtures of petroleum gas and air.

Sec. 27. Standards for Certain Liquefied Natural Gas Pipeline Facilities. This section requires the Secretary to review and update minimum safety standards for permanent, small scale liquefied natural gas pipeline facilities.

Sec. 28. Pipeline Odorization Study. This section requires GAO to submit a report to Congress on the feasibility, costs, and benefits of odorizing all combustible gas in pipeline transportation.

Sec. 29. Report on Natural Gas Leak Reporting. This section requires PHMSA to submit a report to Congress on the metrics provided to PHMSA and other Federal and state agencies related to lost and unaccounted for natural gas from distribution pipelines and systems. The section also requires PHMSA to issue regulations implementing report recommendations if the recommendations would significantly improve safety.

Sec. 30. Review of State Policies Relating to Natural Gas Leaks. This section requires PHMSA to conduct a state-by-state review of, and issue a report to Congress on, state-level policies that encourage the repair and replacement of leaking natural gas distribution pipelines or systems. The section also requires PHMSA to issue regulations implementing report recommendations if the recommendations would significantly improve safety.

Sec. 31. Aliso Canyon Natural Gas Leak Task Force. This section requires the Secretary of Energy to lead and establish an Aliso Canyon natural gas leak task force.