

106TH CONGRESS  
2D SESSION

# H. R. 4276

To amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 2000

Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. FRANKS of New Jersey, and Mr. WISE) (all by request) 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

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## A BILL

To amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, 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; AMENDMENT OF TITLE 49,**  
4 **UNITED STATES CODE; TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Pipeline Safety and Community Protection Act of 2000”.

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

8 (c) TABLE OF CONTENTS.—

- Sec. 1. Short title; amendment of title 49, United States Code; table of contents.
- Sec. 2. Additional pipeline protections.
- Sec. 3. Community right-to-know and emergency preparedness.
- Sec. 4. Enforcement.
- Sec. 5. Underground damage prevention.
- Sec. 6. Enhanced ability of States to oversee operator activities.
- Sec. 7. Improved data and data availability.
- Sec. 8. Enhanced investigation authorities.
- Sec. 9. International authority.
- Sec. 10. Risk management demonstration program.
- Sec. 11. Support for innovative technology development.
- Sec. 12. Authorization of appropriations.

9 **SEC. 2. ADDITIONAL PIPELINE PROTECTIONS.**

10 (a) Section 60109 is amended by adding at the end  
 11 the following new subsection:

12 “(c) OPERATOR’S RISK ANALYSIS AND PROGRAM  
 13 FOR INTEGRITY MANAGEMENT.—

14 (1) GENERAL REQUIREMENT.—Within 1 year  
 15 after the Secretary, in consultation with the Admin-  
 16 istrator of the Environmental Protection Agency, es-  
 17 tablishes criteria under subsection (a)(1) of this sec-  
 18 tion, an operator of a natural gas transmission pipe-  
 19 line facility or hazardous liquid pipeline facility shall

1 evaluate the risks to the operator’s pipeline facility  
2 in the areas identified by these criteria and shall  
3 adopt and implement a program for integrity man-  
4 agement that reduces the risks in those areas.

5 “(2) STANDARDS FOR PROGRAM.—An operator  
6 shall include at least the following in the program  
7 for integrity management:

8 “(A) Internal inspection or another equally  
9 protective method, such as pressure testing,  
10 that represents use of the best achievable tech-  
11 nology and that directly assesses the integrity  
12 of the pipeline on a periodic basis that is com-  
13 mensurate to the risk to people and the envi-  
14 ronment of the pipeline being inspected.

15 “(B) Clearly defined criteria for evaluating  
16 and acting on the results of the inspection or  
17 testing done under subparagraph (A).

18 “(C) An analysis on a continuing basis  
19 that integrates all available information about  
20 the integrity of the pipeline or the consequences  
21 of a release.

22 “(D) Prompt actions to address integrity  
23 issues raised by the analysis required by sub-  
24 paragraph (C).

1           “(E) Measures that prevent and mitigate  
2 the consequences of a release and, in the case  
3 of a release of a hazardous substance or dis-  
4 charge of oil, are consistent with the National  
5 Contingency Plan, including leak detection, in-  
6 tegrity evaluation, emergency flow restricting  
7 devices, and other prevention, detection, and  
8 mitigation measures that are appropriate for  
9 the protection of human health and the environ-  
10 ment.

11           “(F) Consideration of the consequences of  
12 hazardous liquid releases.

13           “(3) CRITERIA FOR PROGRAM STANDARDS.—

14           “(A) In deciding how frequently the in-  
15 spection or testing under subparagraph (2)(A)  
16 must be conducted, an operator shall take into  
17 account the potential for the development of  
18 new defects, the operational characteristics of  
19 the pipeline, including age, operating pressure,  
20 block valve location, and spill history, the loca-  
21 tion of areas identified under subsection (a)(1),  
22 any known deficiencies of the method of pipe-  
23 line construction or installation, and the pos-  
24 sible flaw growth of new and existing defects.  
25           In considering the potential for development of

1 new defects from outside force damage, an op-  
2 erator shall consider information available  
3 about current or planned excavation activities  
4 and the effectiveness of damage prevention pro-  
5 grams in the area.

6 “(B)(i) An operator shall adopt standards  
7 under this section that provide an equivalent  
8 minimum level of protection as that provided by  
9 the applicable level established by national con-  
10 sensus standards organizations.

11 “(ii) An operator shall implement pressure  
12 testing and other integrity management tech-  
13 niques in a manner that does not increase envi-  
14 ronmental or safety risks, such as by use of pe-  
15 troleum for pressure testing.

