

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2937
OFFERED BY MR. UPTON OF MICHIGAN AND MR.
DINGELL OF MICHIGAN**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49,**
2 **UNITED STATES CODE; DEFINITIONS; TABLE**
3 **OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Pipeline Infrastructure and Community Protection Act
6 of 2011”.

7 (b) **AMENDMENT OF TITLE 49, UNITED STATES**
8 **CODE.**—Except as otherwise expressly provided, whenever
9 in this Act an amendment or repeal is expressed in terms
10 of an amendment to, or a repeal of, a section or other
11 provision, the reference shall be considered to be made to
12 a section or other provision of title 49, United States
13 Code.

14 (c) **DEFINITIONS.**—Any term used in this Act that
15 is defined in chapter 601 of title 49, United States Code,
16 shall have the meaning given that term in that chapter.

1 (d) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title; amendment of title 49, United States Code; definitions; table of contents.
- Sec. 2. Civil penalties.
- Sec. 3. Pipeline damage prevention.
- Sec. 4. Offshore gathering lines.
- Sec. 5. Automatic and remote-controlled shut-off valves.
- Sec. 6. Excess flow valves.
- Sec. 7. Integrity management.
- Sec. 8. Public education and awareness.
- Sec. 9. Cast iron gas pipelines.
- Sec. 10. Hazardous liquid pipeline leak detection.
- Sec. 11. Incident notification.
- Sec. 12. Transportation-related onshore facility response plan compliance.
- Sec. 13. Pipeline infrastructure data collection.
- Sec. 14. International cooperation and consultation.
- Sec. 15. Transportation-related oil flow lines.
- Sec. 16. Alaska project coordination.
- Sec. 17. Cost recovery for design reviews.
- Sec. 18. Special permits.
- Sec. 19. Biofuel pipelines.
- Sec. 20. Carbon dioxide pipelines.
- Sec. 21. Study of the transportation of diluted bitumen.
- Sec. 22. Study of non-petroleum hazardous liquids transported by pipeline.
- Sec. 23. Clarifications.
- Sec. 24. Additional resources.
- Sec. 25. Maintenance of effort.
- Sec. 26. Administrative enforcement process.
- Sec. 27. Maximum allowable operating pressure.
- Sec. 28. Cover over buried pipeline.
- Sec. 29. Onshore gathering lines.
- Sec. 30. Natural gas pipeline leak detection report.
- Sec. 31. Report on minority or woman-owned or disadvantaged businesses.
- Sec. 32. Authorization of appropriations.

3 **SEC. 2. CIVIL PENALTIES.**

4 (a) PENALTY CONSIDERATIONS; MAJOR CON-
5 SEQUENCE VIOLATIONS.—Section 60122 is amended—

6 (1) by striking “the ability to pay,” in sub-
7 section (b)(1)(B);

8 (2) by redesignating subsections (c) through (f)
9 as subsections (d) through (g), respectively; and

1 (3) by inserting after subsection (b) the fol-
2 lowing:

3 “(c) PENALTIES FOR MAJOR CONSEQUENCE VIOLA-
4 TIONS.—

5 “(1) IN GENERAL.—A person that the Sec-
6 retary of Transportation decides, after written notice
7 and an opportunity for a hearing, has committed a
8 major consequence violation of section 60114(b),
9 60114(d), or 60118(a) of this title or a regulation
10 prescribed or order issued under this chapter is lia-
11 ble to the United States Government for a civil pen-
12 alty of not more than \$250,000 for each violation.
13 A separate violation occurs for each day the violation
14 continues. The maximum civil penalty under this
15 paragraph for a related series of major consequence
16 violations is \$2,500,000.

17 “(2) PENALTY CONSIDERATIONS.—In deter-
18 mining the amount of a civil penalty for a major
19 consequence violation under this subsection, the Sec-
20 retary shall consider the factors prescribed in sub-
21 section (b).

22 “(3) MAJOR CONSEQUENCE VIOLATION DE-
23 FINED.—In this subsection, the term ‘major con-
24 sequence violation’ means a violation that contrib-
25 uted to a pipeline facility incident resulting in—

1 “(A) 1 or more deaths;

2 “(B) 1 or more injuries or illnesses requir-
3 ing in-patient hospitalization; or

4 “(C) environmental harm exceeding
5 \$250,000 in estimated damages to the environ-
6 ment including property loss, other than the
7 value of natural gas or hazardous liquid lost
8 and damage to pipeline facility equipment.”.

