

111TH CONGRESS
2D SESSION

H. R. 6008

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To ensure telephonic notice of certain incidents involving
hazardous liquid and gas pipeline facilities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Corporate Liability
3 and Emergency Accident Notification Act” or “CLEAN
4 Act”.

5 **SEC. 2. NOTIFICATION OF INCIDENTS.**

6 (a) TELEPHONIC NOTICE OF CERTAIN INCIDENTS.—

7 (1) IN GENERAL.—Chapter 601 of title 49,
8 United States Code, is amended by adding at the
9 end the following:

10 **“§ 60138. Telephonic notice of certain incidents**

11 “(a) IN GENERAL.—An owner or operator of a pipe-
12 line facility shall provide immediate telephonic notice of—

13 “(1) a release of hazardous liquid or another
14 substance regulated under part 195 of title 49, Code
15 of Federal Regulations, resulting in an event for
16 which notice is required under section 195.50 of
17 such title; and

18 “(2) a release of gas resulting in an incident,
19 as defined in section 191.3 of such title.

20 “(b) IMMEDIATE TELEPHONIC NOTICE DEFINED.—

21 In subsection (a), the term ‘immediate telephonic notice’
22 means telephonic notice, as described in section 191.5 of
23 such title, to the Secretary and the National Response
24 Center at the earliest practicable moment following dis-
25 covery of a release of gas or hazardous liquid and not later
26 than one hour following the time of such discovery.

1 “(c) REFERENCES.—Any reference to a regulation in
 2 this section means the regulation as in effect on the date
 3 of enactment of this section.”.

4 (2) CLERICAL AMENDMENT.—The analysis for
 5 such chapter is amended by adding at the end the
 6 following:

“60138. Telephonic notice of certain incidents.”.

7 (b) GUIDANCE.—Not later than 60 days after the
 8 date of enactment of this Act, the Secretary shall issue
 9 guidance to clarify the meaning of the term “discovery”
 10 as used in section 60138(b) of title 49, United States
 11 Code, as added by subsection (a) of this section.

12 **SEC. 3. TRANSPARENCY OF ACCIDENTS AND INCIDENTS.**

13 Not later than December 31, 2010, the Secretary of
 14 Transportation shall maintain on the Department of
 15 Transportation’s Internet Web site a database of all re-
 16 portable incidents involving gas or hazardous liquid pipe-
 17 lines and allow the public to search the database for inci-
 18 dents by owner or operator of a pipeline facility.

19 **SEC. 4. CIVIL PENALTIES.**

20 Section 60122(a)(1) of title 49, United States Code,
 21 is amended—

22 (1) in the first sentence—

23 (A) by inserting “, or has obstructed or
 24 prevented the Secretary from carrying out an

1 inspection or investigation under this chapter,”
2 after “under this chapter”; and
3 (B) by striking “\$100,000” and inserting
4 “\$250,000”; and
5 (2) in the last sentence by striking
6 “\$1,000,000” and inserting “\$2,500,000”.

7 **SEC. 5. COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO**
8 **ACT OF 2010.**

9 The budgetary effects of this Act, for the purpose of
10 complying with the Statutory Pay-As-You-Go Act of 2010,
11 shall be determined by reference to the latest statement
12 titled “Budgetary Effects of PAYGO Legislation” for this
13 Act, submitted for printing in the Congressional Record
14 by the Chairman of the House Budget Committee, pro-
15 vided that such statement has been submitted prior to the
16 vote on passage.

Passed the House of Representatives September 28,
2010.

Attest: LORRAINE C. MILLER,
Clerk.