16 “(4) AUTHORITY FOR ADDITIONAL STAND-  
17 ARDS.—The Secretary shall prescribe additional  
18 standards to direct an operator’s conduct of a risk  
19 analysis or adoption or implementation of a program  
20 for integrity management. These standards shall ad-  
21 dress the type or frequency of inspection or testing  
22 required, the manner in which it is conducted, the  
23 criteria used in analyzing results, the types of infor-  
24 mation sources that must be integrated as well as  
25 the manner of integration, the nature and timing of

1 actions selected to address integrity issues, and such  
2 other factors as appropriate to assure that the integ-  
3 rity of the pipeline facility is addressed and that ap-  
4 propriate mitigative measures are adopted to protect  
5 areas identified under subsection (a)(1). The Sec-  
6 retary may also prescribe standards that require an  
7 owner or operator of a natural gas transmission or  
8 hazardous liquid pipeline facility to include in the  
9 program of integrity management changes to valves  
10 or the establishment or modification of systems that  
11 monitor pressure and detect leaks based on the risk  
12 analysis the operator conducts, and the use of emer-  
13 gency flow restricting devices.

14 “(5) MONITORING IMPLEMENTATION.—A risk  
15 analysis and program for integrity management re-  
16 quired under this section shall be reviewed by the  
17 Secretary of Transportation as an element of De-  
18 partmental inspections, and the analysis and pro-  
19 gram, as well as the records demonstrating imple-  
20 mentation, shall be made available to the Secretary  
21 on request under section 60117.”.

22 (b) Paragraph (2) of section 60102(f) is repealed and  
23 section 60102(f)(1) is redesignated as section 60102(f).

24 (c) Paragraph (2) of section 60102(j) is repealed and  
25 section 60102(j)(3) is redesignated as section 60102(j)(2).

1 (d) Section 60102(e)(2) is amended by adding at the  
2 end “, not including tanks incidental to pipeline transpor-  
3 tation.”.

4 (e) Section 60102 is amended by adding at the end  
5 the following:

6 “(m) INTEGRITY MANAGEMENT REGULATIONS.—

7 “(1) Not later than December 31, 2000, the  
8 Secretary shall issue final regulations authorized by  
9 this section and sections 60104, 60108, and 60109  
10 for the implementation of an integrity management  
11 program by operators of more than 500 miles of  
12 hazardous liquid pipelines.

13 “(2) Not later than 2 years following the enact-  
14 ment of this subsection, the Secretary shall issue  
15 final regulations that extend the requirements im-  
16 posed by the regulations described in paragraph (1)  
17 to every operator of a hazardous liquid pipeline or  
18 natural gas transmission pipeline subject to the ju-  
19 risdiction of this chapter. In the event that the Sec-  
20 retary fails to fulfill this requirement within 2 years,  
21 all the requirements imposed by the regulations de-  
22 scribed in paragraph (1) shall, on the date that is  
23 2 years after the enactment of this subsection, apply  
24 to every operator of a hazardous liquid pipeline or

1 natural gas transmission pipeline subject to the ju-  
2 risdiction of this chapter.

3 “(3) Not later than 3 years following the enact-  
4 ment of this subsection—

5 “(A) the Secretary shall complete an as-  
6 sessment and evaluation of the effects on safety  
7 and the environment of extending all of the re-  
8 quirements mandated by the regulations de-  
9 scribed in paragraph (1) to additional areas;

10 “(B) the Secretary shall promptly make a  
11 Secretarial determination as to the effect on  
12 safety and the environment of extending the re-  
13 quirements imposed by the regulations de-  
14 scribed in paragraph (1) to additional areas  
15 using the best achievable technology; and

16 “(C) based on the determination described  
17 in subparagraph (B), the Secretary shall  
18 promptly promulgate regulations that would  
19 provide measurable improvements to safety or  
20 the environment in these areas by extending  
21 regulatory requirements at least as protective to  
22 these areas.”.

23 (f) Section 60118(a) is amended by deleting “and”  
24 at the end of paragraph (2), deleting the period at the

1 end of paragraph (3) and substituting “; and”, and adding  
2 at the end the following new paragraph:

3 “(4) conduct a risk analysis and prepare and  
4 carry out a program for integrity management for  
5 pipeline facilities in certain areas as required under  
6 section 60109(c).”.

