ties)'' for ''to local communities and groups of individuals (not including for-profit entities)'' in first sentence and ''Except as provided in subsection (c)(2), the amount'' for ''The amount'' in third sentence.

Subsec. (a)(4). Pub. L. 116–260, §101(e)(1)(B), struck out par. (4). Text read as follows: ''In this subsection, the term 'technical assistance' means engineering and other scientific analysis of pipeline safety issues, including the promotion of public participation on technical pipeline safety issues in official proceedings conducted under this chapter.''

Subsec. (c). Pub. L. 116–260, §101(e)(2), added subsec. (c) and struck out former subsec. (c). Prior to amendment, text read as follows: ''Of the amounts made available under section 2(b) of the PIPES Act of 2016, the Secretary shall expend $1,500,000 for each of fiscal years 2016 through 2019 to carry out this section. Such amounts shall not be derived from user fees collected under section 60301.''

Subsec. (d). Pub. L. 116–260, §101(e)(3), added subsec. (d).

2016—Subsec. (a)(4). Pub. L. 114–183, §20(a), inserted ''on technical pipeline safety issues'' after ''public participation''.

Subsec. (c). Pub. L. 114–183, §2(d), substituted ''Of the amounts made available under section 2(b) of the PIPES Act of 2016, the Secretary shall expend $1,500,000 for each of fiscal years 2016 through 2019 to carry out this section.'' for ''There is authorized to be appropriated to the Secretary of Transportation for carrying out this section $1,500,000 for each of fiscal years 2012 through 2015.''

2014—Subsecs. (c), (d). Pub. L. 113–188 redesignated subsec. (d) as (c) and struck out former subsec. (c) which required annual reports on grants made under this section.

2012—Subsec. (a)(1). Pub. L. 112–90, §32(e)(1), substituted ''$100,000'' for ''$50,000''.

Subsec. (b). Pub. L. 112–90, §32(e)(2), inserted ''to grant recipients and their contractors'' after ''this section'' and '', for direct advocacy for or against a pipeline construction or expansion project,'' after ''for lobbying''.

Subsec. (d). Pub. L. 112–90, §32(e)(3), substituted ''$1,500,000 for each of fiscal years 2012 through 2015'' for ''$1,000,000 for each of the fiscal years 2003 through 2010''.

2006—Subsec. (a)(1). Pub. L. 109–468, §5(1), substituted ''No grants may be awarded under section 60114(g) until the Secretary has established competitive'' for ''The Secretary shall establish competitive''.

Subsec. (a)(2) to (4). Pub. L. 109–468, §5(2), (3), added pars. (2) and (3) and redesignated former par. (2) as (4).

Subsec. (d). Pub. L. 109–468, §5(4), substituted ''2010'' for ''2006''.

§ 60131. Verification of pipeline qualification programs

(a) IN GENERAL.—Subject to the requirements of this section, the Secretary of Transportation shall require the operator of a pipeline facility to develop and adopt a qualification program to ensure that the individuals who perform covered tasks are qualified to conduct such tasks.

(b) STANDARDS AND CRITERIA.—

(1) DEVELOPMENT.—Not later than 1 year after the date of enactment of this section, the Secretary shall ensure that the Department of Transportation has in place standards and criteria for qualification programs referred to in subsection (a).

(2) CONTENTS.—The standards and criteria shall include the following:

(A) The establishment of methods for evaluating the acceptability of the qualifications of individuals described in subsection (a).

(B) A requirement that pipeline operators develop and implement written plans and procedures to qualify individuals described in subsection (a) to a level found acceptable using the methods established under subparagraph (A) and evaluate the abilities of individuals described in subsection (a) according to such methods.

(C) A requirement that the plans and procedures adopted by a pipeline operator under subparagraph (B) be reviewed and verified under subsection (e).

(c) DEVELOPMENT OF QUALIFICATION PROGRAMS BY PIPELINE OPERATORS.—The Secretary shall require each pipeline operator to develop and adopt, not later than 2 years after the date of enactment of this section, a qualification program that complies with the standards and criteria described in subsection (b).

(d) ELEMENTS OF QUALIFICATION PROGRAMS.—A qualification program adopted by an operator under subsection (a) shall include, at a minimum, the following elements:

(1) A method for examining or testing the qualifications of individuals described in subsection (a). The method may include written examination, oral examination, observation during on-the-job performance, on-the-job training, simulations, and other forms of assessment. The method may not be limited to observation of on-the-job performance, except with respect to tasks for which the Secretary has determined that such observation is the best method of examining or testing qualifications. The Secretary shall ensure that the results of any such observations are documented in writing.

(2) A requirement that the operator complete the qualification of all individuals described in subsection (a) not later than 18 months after the date of adoption of the qualification program.

(3) A periodic requalification component that provides for examination or testing of individuals in accordance with paragraph (1).

(4) A program to provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities.

(e) REVIEW AND VERIFICATION OF PROGRAMS.—

(1) IN GENERAL.—The Secretary shall review the qualification program of each pipeline operator and verify its compliance with the standards and criteria described in subsection (b) and that it includes the elements described in subsection (d). The Secretary shall record the results of that review for use in the next review of an operator's program.

