

118TH CONGRESS
2D SESSION

S. 4983

To amend title 49, United States Code, to require the establishment of an Office of Public Engagement in the Pipeline and Hazardous Materials Safety Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2024

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 49, United States Code, to require the establishment of an Office of Public Engagement in the Pipeline and Hazardous Materials Safety Administration, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Pipeline Accountability, Safety, and Environmental
6 Standards Act of 2024”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.

TITLE I—SAFETY AND ENVIRONMENTAL PROTECTIONS

- Sec. 101. Factors for consideration in prescribing standards.
 Sec. 102. Cost-benefit analyses.
 Sec. 103. Technical safety standards committees.
 Sec. 104. Application of regulations to existing pipelines.
 Sec. 105. Rupture-mitigation valves on pipelines in high consequence areas.
 Sec. 106. Safety of carbon dioxide pipelines.
 Sec. 107. Blending of hydrogen in natural gas systems.
 Sec. 108. Extension and modification of Natural Gas Distribution Infrastructure Safety and Modernization Grant Program.
 Sec. 109. Rulemaking on underground natural gas storage.

TITLE II—PUBLIC ENGAGEMENT AND TRANSPARENCY

- Sec. 201. Office of Public Engagement.
 Sec. 202. Disclosure of safety data.
 Sec. 203. Reporting of blended products.
 Sec. 204. Incident reporting for gas pipelines.

TITLE III—ACCOUNTABILITY

- Sec. 301. Prohibition against releases.
 Sec. 302. Actions by private persons.
 Sec. 303. Penalties.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATION.—The term “Administra-
 4 tion” means the Pipeline and Hazardous Materials
 5 Safety Administration.

6 (2) APPROPRIATE COMMITTEES OF CON-
 7 GRESS.—The term “appropriate committees of Con-
 8 gress” means—

9 (A) the Committee on Commerce, Science,
 10 and Transportation of the Senate;

11 (B) the Committee on Transportation and
 12 Infrastructure of the House of Representatives;
 13 and

1 (C) the Committee on Energy and Com-
2 merce of the House of Representatives.

3 (3) ENVIRONMENT.—The term “environment”
4 includes—

5 (A) water, air, and land; and

6 (B) the interrelationship that exists among
7 and between water, air, and land and all
8 present and future generations of living beings.

9 (4) ENVIRONMENTAL.—The term “environ-
10 mental” means relating to or concerning the envi-
11 ronment.

12 (5) INCIDENT.—The term “incident” has the
13 meaning given the term in section 191.3 of title 49,
14 Code of Federal Regulations (or a successor regula-
15 tion).

16 (6) NATURAL GAS.—The term “natural gas”
17 has the meaning given the term in section 2 of the
18 Natural Gas Act (15 U.S.C. 717a).

19 (7) SECRETARY.—The term “Secretary” means
20 the Secretary of Transportation, acting through the
21 Administrator of the Administration.

1 **TITLE I—SAFETY AND**
2 **ENVIRONMENTAL PROTECTIONS**

3 **SEC. 101. FACTORS FOR CONSIDERATION IN PRESCRIBING**
4 **STANDARDS.**

5 (a) IN GENERAL.—Section 60102(b)(2) of title 49,
6 United States Code, is amended—

7 (1) in subparagraph (F), by striking “and” at
8 the end;

9 (2) in subparagraph (G), by striking the period
10 at the end and inserting a semicolon; and

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

12 “(H) the need to mitigate negative impacts
13 to the global climate and avoid unnecessarily
14 prolonging the life span of fossil fuel infrastruc-
15 ture; and

16 “(I) transition plans toward non-emitting
17 alternatives.”.

18 (b) DEFINITION.—

19 (1) IN GENERAL.—Section 60101(a) of title 49,
20 United States Code, is amended—

21 (A) in paragraph (25), by striking “and”
22 at the end;

23 (B) in paragraph (22)(B)(iii), by inserting
24 “and” after the semicolon at the end;

1 (C) by redesignating paragraphs (17)
2 through (26) as paragraphs (18), (19), (20),
3 (24), (25), (26), (21), (22), (23), and (27), re-
4 spectively, and moving the paragraphs so as to
5 appear in numerical order; and

6 (D) by inserting after paragraph (16) the
7 following:

8 “(17) ‘non-emitting alternative’ means a tech-
9 nological or efficiency-related energy solution that
10 does not entail the use of fossil fuels that are di-
11 rectly or indirectly related to the greenhouse effect,
12 including electrification, renewable energy sources,
13 networked geothermal systems, storage, efficiency,
14 and behavior change;”.

15 (2) CONFORMING AMENDMENTS.—

16 (A) Section 70012(c) of title 46, United
17 States Code, is amended by striking “section
18 60101(a)(18)” and inserting “section
19 60101(a)”.

20 (B) Section 60102(q)(1) of title 49, United
21 States Code, is amended, in the matter pre-
22 ceding subparagraph (A), by striking “sub-
23 section (a)(21)” and inserting “subsection
24 (a)(25)”.

1 **SEC. 102. COST-BENEFIT ANALYSES.**

2 Section 60102(b) of title 49, United States Code (as
3 amended by section 101), is amended—

4 (1) in paragraph (2)—

5 (A) by striking subparagraphs (D) and
6 (E); and

7 (B) by redesignating subparagraphs (F)
8 through (I) as subparagraphs (D) through (G),
9 respectively; and

10 (2) by striking paragraphs (3) through (7).

11 **SEC. 103. TECHNICAL SAFETY STANDARDS COMMITTEES.**

12 (a) IN GENERAL.—Section 60115 of title 49, United
13 States Code, is amended—

14 (1) in subsection (a), by striking the third sen-
15 tence;

16 (2) in subsection (b)(4)—

17 (A) in subparagraph (C)—

18 (i) by striking the second and third
19 sentences and inserting the following:

20 “(ii) None of the individuals selected for a committee
21 under paragraph (3)(C) may have a financial interest in
22 the pipeline, petroleum, ethanol, or gas industries, includ-
23 ing through direct ownership, consulting fees, wages, or
24 research funding provided directly to the individual, but
25 not including any compensation for a pipeline easement
26 on the property of the individual.”; and

1 (ii) by striking “(C) Two” and insert-
2 ing the following:

3 “(C)(i) Two”; and

4 (B) by striking subparagraph (D) and in-
5 serting the following:

6 “(iii) All individuals under consideration for selection
7 for a committee under paragraph (3)(C) shall submit to
8 the Secretary such financial records for the previous year
9 as the Secretary determines necessary to evaluate compli-
10 ance with clause (ii). All individuals selected for a com-
11 mittee under paragraph (3)(C) shall submit to the Sec-
12 retary, prior to appointment and annually thereafter for
13 so long as the individual is a member of the committee,
14 such financial records for the previous year as the Sec-
15 retary determines necessary to evaluate compliance with
16 clause (ii).

