

Pipes Act 2020 Section 115

SEC. 115. INSPECTION AND MAINTENANCE PLANS.

(a) IN GENERAL.—Section 60108 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, must meet the requirements of any regulations promulgated under section 60102(q),” after “the need for pipeline safety”;

(ii) in subparagraph (C), by striking “and” at the end; and

(iii) by striking subparagraph (D) and inserting the following:

“(D) the extent to which the plan will contribute to—

“(i) public safety;

“(ii) eliminating hazardous leaks and minimizing releases of natural gas from pipeline facilities; and

“(iii) the protection of the environment; and

“(E) the extent to which the plan addresses the replacement or remediation of pipelines that are known to leak based on the material (including cast iron, unprotected steel, wrought iron, and historic plastics with known issues), design, or past operating and maintenance history of the pipeline.”; and

(B) by striking paragraph (3) and inserting the following:

“(3) REVIEW OF PLANS.—

“(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subparagraph, and not less frequently than once every 5 years thereafter, the Secretary or relevant State authority with a certification in effect under section 60105 shall review each plan described in this subsection.

“(B) CONTEXT OF REVIEW.—The Secretary may conduct a review under this paragraph as an element of the inspection of the operator carried out by the Secretary under subsection (b).

“(C) INADEQUATE PROGRAMS.—If the Secretary determines that a plan reviewed under this paragraph does not comply with the requirements of this chapter (including any regulations promulgated under this chapter), has not been adequately implemented, is inadequate for the safe operation of a pipeline facility, or is otherwise inadequate, the Secretary may conduct enforcement proceedings under this chapter.”; and

(2) in subsection (b)(1)(B), by inserting “construction material,” after “method of construction,”.

(b) DEADLINE.—Not later than 1 year after the date of enactment of this Act, each pipeline operator shall update the inspection and maintenance plan prepared by the operator under section 60108(a) of title 49, United States Code, to address the elements described in the amendments to that section made by subsection (a).

(c) INSPECTION AND MAINTENANCE PLAN OVERSIGHT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to evaluate the procedures used by the Secretary and States in reviewing plans prepared by pipeline operators under section 60108(a) of title 49, United States Code, pursuant to subsection (b) in minimizing releases of natural gas from pipeline facilities.

(2) REPORT OF THE COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 1 year after the Secretary’s review of the operator plans prepared under section 60108(a) of title 49, United States Code, the Comptroller General of the United States shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report that—

(A) describes the results of the study conducted under paragraph (1), including an evaluation of the procedures used by the Secretary and States in reviewing the effectiveness of the plans prepared by pipeline operators under section 60108(a) of title 49, United States Code, pursuant to subsection (b) in minimizing releases of natural gas from pipeline facilities; and

(B) provides recommendations for how to further minimize releases of natural gas from pipeline facilities without compromising pipeline safety based on observations and information obtained through the study conducted under paragraph (1).

(3) RESPONSE OF THE SECRETARY.—Not later than 90 days after the date on which the report under paragraph (2) is published, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report that includes—

(A) a response to the results of the study conducted under paragraph (1) and the recommendations contained in the report submitted under paragraph (2);

(B) a discussion of—

(i) the best available technologies or practices to prevent or minimize, without compromising pipeline safety, the release of natural gas when making planned repairs, replacements, or maintenance to a pipeline facility;

(ii) the best available technologies or practices to prevent or minimize, without compromising pipeline safety, the release of natural gas when the operator intentionally vents or releases natural gas; and

(iii) pipeline facility designs that, without compromising pipeline safety, mitigate the need to intentionally vent natural gas; and

(C) a timeline for updating pipeline safety regulations, as the Secretary determines to be appropriate, to address—

(i) the recommendations of the Comptroller General of the United States in the report submitted under paragraph (2); and

(ii) the matters described in clauses (i) through (iii) of subparagraph (B) based on the discussion described in that subparagraph.

(4) RULEMAKING.—

(A) IN GENERAL.—Not later than 180 days after the date on which the Secretary submits the report under paragraph (3), the Secretary shall update, in accordance with the timeline described in paragraph (3)(C), pipeline safety regulations that the Secretary has determined are necessary to protect the environment without compromising pipeline safety.

(B) REPORT.—If the Secretary determines not to promulgate or update regulations to address a recommendation of the Comptroller General of the United States made in the report submitted under paragraph (2), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a justification for that decision and any supporting documents or analysis used to make that decision.