(2) DEADLINE FOR COMPLETION.—Reviews and verifications under this subsection shall be completed not later than 3 years after the date of the enactment of this section.

(3) INADEQUATE PROGRAMS.—If the Secretary decides that a qualification program is inadequate for the safe operation of a pipeline facility, the Secretary shall act as under section 60108(a)(2) to require the operator to revise the qualification program.

(4) PROGRAM MODIFICATIONS.—If the operator of a pipeline facility significantly modifies a program that has been verified under this subsection, the operator shall notify the Secretary of the modifications. The Secretary shall review and verify such modifications in accordance with paragraph (1).

(5) WAIVERS AND MODIFICATIONS.—In accordance with section 60118(c), the Secretary may waive or modify any requirement of this section if the waiver or modification is not inconsistent with pipeline safety.

(6) INACTION BY THE SECRETARY.—Notwithstanding any failure of the Secretary to prescribe standards and criteria as described in subsection (b), an operator of a pipeline facility shall develop and adopt a qualification program that complies with the requirement of subsection (b)(2)(B) and includes the elements described in subsection (d) not later than 2 years after the date of enactment of this section.

(f) INTRASTATE PIPELINE FACILITIES.—In the case of an intrastate pipeline facility operator, the duties and powers of the Secretary under this section with respect to the qualification program of the operator shall be vested in the appropriate State regulatory agency, consistent with this chapter.

(g) COVERED TASK DEFINED.—In this section, the term ''covered task''—

(1) with respect to a gas pipeline facility, has the meaning such term has under section 192.801 of title 49, Code of Federal Regulations, including any subsequent modifications; and

(2) with respect to a hazardous liquid pipeline facility, has the meaning such term has under section 195.501 of such title, including any subsequent modifications.

(h) REPORT.—Not later than 4 years after the date of enactment of this section, the Secretary shall transmit to Congress a report on the status and results to date of the personnel qualification regulations issued under this chapter.

(Added Pub. L. 107–355, § 13(a)(1), Dec. 17, 2002, 116 Stat. 2999.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsecs. (b)(1), (c), (e)(2), (6), and (h), is the date of enactment of Pub. L. 107–355, which was approved Dec. 17, 2002.

Statutory Notes and Related Subsidiaries

PILOT PROGRAM FOR CERTIFICATION OF CERTAIN PIPELINE WORKERS

Pub. L. 107–355, § 13(b), Dec. 17, 2002, 116 Stat. 3001, provided that:

''(1) IN GENERAL.—Not later than 36 months after the date of enactment of this Act [Dec. 17, 2002], the Secretary of Transportation shall—

''(A) develop tests and other requirements for certifying the qualifications of individuals who operate computer-based systems for controlling the operations of pipelines; and

''(B) establish and carry out a pilot program for 3 pipeline facilities under which the individuals operating computer-based systems for controlling the operations of pipelines at such facilities are required to be certified under the process established under subparagraph (A).

''(2) REPORT.—The Secretary shall include in the report required under section 60131(h) [of title 49], as added by subsection (a) of this section, the results of the pilot program. The report shall include—

''(A) a description of the pilot program and implementation of the pilot program at each of the 3 pipeline facilities;

''(B) an evaluation of the pilot program, including the effectiveness of the process for certifying individuals who operate computer-based systems for controlling the operations of pipelines;

''(C) any recommendations of the Secretary for requiring the certification of all individuals who operate computer-based systems for controlling the operations of pipelines; and

''(D) an assessment of the ramifications of requiring the certification of other individuals performing safety-sensitive functions for a pipeline facility.

''(3) COMPUTER-BASED SYSTEMS DEFINED.—In this subsection, the term 'computer-based systems' means supervisory control and data acquisition systems.''

§ 60132. National pipeline mapping system

(a) INFORMATION TO BE PROVIDED.—Not later than 6 months after the date of enactment of this section, the operator of a pipeline facility (except distribution lines and gathering lines) shall provide to the Secretary of Transportation the following information with respect to the facility:

(1) Geospatial data appropriate for use in the National Pipeline Mapping System or data in a format that can be readily converted to geospatial data.

(2) The name and address of the person with primary operational control to be identified as its operator for purposes of this chapter.

(3) A means for a member of the public to contact the operator for additional information about the pipeline facilities it operates.

(4) Any other geospatial or technical data, including design and material specifications, that the Secretary determines are necessary to carry out the purposes of this section. The Secretary shall give reasonable notice to operators that the data are being requested.

(b) UPDATES.—A person providing information under subsection (a) shall provide to the Secretary updates of the information to reflect changes in the pipeline facility owned or operated by the person and as otherwise required by the Secretary.

(c) TECHNICAL ASSISTANCE TO IMPROVE LOCAL RESPONSE CAPABILITIES.—The Secretary may provide technical assistance to State and local officials to improve local response capabilities for pipeline emergencies by adapting information available through the National Pipeline Mapping System to software used by emergency response personnel responding to pipeline emergencies.

(d) MAP OF HIGH-CONSEQUENCE AREAS.—The Secretary shall—

(1) maintain, as part of the National Pipeline Mapping System, a map of designated high-consequence areas (as described in section 60109(a)) in which pipelines are required to meet integrity management program regulations, excluding any proprietary or sensitive security information; and

(2) update the map biennially.