7 (g) Section 60104(b) is amended by adding at the  
8 end the following: “unless the Secretary determines that  
9 application of the standard is necessary for safety or envi-  
10 ronmental protection.”.

11 **SEC. 3. COMMUNITY RIGHT-TO-KNOW AND EMERGENCY**  
12 **PREPAREDNESS.**

13 (a) Section 60116 is amended to read as follows:

14 **“§ 60116. Community right-to-know**

15 **“(a) PUBLIC EDUCATION PROGRAMS.—**

16 “(1) Each owner or operator of a gas or haz-  
17 arduous liquid pipeline facility shall carry out a con-  
18 tinuing program to educate the public on the use of  
19 a one-call notification system prior to excavation and  
20 other damage prevention activities, the possible haz-  
21 ards associated with unintended releases from the  
22 pipeline facility, the physical indications that such a  
23 release may have occurred, what steps should be  
24 taken for public safety in the event of a pipeline re-  
25 lease, and how to report such an event.

1           “(2) Within 1 year of the date of enactment of  
2 this section, each owner or operator of a gas or haz-  
3 arduous liquid pipeline facility shall review its existing  
4 public education program for effectiveness and mod-  
5 ify the program as necessary. The completed plan  
6 shall be reviewed by the Secretary of Transportation  
7 as an element of Departmental inspections.

8           “(3) The Secretary may issue standards pre-  
9 scribing the details of a public education program  
10 and providing for periodic review of the effectiveness  
11 and modification as needed. The Secretary may also  
12 develop material for use in the program.

13           “(b) LIAISON WITH STATE AND LOCAL EMERGENCY  
14 RESPONSE ENTITIES.—Within 1 year of the date of enact-  
15 ment of this section, an operator of a gas transmission  
16 or hazardous liquid pipeline facility shall initiate and  
17 maintain liaison with the State emergency response com-  
18 missions, and local emergency planning committees in the  
19 areas of pipeline right-of-way, established under 42 U.S.C.  
20 11001 in each State in which it operates. An operator  
21 shall, when requested, make available to the State emer-  
22 gency response commissions and local emergency planning  
23 committees the information described in section 60102(d),  
24 any program for integrity management developed under  
25 section 60109(c), and information about implementation

1 of that program and about the risks the program is de-  
2 signed to address. In a community without a local emer-  
3 gency planning committee, the operator shall maintain li-  
4 aison with the local fire, police, and other emergency re-  
5 sponse agencies.

6 “(c) PUBLIC AVAILABILITY OF REPORTS.—The Sec-  
7 retary shall make available to the public a safety-related  
8 condition report filed by an operator under section  
9 60102(h) and a report of a pipeline incident filed by an  
10 operator under this chapter.

11 “(d) ACCESS TO INTEGRITY MANAGEMENT PROGRAM  
12 INFORMATION.—The Secretary shall prescribe require-  
13 ments for public access to integrity management program  
14 information prepared under this chapter.”.

15 (b) Section 60116, as amended by subsection (a) of  
16 this section, is further amended by redesignating the text  
17 of section 60102(c)(4)(A) as paragraph (1) of a new sub-  
18 section “(e) AVAILABILITY OF MAPS.—”, and adding at  
19 the end the following new paragraph:

20 “(2) Not later than 1 year after the date of en-  
21 actment of this section, and annually thereafter, the  
22 owner or operator of each hazardous liquid pipeline  
23 facility shall provide to the governing body of each  
24 municipality in which the pipeline facility is located,  
25 a map identifying the location of such facility.”.

1 (c) Section 60116, as amended by subsection (b) of  
2 this section, is further amended by redesignating the text  
3 of section 60102(c)(4)(B)(i) as paragraph (1) of a new  
4 subsection “(f) EFFECTIVENESS OF PUBLIC SAFETY AND  
5 PUBLIC EDUCATION PROGRAMS.—” and adding at the  
6 end the following new paragraphs:

7 “(2) In issuing standards for public safety pro-  
8 grams under section 60102(a) or for public edu-  
9 cation programs under this section, the Secretary  
10 shall consider the results of the survey and assess-  
11 ment done under paragraph (1) of this subsection.