17 “(iv) The Secretary shall provide reasonable com-
18 pensation for members of each committee that are ap-
19 pointed under paragraph (3)(C). Such compensation shall
20 not make a member of a committee an officer or employee
21 of the Federal Government in determining eligibility for
22 membership on the applicable committee.”; and

23 (3) in subsection (c)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking
2 “Committee each standard proposed under
3 this chapter for transporting gas and for
4 gas pipeline facilities including the risk as-
5 sessment information and other analyses
6 supporting each proposed standard;” and
7 inserting the following: “Committee—
8 “(i) each standard proposed under this
9 chapter for—
10 “(I) transporting gas; or
11 “(II) gas pipeline facilities; and
12 “(ii) analyses supporting each proposed
13 standard described in clause (i);”; and
14 (ii) in subparagraph (B), by striking
15 “Committee each standard proposed under
16 this chapter for transporting hazardous liq-
17 uid and for hazardous liquid pipeline facili-
18 ties including the risk assessment informa-
19 tion and other analyses supporting each
20 proposed standard.” and inserting the fol-
21 lowing: “Committee—
22 “(i) each standard proposed under this
23 chapter for—
24 “(I) transporting hazardous liquid; or

1 “(II) hazardous liquid pipeline facili-
2 ties; and

3 “(ii) analyses supporting each proposed
4 standard described in clause (i).”; and

5 (B) in paragraph (2), in the first sen-
6 tence—

7 (i) by striking “cost-effectiveness,”;
8 and

9 (ii) by inserting “, and the strength of
10 the proposed standard to promote safety
11 and protect the environment (as defined in
12 section 2 of the Pipeline Accountability,
13 Safety, and Environmental Standards Act
14 of 2024),” before “and include”.

15 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There
16 are authorized to be appropriated such sums as are nec-
17 essary to carry out this section and the amendments made
18 by this section.

19 **SEC. 104. APPLICATION OF REGULATIONS TO EXISTING**
20 **PIPELINES.**

21 (a) **IN GENERAL.**—Section 60104(b) of title 49,
22 United States Code, is amended—

23 (1) in the subsection heading, by striking
24 “NONAPPLICATION” and inserting “APPLICATION”;

1 (2) by striking “does not apply” and inserting
2 “may be applied”; and

3 (3) by adding at the end the following: “The
4 authority of the Secretary to apply any standard
5 promulgated pursuant to this chapter (including any
6 standard promulgated prior to the date of enactment
7 of the Pipeline Accountability, Safety, and Environ-
8 mental Standards Act of 2024) shall not be limited
9 by virtue of a pipeline preexisting the issuance of
10 that standard.”.

11 (b) CONFORMING AMENDMENT.—Section 60109(c)
12 of title 49, United States Code, is amended—

13 (1) by striking paragraph (11); and

14 (2) by redesignating paragraph (12) as para-
15 graph (11).

16 **SEC. 105. RUPTURE-MITIGATION VALVES ON PIPELINES IN**
17 **HIGH CONSEQUENCE AREAS.**

18 Section 60109(c) of title 49, United States Code (as
19 amended by section 104(b)(2)), is amended by adding at
20 the end the following:

21 “(12) RUPTURE-MITIGATION VALVES ON PIPE-
22 LINES IN HIGH CONSEQUENCE AREAS.—

23 “(A) DEFINITIONS.—

24 “(i) CLASS 3 OR 4 LOCATION.—The
25 term ‘Class 3 or 4 location’, with respect

1 to a gas pipeline facility, means, as appli-
2 cable—

3 “(I) a Class 3 location (as de-
4 fined in section 192.5(b) of title 49,
5 Code of Federal Regulations (or a
6 successor regulation)); or

7 “(II) a Class 4 location (as de-
8 fined in that section).

9 “(ii) COVERED LOCATION.—The term
10 ‘covered location’ means—

11 “(I) a high consequence area;
12 and

13 “(II) a location where a rupture
14 could affect—

15 “(aa) a high consequence
16 area; or

17 “(bb) a Class 3 or 4 loca-
18 tion.

19 “(iii) COVERED PIPELINE.—The term
20 ‘covered pipeline’ means an existing or
21 newly constructed pipeline, 6 inches or
22 greater in diameter, that is—

23 “(I) a gas transmission pipeline;

24 “(II) a type A onshore gathering
25 pipeline (as described in section

1 192.8(c) of title 49, Code of Federal
2 Regulations (or a successor regula-
3 tion));

4 “(III) a hazardous liquid pipe-
5 line; or

6 “(IV) a carbon dioxide pipeline.

7 “(iv) HIGH CONSEQUENCE AREA.—

8 The term ‘high consequence area’ means—

9 “(I) with respect to a gas pipe-
10 line facility, a high consequence area
11 (as defined in section 192.903 of title
12 49, Code of Federal Regulations (or a
13 successor regulation)); and

14 “(II) with respect to a hazardous
15 liquid pipeline facility or relevant car-
16 bon dioxide pipeline facility, a high
17 consequence area (as defined in sec-
18 tion 195.450 of title 49, Code of Fed-
19 eral Regulations (or a successor regu-
20 lation)).

21 “(B) ISOLATION OF PIPELINE SEG-
22 MENTS.—Beginning on the date that is 5 years
23 after the date of enactment of the Pipeline Ac-
24 countability, Safety, and Environmental Stand-
25 ards Act of 2024, an operator of a covered

1 pipeline any portion of which is in a covered lo-
2 cation shall, as soon as practicable, but not
3 later than 30 minutes after rupture identifica-
4 tion, fully isolate any ruptured pipeline segment
5 that is in a covered location, in order to mini-
6 mize the volume of product released from the
7 pipeline and mitigate the consequences of the
8 rupture.

9 “(C) DEMONSTRATION OF COMPLIANCE.—

10 “(i) EXISTING PIPELINES IN COVERED
11 LOCATIONS.—Not later than 5 years after
12 the date of enactment of the Pipeline Ac-
13 countability, Safety, and Environmental
14 Standards Act of 2024, each operator of a
15 covered pipeline any portion of which is in
16 a covered location as of that date of enact-
17 ment shall demonstrate the ability of the
18 operator to comply with the requirements
19 of subparagraph (B).

20 “(ii) SUBSEQUENT DETERMINA-
21 TIONS.—Beginning on the date of enact-
22 ment of the Pipeline Accountability, Safe-
23 ty, and Environmental Standards Act of
24 2024, not later than 5 years after an exist-
25 ing covered pipeline is determined to be in

1 a covered location, the operator of that
2 covered pipeline shall demonstrate the abil-
3 ity of the operator to isolate the applicable
4 segment of the covered pipeline not later
5 than 30 minutes after rupture identifica-
6 tion, in accordance with subparagraph (B),
7 unless the operator has received a waiver
8 in accordance with subparagraph (D) with
9 respect to the applicable segment that is in
10 effect on the expiration of that 5-year pe-
11 riod.