9 (b) PENALTY FOR OBSTRUCTION OF INSPECTIONS
10 AND INVESTIGATIONS.—Section 60118(e) is amended by
11 adding at the end the following: “The Secretary may im-
12 pose a civil penalty under section 60122 on a person who
13 obstructs or prevents the Secretary from carrying out in-
14 spections or investigations under this chapter.”.

15 (c) ADMINISTRATIVE PENALTY CAPS INAPPLI-
16 CABLE.—Section 60120(a)(1) is amended by adding at the
17 end the following: “The maximum amount of civil pen-
18 alties for administrative enforcement actions under section
19 60122 shall not apply to enforcement actions under this
20 section.”.

21 (d) JUDICIAL REVIEW OF ADMINISTRATIVE EN-
22 FORCEMENT ORDERS.—Section 60119(a) is amended—

23 (1) in the subsection heading by striking “AND
24 WAIVER ORDERS” and inserting “, ORDERS, AND
25 OTHER FINAL AGENCY ACTIONS”; and

1 (2) by striking “about an application for a
2 waiver under section 60118(e) or (d) of” and insert-
3 ing “under”.

4 **SEC. 3. PIPELINE DAMAGE PREVENTION.**

5 (a) **MINIMUM STANDARDS FOR STATE ONE-CALL**
6 **NOTIFICATION PROGRAMS.**—Section 6103(a) is amended
7 to read as follows:

8 “(a) **MINIMUM STANDARDS.**—

9 “(1) **IN GENERAL.**—In order to qualify for a
10 grant under section 6106, a State one-call notifica-
11 tion program shall, at a minimum, provide for—

12 “(A) appropriate participation by all un-
13 derground facility operators, including all gov-
14 ernment operators;

15 “(B) appropriate participation by all exca-
16 vators, including all government and contract
17 excavators; and

18 “(C) flexible and effective enforcement
19 under State law with respect to participation in,
20 and use of, one-call notification systems.

21 “(2) **EXEMPTIONS PROHIBITED.**—A State one-
22 call notification program may not exempt munici-
23 palities, State agencies, or their contractors from its
24 one-call notification system requirements.”.

1 (b) STATE DAMAGE PREVENTION PROGRAMS.—Sec-
2 tion 60134(a) is amended—

3 (1) by striking “and” after the semicolon in
4 paragraph (1);

5 (2) by striking “(b).” in paragraph (2)(B) and
6 inserting “(b); and”; and

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

8 “(3) does not provide any exemptions to mu-
9 nicipalities, State agencies, or their contractors from
10 its one-call notification system requirements.”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect 2 years after the date of en-
13 actment of this Act.

14 (d) THIRD PARTY DAMAGE.—

15 (1) STUDY.—The Secretary of Transportation
16 shall conduct a study on the impact of third party
17 damage on pipeline safety.

18 (2) CONTENTS.—The study shall include—

19 (A) an analysis of the frequency and sever-
20 ity of different types of third party damage in-
21 cidents;

22 (B) an analysis of exemptions to the one-
23 call notification system requirements in each
24 State;

1 (C) a comparison of exemptions to the one-
2 call notification system requirements in each
3 State to the types of third party damage inci-
4 dents in that State; and

5 (D) an analysis of the potential safety ben-
6 efits and adverse consequences of eliminating
7 all exemptions for mechanized excavation from
8 State one-call notification systems.

9 (3) REPORT.—Not later than 2 years after the
10 date of enactment of this Act, the Secretary shall
11 submit to the House of Representatives Committee
12 on Transportation and Infrastructure and Com-
13 mittee on Energy and Commerce and the Senate
14 Committee on Commerce, Science, and Transpor-
15 tation a report on the results of the study.

16 **SEC. 4. OFFSHORE GATHERING LINES.**

17 Section 60108(c) is amended by adding at the end
18 the following new paragraph:

19 “(8) Not later than 2 years after the date of enact-
20 ment of the Pipeline Infrastructure and Community Pro-
21 tection Act of 2011, the Secretary shall issue regulations,
22 after notice and an opportunity for a hearing, subjecting
23 offshore hazardous liquid gathering lines and hazardous
24 liquid gathering lines located within the inlets of the Gulf
25 of Mexico to the same standards and regulations as other

1 hazardous liquid gathering lines. The exceptions described
2 in section 60102(k)(3) shall apply to the requirements of
3 this paragraph. The regulations issued under this para-
4 graph shall not apply to production pipelines or flow
5 lines.”.