12 “(3) The Secretary may provide technical as-  
13 sistance to the pipeline industry on developing public  
14 safety and public education program content and  
15 best practices for program delivery, and on evalu-  
16 ating the effectiveness of the programs. The Sec-  
17 retary may also provide technical assistance to State  
18 and local officials in applying practices developed in  
19 these programs to their activities.”.

20 (d) The remainder of subsection 60102(c)(4) is de-  
21 leted.

22 (e) The last sentence of subsection 60102(h)(2) is  
23 amended to read as follows: “Notice of the condition shall  
24 be given concurrently to appropriate State officials, includ-  
25 ing the local emergency responders, and appropriate On

1 Scene Coordinators for the Area Contingency Plan/Sub  
2 Area Contingency Plan.”.

3 (f) Section 60120(c) is amended by adding at the end  
4 the following new sentence: “In particular, nothing in sec-  
5 tion 60116 shall be deemed to impose a new duty on State  
6 or local emergency responders or local emergency planning  
7 committees.”.

8 (g) The analysis for chapter 601 is amended by strik-  
9 ing item 60116 and substituting the following:

“60116. Community right-to-know.”.

10 **SEC. 4. ENFORCEMENT.**

11 (a) GENERAL AUTHORITY.—Section 60112 is  
12 amended—

13 (1) in subsection (a), by striking all after “if  
14 the Secretary” and substituting the following:

15 “decides—

16 “(1) operation of the facility is or would be haz-  
17 arduous to life, property, or the environment; or

18 “(2) the facility is or would be constructed or  
19 operated, or a component of the facility is or would  
20 be constructed or operated, with equipment, mate-  
21 rial, or a technique that the Secretary decides is  
22 hazardous to life, property, or the environment.”;

23 (2) in subsection (d), by striking “is haz-  
24 arduous” and substituting “is or would be haz-  
25 arduous”; and

1 (3) by adding at the end the following:

2 “(f) OPTIONAL WAIVER OF NOTICE AND HEARING  
3 REQUIREMENTS.—If the Secretary decides that a facility  
4 may present a hazard under subsection (a)(1) or (2), the  
5 Secretary may waive the notice and hearing requirements  
6 in subsection (a) and request the Attorney General to  
7 bring suit on behalf of the United States in an appropriate  
8 district court to obtain an order to restrain the operator  
9 of the facility from such operation, or to take such other  
10 action as may be necessary, or both.”.

11 (b) CIVIL PENALTIES.—Section 60122 is amended—

12 (1) in subsection (a)(1)—

13 (A) by striking “\$25,000” and “\$500,000”  
14 and substituting “\$100,000” and  
15 “\$1,000,000”, respectively; and

16 (B) by adding at the end “The maximum  
17 civil penalty for a related series of violations  
18 does not apply to a judicial enforcement action  
19 under section 60120 or 60121.”; and

20 (2) by revising the text of subsection (b) to read  
21 as follows:

22 “(b) PENALTY CONSIDERATIONS.—In determining  
23 the amount of a civil penalty under this section—

24 “(1) the Secretary shall consider—

1           “(A) the nature, circumstances, and grav-  
2           ity of the violation, including adverse impact on  
3           the environment;

4           “(B) with respect to the violator, the de-  
5           gree of culpability, any history of prior viola-  
6           tions, the ability to pay, any effect on ability to  
7           continue doing business; and

8           “(C) good faith in attempting to comply;  
9           and

10          “(2) the Secretary may consider—

11                 “(A) the economic benefit gained from the  
12                 violation without any discount because of subse-  
13                 quent damages; and

14                 “(B) other matters that justice requires.”.

15          (c) EXCAVATOR DAMAGE.—Section 60123(d) is  
16          amended by—

17                 (1) striking “knowingly and willfully” and in-  
18                 serting “knowingly and willfully” before the word  
19                 “engages” in paragraph (1); and

20                 (2) revising subparagraph (2)(B) to read as fol-  
21                 lows:

22                         “(B) a pipeline facility, is aware of dam-  
23                         age, and does not report the damage promptly  
24                         to the operator of the pipeline facility and to  
25                         other appropriate authorities; or”.

1           (d) CIVIL ACTIONS.—The text of section 60120(a)(1)  
2 is revised to read as follows: “On request of the Secretary  
3 of Transportation, the Attorney General may bring a civil  
4 action in an appropriate district court of the United States  
5 to enforce this chapter, including section 60112 of this  
6 chapter, or a regulation prescribed or order issued under  
7 this chapter. The court may award appropriate relief, in-  
8 cluding a temporary or permanent injunction, punitive  
9 damages, and assessment of civil penalties considering the  
10 same factors as prescribed for the Secretary in an admin-  
11 istrative case under section 60122.”.