12 “(D) WAIVER ON REQUEST.—The Sec-
13 retary may approve a waiver of the require-
14 ments of subparagraphs (B) and (C) on the re-
15 quest of an operator of a covered pipeline if the
16 request—

17 “(i)(I) demonstrates, in the deter-
18 mination of the Secretary, that meeting
19 the 30-minute standard described in sub-
20 paragraph (B) is operationally, techno-
21 logically, or economically infeasible; and

22 “(II) describes the methodology used
23 to reach, and the results of studies sup-
24 porting, that conclusion;

25 “(ii)(I) includes the estimated—

1 “(aa) isolation time; and

2 “(bb) consequences of a worst-
3 case scenario failure on the impacted
4 high consequence area or Class 3 or 4
5 location; and

6 “(II) demonstrates that the operator
7 has involved the local emergency services
8 in developing those estimates;

9 “(iii) demonstrates that the public
10 within the impacted area and the imme-
11 diately surrounding areas has been in-
12 formed of the consequences of a rupture
13 and consulted with respect to a waiver, in-
14 cluding by providing the estimated isola-
15 tion time; and

16 “(iv) for a pipeline segment for which
17 a rupture could affect a high consequence
18 area that is an unusually sensitive area (as
19 defined in section 195.6 of title 49, Code
20 of Federal Regulations (or a successor reg-
21 ulation)), demonstrates that relevant envi-
22 ronmental and public safety groups have
23 been informed of, and consulted with re-
24 spect to, the consequences of a rupture
25 and the request for a waiver.

1 “(E) EXPIRATION, RENEWAL, AND RE-
2 QUIRED REVIEW.—

3 “(i) EXPIRATION.—A waiver granted
4 by the Secretary under subparagraph (D)
5 shall expire 5 years after the date on which
6 the waiver was granted.

7 “(ii) RENEWAL.—A waiver granted by
8 the Secretary under subparagraph (D)
9 may be renewed on the submission by the
10 operator of a new request in accordance
11 with that subparagraph, subject to such re-
12 vision as the Secretary determines to be
13 appropriate based on a review of the re-
14 quest.

15 “(iii) REQUIRED REVIEW.—

16 “(I) IN GENERAL.—Not later
17 than 180 days after the occurrence of
18 an event described in subclause (II),
19 an operator receiving a waiver under
20 subparagraph (D) shall—

21 “(aa) review the waiver; and

22 “(bb) submit to the Sec-
23 retary a new request for a waiver
24 in accordance with that subpara-
25 graph, including such revisions as

1 the operator determines appro-
2 priate based on a review of the
3 applicable event described in that
4 subclause.

5 “(II) EVENTS DESCRIBED.—An
6 event referred to in subclause (I) is
7 any of the following:

8 “(aa) A significant incident
9 anywhere on the network of pipe-
10 lines of the operator.

11 “(bb) A change in the oper-
12 ational status of the applicable
13 pipeline segment that may im-
14 pact the safe operation of the
15 pipeline facility or the con-
16 sequences of a rupture.

17 “(cc) A change in the built
18 or natural environment that may
19 impact the safe operation of the
20 pipeline facility or the con-
21 sequences of a rupture.

22 “(dd) A change in the orga-
23 nizational structure of the oper-
24 ator, including a change in staff-
25 ing levels or locations, that would

1 affect the ability of the operator
2 to isolate the applicable pipeline
3 segment within the required time.

4 “(III) REVIEW BY THE SEC-
5 RETARY.—On receipt of a request
6 under subclause (I)(bb), the Secretary
7 shall—

8 “(aa) review the request;
9 and

10 “(bb) as the Secretary deter-
11 mines to be appropriate—

12 “(AA) grant a new
13 waiver under subparagraph
14 (D) with such revisions as
15 the Secretary determines to
16 be appropriate;

17 “(BB) revoke the exist-
18 ing waiver and require com-
19 pliance with subparagraphs
20 (B) and (C); or

21 “(CC) require the sub-
22 mission of a revised request
23 by a date determined by the
24 Secretary, addressing such

1 matters as the Secretary de-
2 termines to be appropriate.

3 “(IV) EXPIRATION DUE TO INAC-
4 TION.—If an operator has not sub-
5 mitted to the Secretary a request in
6 accordance with item (bb) of sub-
7 clause (I) by the date described in
8 that subclause, the existing waiver
9 shall expire as of that date.

10 “(F) RULEMAKING.—Not later than 2
11 years after the date of enactment of the Pipe-
12 line Accountability, Safety, and Environmental
13 Standards Act of 2024, the Secretary shall pro-
14 mulgate new, or revise existing, regulations to
15 carry out this paragraph.”.

16 **SEC. 106. SAFETY OF CARBON DIOXIDE PIPELINES.**

17 (a) DEFINITIONS.—In this section:

18 (1) HIGH CONSEQUENCE AREA.—The term
19 “high consequence area” has the meaning given the
20 term in section 192.903 of title 49, Code of Federal
21 Regulations (or a successor regulation).

22 (2) POTENTIAL IMPACT AREA.—The term “po-
23 tential impact area” means the area in which the po-
24 tential failure of a pipeline transporting carbon diox-

1 ide may be expected to have significant impact on
2 persons, property, or the environment.

3 (b) MINIMUM SAFETY STANDARDS.—

4 (1) IN GENERAL.—Not later than 2 years after
5 the date of enactment of this Act, the Secretary
6 shall prescribe under section 60102(a)(2) of title 49,
7 United States Code, minimum safety standards for
8 the design, installation, construction, initial inspec-
9 tion, initial testing, and operation and maintenance
10 of carbon dioxide pipelines.

11 (2) CONSIDERATIONS.—In prescribing min-
12 imum safety standards under paragraph (1), the
13 Secretary shall—

14 (A) prescribe minimum safety standards
15 for all phases of carbon dioxide pipeline trans-
16 portation;

17 (B) develop appropriate standards for the
18 determination of—

19 (i) a potential impact area, which may
20 include the use of plume dispersion models
21 and consideration of the impacts of local
22 weather and topography;

23 (ii) the area in which a rupture may
24 cause a sufficient concentration of carbon
25 dioxide to create a risk of fatality;

- 1 (iii) high consequence areas;
- 2 (iv) pipeline segments that could af-
- 3 fect high consequence areas; and
- 4 (v) the acceptable level of contami-
- 5 nants in the pipeline;
- 6 (C) require an effective, appropriate, and
- 7 unique odorant, or other effective and appro-
- 8 priate means of leak detection, as determined
- 9 through research and development;
- 10 (D) establish measures to ensure effective
- 11 fracture propagation protection, including the
- 12 consideration of requirements relating to—
- 13 (i) material toughness; and
- 14 (ii) the use of fracture arrestors;
- 15 (E) consider which measures will ensure
- 16 the maximum protection of—
- 17 (i) public health;
- 18 (ii) pipeline integrity; and
- 19 (iii) the environment and public safe-
- 20 ty, consistent with section 60102 of title
- 21 49, United States Code;
- 22 (F) establish detailed safety standards for
- 23 the conversion of existing pipelines for use in
- 24 transporting carbon dioxide; and

1 (G) establish guidelines for emergency re-
2 sponse plans and emergency responder training
3 for carbon dioxide pipeline leaks, ensuring that
4 the relevant portions of emergency response
5 plans are available to relevant emergency re-
6 sponders.

