

113TH CONGRESS  
1ST SESSION

# S. 763

To authorize States to enforce pipeline safety requirements related to wellbores at interstate storage facilities.

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IN THE SENATE OF THE UNITED STATES

APRIL 18, 2013

Mr. ROBERTS (for himself and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize States to enforce pipeline safety requirements related to wellbores at interstate storage facilities.

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.**

4 This Act may be cited as the “Underground Gas  
5 Storage Facility Safety Act of 2013”.

6 **SEC. 2. DEFINITIONS.**

7 Section 60101(a) of title 49, United States Code, is  
8 amended—

1 (1) by redesignating paragraphs (20), (21),  
2 (22), (23), (24), and (25) as paragraphs (23), (24),  
3 (25), (20), (21), and (22), respectively;

4 (2) in paragraph (21), as redesignated, by  
5 striking “and” at the end;

6 (3) in paragraph (22), as redesignated, by  
7 striking the period at the end and inserting a semi-  
8 colon; and

9 (4) by adding at the end the following:

10 “(26) ‘underground gas storage wellbore’ means  
11 the piping and hole drilled connecting the surface of  
12 the earth with the underground gas storage res-  
13 ervoir; and

14 “(27) ‘underground hazardous liquid storage  
15 wellbore’ means the piping and hole drilled con-  
16 necting the surface of the earth with the under-  
17 ground hazardous liquid storage reservoir.”.

18 **SEC. 3. STATE ENFORCEMENT OF PIPELINE SAFETY RE-**  
19 **QUIREMENTS.**

20 Section 60104(c) of title 49, United States Code, is  
21 amended—

22 (1) by striking “A State authority that” and in-  
23 serting the following:

24 “(1) A State authority that”;

1           (2) by striking “A State authority may not”  
2           and inserting the following:

3           “(2) A State authority may not”;

4           (3) by striking “Notwithstanding the preceding  
5           sentence, a State authority may enforce a require-  
6           ment” and inserting the following:

7           “(3) Notwithstanding the limitation set forth in  
8           paragraph (2), a State authority may—

9           “(A) enforce a requirement”;

10          (4) by striking “chapter 61.” and inserting  
11          “chapter 61; and”; and

12          (5) by adding at the end the following:

13                 “(B) enforce a State requirement for the  
14                 safe construction and operation of underground  
15                 gas storage wellbores and underground haz-  
16                 ardous liquid storage wellbores if—

17                         “(i) the State requirement has been  
18                         approved by the Federal Energy Regu-  
19                         latory Commission (referred to in this sub-  
20                         paragraph as the ‘Commission’); or

21                         “(ii) the Commission fails to make a  
22                         decision with respect to the State require-  
23                         ment during the 30-day period beginning

1 on the date on which the State submits the  
2 State requirement to the Commission.”.

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