12           (e) CITIZEN SUITS.—The first sentence of section  
13 60121(a)(1) is amended to read as follows: “A person may  
14 bring a civil action in an appropriate district court of the  
15 United States against a person owning or operating a  
16 pipeline facility to enforce compliance with this chapter or  
17 a standard prescribed or an order issued under this chap-  
18 ter. The district court may enjoin noncompliance and as-  
19 sess civil penalties considering the same factors as pre-  
20 scribed for the Secretary in an administrative case under  
21 section 60122.”.

22 **SEC. 5. UNDERGROUND DAMAGE PREVENTION.**

23           (a) Section 60114 is amended by inserting before  
24 subsection (d) the following subsection:

1           “(c) CONFORMITY WITH CHAPTER 61.— Regulations  
2 prescribed by the Secretary under subsection (a) do not  
3 apply to a State that has a one-call notification program  
4 accepted by the Secretary as meeting the minimum stand-  
5 ards of section 6103 of this title or approved by the Sec-  
6 retary as an alternative program under section 6104(c)  
7 of this title.”.

8           (b) Section 60102(c), as amended by section 3, is fur-  
9 ther amended by—

10           (1) inserting “or hazardous liquid pipeline facil-  
11 ity” before the word “participate” in paragraph (1);  
12 and

13           (2) striking paragraph (3).

14           (c) Section 60104 is amended by adding at the end  
15 the following subsection:

16           “(f) STATE ONE-CALL NOTIFICATION LAWS.—Not-  
17 withstanding subsection (c) of this section, a State may  
18 enforce a requirement of a one-call notification law that  
19 satisfies sections 6103 or 6104(c) of this title, or section  
20 60114(a) of this chapter, against an operator of an inter-  
21 state natural gas pipeline facility or an interstate haz-  
22 ardous liquid pipeline facility provided that the require-  
23 ment sought to be enforced is compatible with the min-  
24 imum standards prescribed under this chapter.”.

1 (d) Section 60123 is amended by adding the following  
2 subsection:

3 “(e) MISDEMEANOR FOR NOT USING ONE-CALL.—  
4 A person shall be fined under title 18, imprisoned for not  
5 more than 1 year, or both, if the person knowingly engages  
6 in an excavation activity without first using an available  
7 one-call notification system to establish the location of un-  
8 derground facilities in the excavation area.”.

9 **SEC. 6. ENHANCED ABILITY OF STATES TO OVERSEE OPER-**  
10 **ATOR ACTIVITIES.**

11 (a) Section 60106(a) is amended by inserting “(1)”  
12 before the current text of the subsection, redesignating  
13 paragraphs (1) and (2) as subparagraphs (A) and (B),  
14 and adding the following new paragraphs:

15 “(2) If the Secretary accepts a certification under  
16 section 60105 of this title, the Secretary may make an  
17 agreement with a State authority authorizing it to partici-  
18 pate in the oversight of interstate pipeline transportation.  
19 An agreement shall include a plan for the State authority  
20 to participate in special investigations involving new con-  
21 struction or incidents.

22 “(3) An agreement under paragraph (2) may also in-  
23 clude a program allowing for participation by the State  
24 authority in other activities overseeing interstate pipeline  
25 transportation that supplement the Secretary’s program

1 and address issues of local concern, provided that the Sec-  
2 retary determines that—

3 “(A) there are no significant gaps in the regu-  
4 latory jurisdiction of the State authority over intra-  
5 state pipeline transportation;

6 “(B) implementation of the agreement will not  
7 adversely affect the oversight of intrastate pipeline  
8 transportation by the State authority;

9 “(C) the program allowing participation of the  
10 State authority is consistent with the Secretary’s  
11 program for inspection; and

12 “(D) the State promotes preparedness and pre-  
13 vention activities that enable communities to live  
14 safely with pipelines.”.