7 (3) REQUIREMENT.—The minimum safety
8 standards prescribed under paragraph (1) shall, at
9 a minimum, be responsive to the findings and rec-
10 ommendations in the report of the Accident Inves-
11 tigation Division of the Office of Pipeline Safety of
12 the Administration entitled “Failure Investigation
13 Report—Denbury Gulf Coast Pipelines LLC—Pipe-
14 line Rupture/Natural Force Damage” and dated
15 May 26, 2022.

16 (c) OTHER REQUIREMENTS.—Not later than 2 years
17 after the date of enactment of this Act, the Secretary shall
18 promulgate regulations—

19 (1) requiring operators of carbon dioxide pipe-
20 lines—

21 (A) to identify and assess geohazards dur-
22 ing initial pipeline siting;

23 (B) to monitor for changes in hazardous
24 conditions that could impact pipeline safety;
25 and

1 (C) to take preventive and mitigative meas-
2 ures as appropriate;

3 (2) establishing reporting requirements relating
4 to—

5 (A) the location of carbon dioxide pipelines
6 and related facilities;

7 (B) the phase and material being trans-
8 ported through those pipelines, including the
9 type and quantity of contaminants; and

10 (C) how those pipelines and contents are
11 inspected;

12 (3) establishing standards and notification re-
13 quirements for cases in which the material being
14 transported by a carbon dioxide pipeline is not pure
15 carbon dioxide;

16 (4) requiring operators of carbon dioxide pipe-
17 lines to notify and coordinate with relevant Federal,
18 State, local, and Tribal officials and responders
19 when there is an incident or accident; and

20 (5) requiring operators of carbon dioxide pipe-
21 lines to notify individuals within the relevant poten-
22 tial impact area of the hazards posed by carbon di-
23 oxide pipelines and measures to take in the event of
24 a pipeline rupture.

1 (d) TRAINING AND OTHER RESOURCES.—The Sec-
2 retary shall provide training and other resources to rel-
3 evant local emergency responders that is tailored specifi-
4 cally to carbon dioxide pipeline ruptures, including infor-
5 mation on the potential impact area, any relevant
6 odorants, the health implications of exposure to high con-
7 centrations of carbon dioxide, and the impact of high con-
8 centrations of carbon dioxide on vehicle functioning.

9 **SEC. 107. BLENDING OF HYDROGEN IN NATURAL GAS SYS-**
10 **TEMS.**

11 (a) STUDY.—The Comptroller General of the United
12 States shall—

13 (1) conduct a study of the short- and long-term
14 safety, health, environmental, and climate change
15 impacts and risks of blending hydrogen into existing
16 natural gas systems; and

17 (2) not later than 3 years after the date of en-
18 actment of this Act, submit to the Secretary and the
19 appropriate committees of Congress a report describ-
20 ing the results of the study, including—

21 (A) a description of any remaining knowl-
22 edge gaps relating to safely moving hydrogen-
23 methane blends through existing natural gas
24 systems;

1 (B) a description of the safety risks of hy-
2 drogen-methane blends in existing natural gas
3 systems, including—

4 (i) leak rates of hydrogen-methane
5 blends and associated environmental im-
6 pacts;

7 (ii) the performance of hydrogen-
8 methane blends in existing residential,
9 commercial, and industrial infrastructure;
10 and

11 (iii) underground migration of leaked
12 hydrogen-methane blends;

13 (C) an analysis of any expected climate
14 change impacts and risks of blending hydrogen
15 into existing natural gas systems, as compared
16 to—

17 (i) the status quo; and

18 (ii) other pathways for greenhouse gas
19 emissions reduction; and

20 (D) recommendations to the Secretary for
21 how to avoid or minimize risks determined
22 under paragraph (1).

23 (b) CONSIDERATIONS.—In conducting the study
24 under subsection (a)(1), the Comptroller General of the
25 United States shall take into consideration, at a minimum,

1 the findings of the study on hydrogen blending commis-
2 sioned by the California Public Utilities Commission and
3 carried out by the University of California, Riverside, enti-
4 tled “Hydrogen Blending Impacts Study” and dated July
5 18, 2022.

6 (c) PROHIBITION.—

7 (1) IN GENERAL.—No pipeline operator may
8 transport any quantity of hydrogen, other than trace
9 amounts present as a contaminant, through a nat-
10 ural gas distribution pipeline system under the juris-
11 diction of the Secretary unless and until Congress
12 expressly provides, by statute, for the safe regulation
13 of blending hydrogen into natural gas distribution
14 pipeline systems.

15 (2) APPLICATION.—The prohibition described
16 in paragraph (1) shall not apply to natural gas dis-
17 tribution pipelines that—

18 (A) have been specifically designed to
19 transport hydrogen above trace levels; and

20 (B) have been transporting hydrogen above
21 trace levels for at least 10 years as of the date
22 of enactment of this Act.

1 **SEC. 108. EXTENSION AND MODIFICATION OF NATURAL**
2 **GAS DISTRIBUTION INFRASTRUCTURE SAFE-**
3 **TY AND MODERNIZATION GRANT PROGRAM.**

4 (a) MODIFICATION.—The matter under the heading
5 “NATURAL GAS DISTRIBUTION INFRASTRUCTURE SAFETY
6 AND MODERNIZATION GRANT PROGRAM” under the head-
7 ing “PIPELINE AND HAZARDOUS MATERIALS SAFETY AD-
8 MINISTRATION” under the heading “DEPARTMENT OF
9 TRANSPORTATION” in title VIII of division J of the
10 Infrastructure Investment and Jobs Act (Public Law 117–
11 58; 135 Stat. 1443) is amended—

12 (1) in the matter preceding the first proviso, by
13 inserting “(referred to under this heading in this Act
14 as the ‘Secretary’)” after “Secretary of Transpor-
15 tation”;

16 (2) in the second proviso, by striking “to repair,
17 rehabilitate, or replace its natural gas distribution
18 pipeline system or portions thereof or to acquire
19 equipment to (1) reduce incidents and fatalities and
20 (2) avoid economic losses” and inserting “to repair,
21 rehabilitate, replace, or retire its natural gas dis-
22 tribution pipeline system or portions thereof or to
23 acquire equipment to (1) reduce incidents and fatali-
24 ties, (2) avoid economic losses, and (3) encourage
25 non-emitting alternatives”; and

1 (3) by inserting after the second proviso the fol-
2 lowing: “*Provided further*, That for purposes of the
3 preceding proviso, the term ‘non-emitting alter-
4 native’ means a technological or efficiency-related
5 energy solution that does not entail the use of fossil
6 fuels that are directly or indirectly related to the
7 greenhouse effect, including electrification, renew-
8 able energy sources, networked geothermal systems,
9 storage, efficiency, and behavior change: *Provided*
10 *further*, That the promotion or encouragement of
11 non-emitting alternatives (as defined in the pre-
12 ceding proviso) may include workforce training pro-
13 grams: *Provided further*, That in making grants
14 from funds made available under this heading in this
15 Act, the Secretary shall give additional consideration
16 to an applicant if all workers employed or contracted
17 by the applicant are paid wages at rates not less
18 than those prevailing on projects of a similar char-
19 acter in the locality as determined by the Secretary
20 of Labor in accordance with subchapter IV of chap-
21 ter 31 of title 40, United States Code, and to work-
22 force training programs that comply with appren-
23 ticeship requirements similar to the apprenticeship
24 requirements described in section 45(b)(8) of the In-
25 ternal Revenue Code of 1986, as determined or es-

1 established by the Secretary for purposes of making
2 those grants:”.