6 **SEC. 5. AUTOMATIC AND REMOTE-CONTROLLED SHUT-OFF**
7 **VALVES.**

8 Section 60102 is amended by adding at the end the
9 following:

10 “(n) AUTOMATIC AND REMOTE-CONTROLLED SHUT-
11 OFF VALVES.—

12 “(1) STANDARDS FOR NEW TRANSMISSION
13 PIPELINES.—Not later than 2 years after the date
14 of enactment of the Pipeline Infrastructure and
15 Community Protection Act of 2011, the Secretary
16 shall by regulation, after notice and an opportunity
17 for a hearing, require the use of automatic or re-
18 mote-controlled shut-off valves, or equivalent tech-
19 nology, where economically, technically, and oper-
20 ationally feasible on transmission pipelines con-
21 structed or entirely replaced after the date on which
22 the Secretary issues a final rule.

23 “(2) RETROFIT REVIEW AND ANALYSIS.—The
24 Secretary shall conduct a review of transmission
25 pipeline facility operators’ ability to respond to a

1 hazardous liquid or gas release from a pipeline seg-
2 ment located in a high consequence area (as de-
3 scribed in section 60109(a)). The Secretary’s anal-
4 ysis shall consider the swiftness of leak detection
5 and pipeline shutdown capabilities, the location of
6 nearest response personnel, and the costs, risks, and
7 benefits of installing automatic and remote-con-
8 trolled shut-off valves. Not later than 1 year after
9 the date of enactment of the Pipeline Infrastructure
10 and Community Protection Act of 2011, the Sec-
11 retary shall report the results of such review and
12 analysis to the Senate Committee on Commerce,
13 Science, and Transportation, and the House of Rep-
14 resentatives Committee on Transportation and In-
15 frastructure and Committee on Energy and Com-
16 merce.”.

17 **SEC. 6. EXCESS FLOW VALVES.**

18 Section 60109(e)(3) is amended—

19 (1) by redesignating subparagraph (B) as sub-
20 paragraph (C); and

21 (2) by inserting after subparagraph (A) the fol-
22 lowing:

23 “(B) DISTRIBUTION BRANCH SERVICES,
24 MULTIFAMILY FACILITIES, AND SMALL COM-
25 Mercial FACILITIES.—Not later than 2 years

1 after the date of enactment of the Pipeline In-
2 frastructure and Community Protection Act of
3 2011, the Secretary shall by regulation, after
4 notice and an opportunity for a hearing, require
5 the use of excess flow valves, or equivalent tech-
6 nology, where economically, technically, and
7 operationally feasible on new or entirely re-
8 placed distribution branch services, multifamily
9 facilities, and small commercial facilities.”.

10 **SEC. 7. INTEGRITY MANAGEMENT.**

11 (a) IN GENERAL.—Section 60109 is amended by
12 adding at the end the following new subsection:

13 “(g) INTEGRITY MANAGEMENT.—

14 “(1) EVALUATION.—Within 1 year after the
15 date of enactment of the Pipeline Infrastructure and
16 Community Protection Act of 2011, the Secretary
17 shall evaluate, with respect to gas transmission pipe-
18 line facilities—

19 “(A) whether integrity management re-
20 quirements, or elements thereof, should be ex-
21 panded beyond high consequence areas (as de-
22 scribed in subsection (a)); and

23 “(B) whether applying integrity manage-
24 ment requirements, or elements thereof, to ad-

1 ditional areas would mitigate the need for class
2 location requirements.

3 “(2) FACTORS.—In conducting the evaluation
4 under paragraph (1), the Secretary shall consider
5 factors including the following:

6 “(A) The continuing priority to enhance
7 protections for public safety.

8 “(B) The continuing importance of reduc-
9 ing risk in high consequence areas, as so de-
10 fined at the time the Secretary conducts such
11 evaluation.

12 “(C) The incremental costs of applying in-
13 tegrity management standards to pipelines out-
14 side of high consequence areas where operators
15 are already conducting assessments beyond
16 what is required under this chapter.

17 “(D) The need to undertake integrity man-
18 agement assessments and repairs in a manner
19 which is achievable and sustainable, and which
20 does not disrupt pipeline service.

21 “(E) The options for phasing in the exten-
22 sion of integrity management requirements be-
23 yond high consequence areas, as so defined at
24 the time the Secretary conducts such evalua-
25 tion, including the most effective and efficient

1 options for decreasing risks to an increasing
2 number of people living or working in proximity
3 to pipeline facilities.