15 (b) Section 60106(d) is amended by inserting after  
16 the first sentence the following: “In addition, the Sec-  
17 retary may end an agreement for the oversight of inter-  
18 state pipeline transportation when the Secretary finds that  
19 there are significant gaps in the regulatory authority of  
20 the State authority over intrastate pipeline transportation,  
21 or that continued participation by the State authority in  
22 the oversight of interstate pipeline transportation is not  
23 consistent with the Secretary’s program or would ad-  
24 versely affect oversight of intrastate pipeline transpor-

1 tation, or that the State is not promoting activities that  
2 enable communities to live safely with pipelines.”.

3 (c) STATE GRANTS.—Section 60107 is amended by  
4 adding at the end the following subsection:

5 “(e) SPECIAL INVESTIGATION OF INTERSTATE PIPE-  
6 LINE FACILITIES.—

7 “(1) Notwithstanding subsection (a) of this sec-  
8 tion, the Secretary may pay up to 100 percent of the  
9 cost of the personnel, equipment, and activities of a  
10 State authority acting as an agent of the Secretary  
11 in conducting a special investigation involved in  
12 monitoring new construction or investigating an inci-  
13 dent, on an interstate gas pipeline facility or an  
14 interstate hazardous liquid pipeline facility.

15 “(2) This subsection shall become effective on  
16 October 1, 2001.”.

17 **SEC. 7. IMPROVED DATA AND DATA AVAILABILITY.**

18 (a) REPORT OF RELEASES EXCEEDING 5 GAL-  
19 LONS.—Section 60117(b) is amended by—

20 (1) inserting “(1)” before the current text of  
21 the subsection and redesignating paragraphs (1) and  
22 (2) as subparagraphs (A) and (B);

23 (2) inserting after paragraph (1) the following  
24 new paragraphs:

1           “(2) A person owning or operating a hazardous liquid  
2 pipeline facility shall report to the Secretary each release  
3 to the environment greater than five gallons of the haz-  
4 ardous liquid or carbon dioxide transported. This section  
5 applies to releases from pipeline facilities regulated under  
6 this chapter and from rural gathering lines not regulated  
7 under this chapter. A report must include the location of  
8 the release; fatalities and personal injuries; type of prod-  
9 uct; amount of product release; causes of the release; ex-  
10 tent of damage to property and the environment; and the  
11 response undertaken to clean up the release.

12           “(3) During the course of an incident investigation,  
13 a person owning or operating a pipeline facility shall make  
14 records, reports, and information required under sub-  
15 section (a) of this section or other reasonably described  
16 records, reports, and information relevant to the incident  
17 investigation available to the Secretary within the time  
18 limits prescribed in a written request.”; and

19           (3) redesignating the last sentence as para-  
20 graph (4).

21           (b) PENALTY AUTHORITIES.—

22           (1) Section 60122(a) is amended by striking  
23 “60114(c)” and substituting “60117(b)(3)”.

24           (2) Section 60123(a) is amended by striking  
25 “60114(c)” and substituting “60117(b)(3)”.

1 (c) NATIONAL DEPOSITORY.—Section 60117 is fur-  
2 ther amended by adding at the end the following sub-  
3 section:

4 “(l) NATIONAL DEPOSITORY.—The Secretary shall  
5 establish a national depository of data on events and con-  
6 ditions, including spill histories and corrective actions for  
7 specific incidents, that can be used to evaluate the risk  
8 of, and to prevent, pipeline failures and releases. The Sec-  
9 retary may establish the depository through cooperative  
10 arrangements, and the Secretary shall make such informa-  
11 tion available for use by State and local planning and  
12 emergency response authorities and the public.”.

13 **SEC. 8. ENHANCED INVESTIGATION AUTHORITIES.**

14 (a) CLARIFICATION OF AUTHORITY.—Section  
15 60117(c) is amended by striking “decide whether a person  
16 is complying with this chapter and standards prescribed  
17 or orders issued under this chapter” and substituting  
18 “carry out the duties and responsibilities of this chapter.  
19 The Secretary may question an individual about matters  
20 relevant to an investigation, including such matters as the  
21 design, construction, operation, or maintenance of the sys-  
22 tem, the individual’s qualifications, or the operator’s re-  
23 sponse to an emergency”.