3 (b) REQUIREMENT.—Of the amounts made available
4 by subsection (c) each fiscal year, not less than 20 percent
5 shall be used for non-emitting alternatives (as defined in
6 the third proviso under the heading “NATURAL GAS DIS-
7 TRIBUTION INFRASTRUCTURE SAFETY AND MODERNIZA-
8 TION GRANT PROGRAM” under the heading “PIPELINE
9 AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION”
10 under the heading “DEPARTMENT OF TRANSPOR-
11 TATION” in title VIII of division J of the Infrastructure
12 Investment and Jobs Act (Public Law 117–58; 135 Stat.
13 1443)).

14 (c) AUTHORIZATION OF ADDITIONAL FUNDING.—
15 There are authorized to be appropriated to carry out the
16 Natural Gas Distribution Infrastructure Safety and Mod-
17 ernization Grant Program described under the heading
18 “NATURAL GAS DISTRIBUTION INFRASTRUCTURE SAFETY
19 AND MODERNIZATION GRANT PROGRAM” under the head-
20 ing “PIPELINE AND HAZARDOUS MATERIALS SAFETY AD-
21 MINISTRATION” under the heading “DEPARTMENT OF
22 TRANSPORTATION” in title VIII of division J of the
23 Infrastructure Investment and Jobs Act (Public Law 117–
24 58; 135 Stat. 1443)—

1 (1) \$200,000,000 for fiscal year 2027, to re-
2 main available until September 30, 2036;

3 (2) \$200,000,000 for fiscal year 2028, to re-
4 main available until September 30, 2037;

5 (3) \$200,000,000 for fiscal year 2029, to re-
6 main available until September 30, 2038;

7 (4) \$200,000,000 for fiscal year 2030, to re-
8 main available until September 30, 2039; and

9 (5) \$200,000,000 for fiscal year 2031, to re-
10 main available until September 30, 2040.

11 **SEC. 109. RULEMAKING ON UNDERGROUND NATURAL GAS**
12 **STORAGE.**

13 (a) **IN GENERAL.**—Not later than 2 years after the
14 date of enactment of this Act, the Secretary shall promul-
15 gate new, or revise existing, regulations to address under-
16 ground natural gas storage.

17 (b) **REQUIREMENT.**—In carrying out subsection (a),
18 the Secretary shall review and consider relevant technical
19 and scientific information on the safety of underground
20 natural gas storage, including the most recently updated
21 version of each of the following:

22 (1) The standard of the American Petroleum
23 Institute entitled “Design and Operation of Solu-
24 tion-mined Salt Caverns used for Natural Gas Stor-

1 age” and numbered API Recommended Practice
2 1170.

3 (2) The standard of the American Petroleum
4 Institute entitled “Functional Integrity of Natural
5 Gas Storage in Depleted Hydrocarbon Reservoirs
6 and Aquifer Reservoirs” and numbered API Rec-
7 ommended Practice 1171.

8 (c) TOPICS.—In carrying out subsection (a), the Sec-
9 retary shall review and consider updates to existing regu-
10 lations relating to risk management, emergency response,
11 and ensuring that underground natural gas storage wells
12 do not pose undue risks from single points of failure.

13 **TITLE II—PUBLIC ENGAGEMENT** 14 **AND TRANSPARENCY**

15 **SEC. 201. OFFICE OF PUBLIC ENGAGEMENT.**

16 (a) IN GENERAL.—Section 108 of title 49, United
17 States Code, is amended—

18 (1) in subsection (a), by inserting “(referred to
19 in this section as the ‘Administration’)” after “Safe-
20 ty Administration”;

21 (2) in subsection (c), in the first sentence, by
22 inserting “(referred to in this section as the ‘Admin-
23 istrator’),” after “shall be the Administrator”; and

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

25 “(h) OFFICE OF PUBLIC ENGAGEMENT.—

1 “(1) DEFINITIONS.—In this subsection:

2 “(A) APPROPRIATE COMMITTEES OF CON-
3 GRESS.—The term ‘appropriate committees of
4 Congress’ has the meaning given the term in
5 section 2 of the Pipeline Accountability, Safety,
6 and Environmental Standards Act of 2024.

7 “(B) DIRECTOR.—The term ‘Director’
8 means the Director of the Office appointed
9 under paragraph (3).

10 “(C) ENVIRONMENTAL JUSTICE COMMU-
11 NITY.—The term ‘environmental justice com-
12 munity’ means a community with significant
13 representation of communities of color, low-in-
14 come communities, or Tribal and Indigenous
15 communities, that experiences, or is at risk of
16 experiencing, higher or more adverse human
17 health or environmental effects.

18 “(D) INCIDENT.—The term ‘incident’ has
19 the meaning given the term in section 191.3 of
20 title 49, Code of Federal Regulations (or a suc-
21 cessor regulation).

22 “(E) LOW-INCOME COMMUNITY.—The
23 term ‘low-income community’ means a census
24 block group in which 30 percent or more of the
25 population are individuals with an annual

1 household income equal to, or less than, the
2 greatest of—

3 “(i) an amount equal to 80 percent of
4 the median income of the area in which the
5 household is located, as reported by the
6 Department of Housing and Urban Devel-
7 opment;

8 “(ii) 200 percent of the Federal pov-
9 erty line; and

10 “(iii) a level of income higher than the
11 levels described in clauses (i) and (ii), as
12 determined by the Secretary.

13 “(F) OFFICE.—The term ‘Office’ means
14 the Office of Public Engagement of the Admin-
15 istration established under paragraph (2).

16 “(2) ESTABLISHMENT.—

17 “(A) IN GENERAL.—Not later than 1 year
18 after the date of enactment of this subsection,
19 the Administrator shall establish within the Ad-
20 ministration an office, to be known as the ‘Of-
21 fice of Public Engagement’.

22 “(B) PROCESS.—Before establishing the
23 Office under subparagraph (A), the Adminis-
24 trator shall—

1 “(i) seek and incorporate public input
2 regarding the responsibilities of the Office,
3 including through in-person public meet-
4 ings, prioritizing input from individuals
5 without financial interests in the pipeline,
6 petroleum, ethanol, or gas industries, in-
7 cluding environmental justice communities
8 and experts in community engagement;
9 and

10 “(ii) submit to the appropriate com-
11 mittees of Congress a summary of the
12 input received pursuant to clause (i) and
13 an explanation of how that input will be in-
14 tegrated into the establishment of the Of-
15 fice.

16 “(C) COMPENSATION.—The Administrator
17 may provide reasonable compensation for those
18 providing input pursuant to subparagraph (B)
19 in order to facilitate the participation of envi-
20 ronmental justice communities.

21 “(3) DIRECTOR.—The Office shall be headed by
22 a Director, who shall—

23 “(A) be appointed by the Administrator;

24 “(B) report to the Associate Administrator
25 for Pipeline Safety; and

1 “(C) be responsible for the discharge of the
2 functions and duties of the Office.

