

114TH CONGRESS
2D SESSION

H. R. 4578

To amend title 49, United States Code, to provide for minimum safety standards for underground gas storage facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2016

Mr. SHERMAN (for himself, Mrs. NAPOLITANO, Mr. GRIJALVA, Ms. LOFGREN, Mr. BECERRA, Ms. ESHOO, Mr. FARR, Mr. GARAMENDI, Mr. LOWENTHAL, Mr. TAKANO, Ms. LORETTA SANCHEZ of California, Mr. HUFFMAN, Ms. JUDY CHU of California, Ms. MATSUI, Mr. THOMPSON of California, Mr. POCAN, Ms. BROWNLEY of California, and Mr. CÁRDENAS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and 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 amend title 49, United States Code, to provide for minimum safety standards for underground gas storage 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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. REGULATION OF UNDERGROUND NATURAL GAS**
2 **STORAGE FACILITIES.**

3 Section 60102(a) of title 49, United States Code, is
4 amended by adding at the end the following:

5 “(4) UNDERGROUND GAS STORAGE FACILI-
6 TIES.—

7 “(A) MINIMUM SAFETY STANDARDS.—Not
8 later than 180 days after the date of the enact-
9 ment of the Underground Gas Storage Safety
10 Act, the Secretary, in consultation with other
11 relevant Federal agencies, shall prescribe strong
12 minimum safety standards for underground gas
13 storage facilities.

14 “(B) REQUIREMENTS.—The standards
15 prescribed under subparagraph (A) shall at a
16 minimum—

17 “(i) require operators to have com-
18 prehensive and up-to-date processes, proce-
19 dures, plans, mitigation measures, periodic
20 assessments and reassessments, and emer-
21 gency plans in place to maintain the safety
22 and integrity of all underground gas stor-
23 age facilities, whether operating, aban-
24 doned, idled, or plugged; and

25 “(ii) require compliance with all of the
26 recommendations made by the Pipeline and

1 Hazardous Materials Safety Administra-
2 tion in the second paragraph of Advisory
3 Bulletin ADB–2016–02, issued February
4 2, 2016, except to the extent that the Sec-
5 retary establishes by clear and convincing
6 evidence that it is not in the public inter-
7 est.

8 “(C) PREEMPTION.—A State authority
9 may adopt additional or more stringent safety
10 standards for intrastate underground gas stor-
11 age facilities.

12 “(5) EMERGENCY TEMPORARY REGULATORY
13 REQUIREMENTS.—

14 “(A) IN GENERAL.—Until the Secretary
15 prescribes final standards under paragraph (4),
16 all underground natural gas storage facilities
17 shall at a minimum comply with the following:

18 “(i) All underground natural gas stor-
19 age in depleted hydrocarbon reservoirs and
20 aquifer reservoirs shall comply with Amer-
21 ican Petroleum Institute Recommended
22 Practice 1171, titled ‘Functional Integrity
23 of Natural Gas Storage in Depleted Hy-
24 drocarbon Reservoirs and Aquifer Res-
25 ervoirs’, First Edition, issued September

2015, or a standard determined appropriate by the Secretary.

“(ii) All underground natural gas storage facilities in solution-mined salt caverns shall comply with—

“(I) American Petroleum Institute Recommended Practice 1170, titled ‘Design and Operation of Solution-mined Salt Caverns Used for Natural Gas Storage’, First Edition, issued July 2015; and

“(II) to the extent not inconsistent with standards in the document referred to in subclause (I), Interstate Oil and Gas Compact Commission standards titled ‘Natural Gas Storage in Salt Caverns—A Guide for State Regulators’.

“(iii) All underground natural gas storage facilities shall comply with all of the recommendations made by the Pipeline and Hazardous Materials Safety Administration in the second paragraph of Advisory Bulletin ADB–2016–02, issued Feb-

1 ruary 2, 2016, or a standard determined
2 appropriate by the Secretary.

3 “(B) VARIANCE.—The Secretary may pro-
4 vide a variance from compliance with the re-
5 quirements under subparagraph (A) where ap-
6 propriate.

7 “(6) UNDERGROUND GAS SAFETY RESEARCH.—
8 The Secretary shall establish a program to make
9 grants for research and development activities relat-
10 ing to—

11 “(A) improved underground gas storage
12 safety; or

13 “(B) an odorant additive for gas that is
14 both detectable and nontoxic.

15 “(7) DEFINITION.—In this subsection, the term
16 ‘underground natural gas storage facility’ means a
17 gas pipeline facility that stores natural gas in an un-
18 derground facility, including—

19 “(A) a depleted hydrocarbon reservoir;

20 “(B) an aquifer reservoir; or

21 “(C) a solution-mined salt cavern res-
22 ervoir.”.

23 **SEC. 3. USER FEES.**

24 Section 60301 of title 49, United States Code, is
25 amended—

1 (1) in subsection (b), by inserting “an under-
2 ground gas storage facility,” after “liquefied natural
3 gas pipeline facility,”; and

4 (2) in subsection (d)(1)—

5 (A) by striking “and” at the end of sub-
6 paragraph (A); and

7 (B) by adding at the end the following new
8 subparagraph:

9 “(C) related to an underground gas storage fa-
10 cility may be used only for an activity related to un-
11 derground gas storage under chapter 601 of this
12 title; and”.

○