1 (b) EXPENSES OF INVESTIGATION.—Section 60117,  
2 as amended by section 7, is further amended by adding  
3 at the end the following subsection:

4 “(m) EXTRAORDINARY EXPENSES OF INCIDENT IN-  
5 VESTIGATION.—The Secretary may, by regulation, estab-  
6 lish procedures to recover the Secretary’s costs incurred  
7 because of investigation of incidents from the operators  
8 of the pipeline facilities involved in the incidents. These  
9 costs may include travel costs and contract support for  
10 the investigation and monitoring of the corrective meas-  
11 ures. All sums collected shall be deposited into the Pipeline  
12 Safety Fund and shall be available, to the extent and in  
13 the amount provided in advance in appropriations acts, to  
14 reimburse the Secretary for the costs of investigation and  
15 monitoring of the incidents. Such amounts are authorized  
16 to be appropriated to be available until expended.”.

17 **SEC. 9. INTERNATIONAL AUTHORITY.**

18 Section 60117, as amended by section 8, is further  
19 amended by adding at the end the following subsection:

20 “(n) GLOBAL SHARING OF ENVIRONMENTAL AND  
21 SAFETY INFORMATION.—Subject to guidance and direc-  
22 tion of the Secretary of State, the Secretary of Transpor-  
23 tation is directed to support international efforts to share  
24 information about the risks to the public and the environ-  
25 ment from pipelines and the means of protecting against

1 those risks. The extent of support should include a consid-  
2 eration of the benefits to the public from an increased un-  
3 derstanding by the Secretary of technical issues about  
4 pipeline safety and environmental protection and from  
5 possible improvement in environmental protection outside  
6 the United States.”.

7 **SEC. 10. RISK MANAGEMENT DEMONSTRATION PROGRAM.**

8 Section 60126(a) is amended by adding at the end  
9 the following paragraph:

10 “(3) CONTINUATION OF INDIVIDUAL  
11 PROJECT.—Without regard to any recommendations  
12 made with respect to the risk management dem-  
13 onstration program under subsection (e) of this sec-  
14 tion, the Secretary may, by order, allow the continu-  
15 ation of an individual project begun under this pro-  
16 gram beyond the termination of the program, pro-  
17 vided the Secretary finds that—

18 “(A) the pipeline operator has a clear and  
19 established record of compliance with respect to  
20 safety and environmental protection;

21 “(B) the project is achieving superior lev-  
22 els of public safety and environmental protec-  
23 tion; and

1           “(C) the continuation would not extend the  
2           project more than four years from the date of  
3           the initial approval of the project.”.

4 **SEC. 11. SUPPORT FOR INNOVATIVE TECHNOLOGY DEVEL-**  
5 **OPMENT.**

6           Section 60117, as amended by section 9, is further  
7 amended by adding at the end the following subsection:

8           “(o) SUPPORT FOR INNOVATIVE TECHNOLOGY DE-  
9 VELOPMENT.—

10           “(1) To the extent and in the amount provided  
11 in advance in appropriations acts, the Secretary of  
12 Transportation shall participate in the development  
13 of alternative technologies—

14           “(A) in fiscal year 2001 and thereafter,  
15 to—

16           “(i) identify outside force damage  
17 using internal inspection devices; and

18           “(ii) monitor outside-force damage to  
19 pipelines; and

20           “(B) in fiscal year 2002 and thereafter, to  
21 inspect pipelines that cannot accommodate in-  
22 ternal inspection devices available on the date  
23 of the enactment of this subsection.

24           “(2) The Secretary may support such techno-  
25 logical development through cooperative agreements

1 with trade associations, academic institutions, or  
2 other qualified organizations.”.

3 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) Section 60125(a) is amended to read as follows:

5 “(a) GAS AND HAZARDOUS LIQUID.—To carry out  
6 this chapter and other pipeline-related damage prevention  
7 activities of this title (except for section 60107), there are  
8 authorized to be appropriated to the Department of  
9 Transportation—

10 “(1) \$30,118,000 for fiscal year 2001; and

11 “(2) such sums as may be necessary for fiscal  
12 years 2002 through 2004.”.

13 (b) Sections 60125(b) and 60125(d) are repealed.

14 (c) Section 60125(c) is redesignated as section  
15 60125(b) and paragraph (1) of that section is amended  
16 by deleting subparagraphs (A) through (H), and sub-  
17 stituting the following new subparagraphs:

18 “(A) \$17,019,000 for fiscal year 2001; and

19 “(B) such sums as may be necessary for  
20 fiscal years 2002 through 2004.”.

21 (d) Subsections (e) and (f) of section 60125 are re-  
22 designated as subsections (c) and (d), respectively.

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