3 “(4) EMPLOYEES.—The Director may appoint,
4 and assign the duties of, employees of the Office.

5 “(5) DUTIES AND FUNCTIONS OF THE OF-
6 FICE.—

7 “(A) COORDINATION OF ASSISTANCE.—
8 The Director shall coordinate the provision of
9 assistance, including financial assistance, tech-
10 nical assistance, and educational assistance to
11 the public, with respect to the authorities exer-
12 cised by the Administration, including by
13 proactive and targeted community outreach
14 that incorporates—

15 “(i) accessible communications;

16 “(ii) the provision of in-person and
17 online communications; and

18 “(iii) translations to languages spoken
19 by impacted populations.

20 “(B) PUBLIC ENGAGEMENT.—The Direc-
21 tor shall coordinate active and ongoing engage-
22 ment with the public with respect to the author-
23 ity and activities of the Administration, includ-
24 ing by—

25 “(i) conducting—

1 “(I) proactive outreach, which
2 may include public postings, signage
3 at relevant physical locations, news-
4 paper publications, utility bill inserts,
5 mailings, phone calls, canvassing, and
6 door hangers, to communities, espe-
7 cially environmental justice commu-
8 nities, using varied media; and

9 “(II) meetings, set at times and
10 places to maximize the number of
11 community members who can conven-
12 iently attend, with appropriate serv-
13 ices, including, if the Director deter-
14 mines it would have a meaningful im-
15 pact on participation by members of
16 affected environmental justice commu-
17 nities—

18 “(aa) translation and inter-
19 preting services;

20 “(bb) virtual attendance;
21 and

22 “(cc) reasonable funding for
23 transportation to and from meet-
24 ings, food, and caregiving;

1 “(ii) establishing an independent, neu-
2 tral, accessible, confidential, and standard-
3 ized process to receive, review, and process
4 complaints and allegations with respect to
5 the activities of the Administration and en-
6 tities regulated by the Administration;

7 “(iii) assisting individuals in resolving
8 complaints and allegations described in
9 clause (ii);

10 “(iv) making publicly available, and
11 proactively disseminating, information on
12 the manner in which members of the public
13 may file inquiries, complaints, and allega-
14 tions;

15 “(v) coordinating with the Federal
16 Energy Regulatory Commission, State
17 agencies, and, as necessary, other agencies
18 to direct public inquiries that are not with-
19 in the jurisdiction of the Administration to
20 the relevant agency; and

21 “(vi) preparing, and making publicly
22 available in accessible formats, educational
23 materials about the Administration, the re-
24 sponsibilities of the Administration, and
25 how those responsibilities interact with en-

1 tities under the jurisdiction of the Admin-
2 istration and other Federal, State, local, or
3 Tribal government agencies.

4 “(C) POST-INCIDENT SUPPORT.—The Di-
5 rector shall facilitate, including by directing im-
6 pacted individuals to the appropriate agency
7 and coordinating with relevant counterparts at
8 other agencies, appropriate remediation, envi-
9 ronmental testing, and assistance with com-
10 pensation in the case of leaks, incidents, acci-
11 dents, or other relevant events.”.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to the Secretary to carry
14 out section 108(h) of title 49, United States Code,
15 \$12,000,000 for each of fiscal years 2025 through 2028.

16 **SEC. 202. DISCLOSURE OF SAFETY DATA.**

17 Section 60132 of title 49, United States Code, is
18 amended—

19 (1) in subsection (b), by striking “subsection
20 (a)” and inserting “subparagraph (A)”;

21 (2) by redesignating subsection (b) as subpara-
22 graph (C) and indenting appropriately;

23 (3) in subsection (a)—

1 (A) in paragraph (4), in the second sen-
2 tence, by striking “The Secretary” and insert-
3 ing the following:

4 “(B) NOTICE REQUIREMENT.—With re-
5 spect to data requested from operators under
6 subparagraph (A)(vi), the Secretary”;

7 (B) by redesignating paragraphs (1)
8 through (4) as clauses (i), (ii), (v), and (vi), re-
9 spectively, and indenting appropriately;

10 (C) by inserting after clause (ii) (as so re-
11 designated) the following:

12 “(iii) Information on the matters de-
13 scribed in paragraph (2)(E).

14 “(iv) The location and type of any
15 valves installed on the pipeline.”; and

16 (D) in the matter preceding clause (i) (as
17 so redesignated)—

18 (i) by striking “and gathering lines”;

19 (ii) by striking “of Transportation”;

20 and

21 (iii) by striking the subsection des-
22 ignation and heading and all that follows
23 through “this section, the” and inserting
24 the following:

25 “(a) DEFINITIONS.—In this section:

1 “(1) CLASS LOCATION.—The term ‘class loca-
2 tion’ means a class location described in section
3 192.5 of title 49, Code of Federal Regulations (or a
4 successor regulation).

5 “(2) COVERED PIPELINE FACILITY.—The term
6 ‘covered pipeline facility’ means—

7 “(A) a gas transmission pipeline facility;

8 “(B) a type A onshore gathering pipeline
9 (as described in section 192.8(c) of title 49,
10 Code of Federal Regulations (or a successor
11 regulation));

12 “(C) a hazardous liquid pipeline facility;
13 and

14 “(D) a carbon dioxide pipeline facility.

15 “(3) HIGH CONSEQUENCE AREA.—The term
16 ‘high consequence area’ means—

17 “(A) with respect to a gas pipeline facility,
18 a high consequence area (as defined in section
19 192.903 of title 49, Code of Federal Regula-
20 tions (or a successor regulation)); and

21 “(B) with respect to a hazardous liquid
22 pipeline facility or relevant carbon dioxide pipe-
23 line facility, a high consequence area (as de-
24 fined in section 195.450 of title 49, Code of

1 Federal Regulations (or a successor regula-
2 tion)).

3 “(4) MAXIMUM ALLOWABLE OPERATING PRES-
4 SURE.—The term ‘maximum allowable operating
5 pressure’ has the meaning given the term in section
6 192.3 of title 49, Code of Federal Regulations (or a
7 successor regulation).

8 “(5) MAXIMUM OPERATING PRESSURE.—The
9 term ‘maximum operating pressure’ has the meaning
10 given the term in section 195.2 of title 49, Code of
11 Federal Regulations (or a successor regulation).

12 “(6) MODERATE CONSEQUENCE AREA.—The
13 term ‘moderate consequence area’ has the meaning
14 given the term in section 192.3 of title 49, Code of
15 Federal Regulations (or a successor regulation).

16 “(7) POTENTIAL IMPACT AREA.—The term ‘po-
17 tential impact area’ means the area in which the po-
18 tential failure of a pipeline may be expected to have
19 a significant impact on persons, property, or the en-
20 vironment (as defined in section 2 of the Pipeline
21 Accountability, Safety, and Environmental Stand-
22 ards Act of 2024).

23 “(8) POTENTIAL IMPACT RADIUS.—The term
24 ‘potential impact radius’ has the meaning given the

1 term in section 192.903 of title 49, Code of Federal
2 Regulations (or a successor regulation).

3 “(b) INFORMATION TO BE PROVIDED.—

4 “(1) INFORMATION TO BE PROVIDED TO THE
5 SECRETARY.—

6 “(A) IN GENERAL.—The”;

7 (4) in subsection (b) (as so designated), by add-
8 ing at the end the following:

9 “(2) INFORMATION TO BE PROVIDED TO THE
10 PUBLIC.—

11 “(A) IN GENERAL.—Not later than 1 year
12 after the date of enactment of the Pipeline Ac-
13 countability, Safety, and Environmental Stand-
14 ards Act of 2024, each operator of a covered
15 pipeline facility shall provide to the public, free
16 of charge, on a publicly accessible website, in a
17 simple and consolidated form—

18 “(i) information about the substances
19 being transported by pipelines managed by
20 the operator, including any blended prod-
21 ucts, any relevant odorants, and any con-
22 taminants;

23 “(ii) the plans that have been made
24 for the decommissioning of—

1 “(I) each abandoned pipeline of
2 the operator; and

3 “(II) each removed or remediated
4 pipeline of the operator;

5 “(iii) contact information for the oper-
6 ator and the Pipeline and Hazardous Ma-
7 terials Safety Administration;

8 “(iv) relevant portions of operator
9 emergency response plans needed by the
10 public to prepare State, local, commercial,
11 nonprofit, and personal emergency re-
12 sponse plans;

13 “(v) information about how far build-
14 ings are required to be set back from a
15 pipeline; and

16 “(vi) for carbon dioxide pipelines—

17 “(I) the results of any dispersion
18 modeling performed; and

19 “(II) any estimates of the zone in
20 which carbon dioxide concentrations
21 could be fatal in the event of a pipe-
22 line rupture.

23 “(B) UPDATES.—The information provided
24 under subparagraph (A) shall be updated as

1 necessary, but not less frequently than once
2 each year.

3 “(C) ANNUAL NOTIFICATION.—

4 “(i) IN GENERAL.—Each operator of
5 a covered pipeline facility with a diameter
6 of at least 6 inches shall, not less fre-
7 quently than annually, provide to the re-
8 cipients described in clause (ii) a notifica-
9 tion that includes all information described
10 in subparagraph (A) with respect to the
11 pipeline facility.

12 “(ii) RECIPIENTS DESCRIBED.—The
13 recipients referred to in clause (i) are—

14 “(I) the Secretary;

15 “(II) the owners of all occupied
16 residences and operational commercial
17 structures that, in the determination
18 of the Secretary, could be impacted by
19 a rupture of the covered pipeline facil-
20 ity;

21 “(III) any tenants of those struc-
22 tures; and

23 “(IV) relevant first responders.

24 “(iii) REQUIREMENT.—A notification
25 under clause (i) shall include—

1 “(I) a description of the changes
2 from the previous notification pro-
3 vided under that clause, if applicable;

4 “(II) a statement of the rel-
5 evant—

6 “(aa) legal duties of the op-
7 erator; and

8 “(bb) legal rights of, as ap-
9 plicable—

10 “(AA) the owners and
11 residents of the occupied
12 residences; or

13 “(BB) the owners, ten-
14 ants, and manager of the
15 operational commercial
16 structure; and

17 “(III) a statement informing the
18 recipient of the additional information
19 that the recipient may request under
20 subparagraph (D).

21 “(D) ADDITIONAL INFORMATION.—On the
22 request of any person, an operator of a pipeline
23 facility shall provide to that person—

1 “(i) the information described in sub-
2 paragraph (A) with respect to all pipeline
3 facilities of the operator; and

4 “(ii) pipeline safety information, in-
5 cluding—

6 “(I) information on the matters
7 described in subparagraph (E) with
8 respect to each pipeline facility oper-
9 ated by the operator;

10 “(II) educational material relat-
11 ing to the matters described in that
12 subparagraph to better inform the
13 public about the information disclosed
14 under subclause (I), provided in a
15 simple and consolidated form; and

16 “(III) a description of how the
17 information described in subclause (I)
18 was acquired or determined, including
19 any formulas used and any tests car-
20 ried out.

21 “(E) MATTERS DESCRIBED.—The matters
22 referred to in subparagraph (D)(ii)(I) and para-
23 graph (1)(A)(iii) include—

24 “(i) high consequence areas;

25 “(ii) moderate consequence areas;

- 1 “(iii) potential impact radii and po-
2 tential impact areas;
- 3 “(iv) class locations;
- 4 “(v) pipe size;
- 5 “(vi) the date of pipeline construction;
- 6 “(vii) the history of incidents, acci-
7 dents, and repairs on the pipeline;
- 8 “(viii) geohazards that may impact
9 pipeline safety;
- 10 “(ix) pressure information, includ-
11 ing—
- 12 “(I) maximum operating pres-
13 sure; and
- 14 “(II) maximum allowable oper-
15 ating pressure;
- 16 “(x) with respect to gathering lines,
17 the types of gathering lines, including Type
18 A, Type B, Type C, and Type R pipelines;
- 19 “(xi) the health, safety, and environ-
20 ment management programs of the oper-
21 ator; and
- 22 “(xii) any other matter that—
- 23 “(I) relates to the safety and reli-
24 ability of a pipeline facility under the
25 jurisdiction of the Secretary; and

1 “(II) in the determination of the
2 Secretary, is in the public interest to
3 be disclosed.

4 “(F) DEADLINE.—Not later than 90 days
5 after receiving a request under subparagraph
6 (D), an operator of a pipeline facility shall pro-
7 vide the information required to be disclosed
8 under that subparagraph to the person making
9 the request.

10 “(3) RULEMAKING.—Not later than 2 years
11 after the date of enactment of the Pipeline Account-
12 ability, Safety, and Environmental Standards Act of
13 2024, the Secretary shall promulgate regulations to
14 carry out this subsection, including providing for
15 standardized formats for operators to release infor-
16 mation to the public.”;

17 (5) in subsection (d)—

18 (A) in the subsection heading, by striking
19 “HIGH-CONSEQUENCE” and inserting “HIGH
20 CONSEQUENCE”;

21 (B) in paragraph (1)—

22 (i) by striking “high-consequence
23 areas (as described in section 60109(a))”
24 and inserting “high consequence areas”;
25 and

1 (ii) by striking “and” at the end;

2 (C) in paragraph (2), by striking the pe-
3 riod at the end and inserting “; and”; and

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

5 “(3) make the map available to the public on an
6 internet website, in a machine-readable format, as
7 part of the National Pipeline Mapping System Pub-
8 lic Map Viewer or at an alternative location.”; and

9 (6) in subsection (f), by striking “subsection
10 (a)” and inserting “subsection (b)(1)”.

11 **SEC. 203. REPORTING OF BLENDED PRODUCTS.**

12 (a) IN GENERAL.—All operators of natural gas pipe-
13 lines shall report to the Secretary blended, non-predomi-
14 nant products that exceed, at any point in time, 1 percent
15 by volume of the product transported by the pipeline.

16 (b) RULEMAKING.—The Secretary may promulgate
17 new, or revise existing, regulations to implement the re-
18 quirements of subsection (a).

19 **SEC. 204. INCIDENT REPORTING FOR GAS PIPELINES.**

20 (a) DEFINITION OF GAS.—In this section, the term
21 “gas” has the meaning given the term in section 60101(a)
22 of title 49, United States Code.

23 (b) RULEMAKING.—Not later than 1 year after the
24 date of enactment of this Act, the Secretary shall promul-

1 gate new, or revise existing, regulations to require opera-
2 tors of gas pipelines—

3 (1) to meet incident reporting standards that
4 require those operators to report all gas releases of
5 50,000 cubic feet or more, regardless of any intent
6 of the operator or any other person with respect to
7 the release; and

8 (2) to report—

9 (A) all incidents resulting in fire or explo-
10 sion;

11 (B) all incidents resulting in property dam-
12 age of \$50,000 or more in value; and

13 (C) all incidents resulting in bodily harm
14 to any person resulting in—

15 (i) loss of consciousness;

16 (ii) necessity to carry a person from
17 the scene;

18 (iii) necessity for medical treatment;

19 or

20 (iv) disability that prevents the dis-
21 charge of normal duties or the pursuit of
22 normal duties beyond the day of the inci-
23 dent.

1 **TITLE III—ACCOUNTABILITY**

2 **SEC. 301. PROHIBITION AGAINST RELEASES.**

3 Section 60118(a) of title 49, United States Code, is
4 amended—

5 (1) in paragraph (4), by striking the period at
6 the end and inserting “; and”;

7 (2) by redesignating paragraphs (1) through
8 (4) as subparagraphs (A) through (D), respectively,
9 and indenting appropriately;

10 (3) in the matter preceding subparagraph (A)
11 (as so redesignated), by striking “facility shall—”
12 and inserting the following: “facility—

13 “(1) shall—”; and

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

15 “(2) shall not release gas or hazardous liquid
16 from a pipeline facility in a quantity that would re-
17 quire the reporting of an incident or accident under
18 a regulation prescribed under this chapter.”.

19 **SEC. 302. ACTIONS BY PRIVATE PERSONS.**

20 Section 60121 of title 49, United States Code, is
21 amended—

22 (1) in subsection (a)—

23 (A) by redesignating paragraphs (2) and

24 (3) as paragraphs (3) and (4), respectively;

1 (B) in paragraph (1), by striking “(1) A
2 person” and all that follows through “However,
3 the person” in the second sentence and insert-
4 ing the following:

5 “(1) CIVIL ACTION.—A person may bring a civil
6 action in an appropriate district court of the United
7 States for all appropriate relief, including civil pen-
8 alties and injunctive relief, against—

9 (A) another person (including the United
10 States Government and other governmental au-
11 thorities to the extent permitted under the 11th
12 Amendment to the Constitution of the United
13 States) for a violation of this chapter or a regu-
14 lation prescribed or order issued under this
15 chapter; or

16 (B) the Secretary where there is alleged
17 a failure of the Secretary to perform any act or
18 duty under this chapter that is nondis-
19 cretionary.

20 “(2) REQUIREMENTS AND LIMITATIONS.—With
21 respect to a civil action described in paragraph (1),
22 a person”;

23 (C) in paragraph (2) (as so designated), by
24 indenting subparagraphs (A) through (C) ap-
25 propriately;

1 (D) in paragraph (3) (as so redesignated),
2 by striking the paragraph designation and all
3 that follows through “The Secretary shall” and
4 inserting the following:

5 “(3) NOTICE.—The Secretary shall”;

6 (E) in paragraph (4) (as so redesignated),
7 by striking the paragraph designation and all
8 that follows through “The Secretary, with” and
9 inserting the following:

10 “(4) INTERVENTION.—The Secretary, with”;

11 and

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

13 “(5) JURISDICTION.—The district courts of the
14 United States shall have jurisdiction, without regard
15 to the amount in controversy or the citizenship of
16 the parties—

17 “(A) to enforce a pipeline safety standard
18 or limitation established under this chapter;

19 “(B) to enforce a regulation prescribed or
20 order issued under this chapter;

21 “(C) to order the Secretary to perform any
22 act or duty under this chapter; and

23 “(D) to impose any appropriate civil pen-
24 alties under section 60122.”;

25 (2) in subsection (b)—

1 (A) by redesignating paragraphs (1) and
2 (2) as subparagraphs (A) and (B), respectively,
3 and indenting appropriately;

4 (B) in the matter preceding subparagraph
5 (A) (as so redesignated), in the first sentence,
6 by striking “The court” and inserting the fol-
7 lowing:

8 “(1) IN GENERAL.—The court”; and

9 (C) in paragraph (1) (as so designated), in
10 the matter preceding subparagraph (A) (as so
11 redesignated), by striking, “The court may
12 award costs to” in the second sentence and all
13 that follows through “In this subsection” in the
14 third sentence and inserting the following:

15 “(2) REASONABLE ATTORNEY’S FEE.—For pur-
16 poses of paragraph (1)”; and

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

18 “(e) VENUE; INTERVENTION BY THE SECRETARY.—

19 “(1) VENUE.—Any action under this section
20 may be brought in—

21 “(A) the district court of the United States
22 for the judicial district in which the violation
23 occurred; or

24 “(B) the United States District Court for
25 the District of Columbia.

1 “(2) INTERVENTION BY THE SECRETARY.—If
2 the Secretary is not a party to an action described
3 in paragraph (1), the Secretary may intervene in
4 that action as a matter of right.

5 “(f) NONRESTRICTION OF OTHER RIGHTS.—

6 “(1) IN GENERAL.—Except as otherwise limited
7 by section 60104(c), nothing in this section restricts
8 any right that any person (or class of persons) may
9 have under any statute or the common law—

10 “(A) to seek enforcement of any standard
11 or limitation; or

12 “(B) to seek any other relief (including re-
13 lief against the Secretary or a State agency).

14 “(2) STATE, LOCAL, AND INTERSTATE AUTHOR-
15 ITY.—Except as otherwise limited by section
16 60104(c), nothing in this section shall be construed
17 to prohibit, exclude, or restrict any State, local, or
18 interstate authority from—

19 “(A) bringing any enforcement action or
20 obtaining any judicial remedy or sanction in
21 any State or local court; or

22 “(B) bringing any administrative enforce-
23 ment action or obtaining any administrative
24 remedy or sanction in any State or local admin-
25 istrative agency, department, or instrumentality

1 under any State or local law relating to pipeline
2 safety against—

3 “(i) the United States;

4 “(ii) any department, agency, or in-
5 strumentality of the United States; or

6 “(iii) any officer, agent, or employee
7 of the United States.”.

8 **SEC. 303. PENALTIES.**

9 (a) **MAXIMUM CIVIL PENALTY FOR A RELATED SE-**
10 **RIES OF VIOLATIONS.**—Section 60122(a)(1) of title 49,
11 United States Code, is amended by striking the third sen-
12 tence.

13 (b) **RULEMAKING.**—Not later than 180 days after the
14 date of enactment of this Act, the Secretary shall revise
15 subpart B of part 190 of title 49, Code of Federal Regula-
16 tions, in accordance with the amendment made by sub-
17 section (a).

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