4 “(3) REPORT.—Based on the evaluation de-
5 scribed in paragraph (1), the Secretary shall submit
6 a report to the Senate Committee on Commerce,
7 Science, and Transportation and the House of Rep-
8 resentatives Committee on Transportation and In-
9 frastructure and Committee on Energy and Com-
10 merce containing the Secretary’s analysis and find-
11 ings regarding expansion of integrity management
12 requirements, or elements thereof, with respect to
13 gas transmission pipeline facilities, beyond high con-
14 sequence areas (as described in subsection (a)) and
15 whether applying the integrity management require-
16 ments, or elements thereof, to additional areas would
17 mitigate the need for class location requirements.

18 “(4) STANDARDS.—Not later than 2 years after
19 completion of the evaluation, the Secretary shall, as
20 appropriate, prescribe regulations, after notice and
21 an opportunity for a hearing, with respect to gas
22 transmission pipeline facilities, that—

23 “(A) expand integrity management re-
24 quirements, or elements thereof, beyond high

1 consequence areas (as described in subsection
2 (a)); and

3 “(B) remove redundant class location re-
4 quirements for gas transmission pipeline facili-
5 ties that are regulated under an integrity man-
6 agement program adopted and implemented
7 under subsection (c)(2).

8 “(5) DATA REPORTING.—The Secretary shall
9 collect any relevant data necessary to complete the
10 evaluation required by paragraph (1) and may col-
11 lect such additional data pursuant to regulations
12 promulgated under paragraph (3) as may be nec-
13 essary.”.

14 (b) TECHNICAL CORRECTION.—Section
15 60109(c)(3)(B) is amended to read as follows:

16 “(B) Subject to paragraph (5), periodic re-
17 assessments of the facility, at a minimum of
18 once every 7 calendar years, using methods de-
19 scribed in subparagraph (A). Such deadline
20 shall be extended for an additional 6 months if
21 the operator submits written notice to the Sec-
22 retary that includes an explanation of the need
23 for such extension.”.

1 **SEC. 8. PUBLIC EDUCATION AND AWARENESS.**

2 (a) IN GENERAL.—Chapter 601 is amended by add-
3 ing at the end the following:

4 **“§ 60138. Public education and awareness**

5 “(a) IN GENERAL.—Not later than 1 year after the
6 date of enactment of the Pipeline Infrastructure and Com-
7 munity Protection Act of 2011, the Secretary shall—

8 “(1) maintain a monthly updated summary of
9 all completed and final natural gas and hazardous
10 liquid pipeline facility inspections conducted by or
11 reported to the Pipeline and Hazardous Materials
12 Safety Administration that includes—

13 “(A) identification of the operator in-
14 spected;

15 “(B) the type of inspection;

16 “(C) the results of the inspection, includ-
17 ing any deficiencies identified; and

18 “(D) any corrective actions required to be
19 taken by the operator to remediate such defi-
20 ciencies;

21 “(2) maintain a detailed summary of each ap-
22 proved emergency response plan written by the oper-
23 ator that includes the key elements of the plan, but
24 which may exclude—

25 “(A) proprietary information;

1 “(B) sensitive security information, includ-
2 ing as referenced in section 1520.5(a) of title
3 49, Code of Federal Regulations;

4 “(C) specific response resources and tac-
5 tical resource deployment plans; and

6 “(D) the specific amount and location of
7 worst-case discharges, including the process by
8 which an operator determines the worst-case
9 discharge; and

10 “(3) maintain, as part of the National Pipeline
11 Mapping System, a map of all currently designated
12 high consequence areas (as described in section
13 60109(a)) in which pipelines are required to meet
14 integrity management safety regulations, excluding
15 any proprietary or sensitive security information,
16 and update the map annually.

17 “(b) PUBLIC AVAILABILITY.—The requirements of
18 subsection (a) shall be satisfied if the information required
19 to be made public is made available on the Pipeline and
20 Hazardous Materials Safety Administration’s public Web
21 site.

22 “(c) RELATIONSHIP TO FOIA.—Nothing in this sec-
23 tion shall be construed to require disclosure of information
24 or records that are exempt from disclosure under section
25 552 of title 5.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 601 is amended by inserting after the item
3 relating to section 60137 the following:

“60138. Public education and awareness.”.

4 **SEC. 9. CAST IRON GAS PIPELINES.**

5 (a) SURVEY UPDATE.—Not later than 1 year after
6 the date of enactment of this Act, the Secretary of Trans-
7 portation shall conduct a follow-on survey to the survey
8 conducted under section 60108(d) of title 49, United
9 States Code, to determine—

10 (1) the extent to which each operator has
11 adopted a plan for the safe management and re-
12 placement of cast iron pipelines;

13 (2) the elements of the plan, including the an-
14 ticipated rate of replacement; and

15 (3) the progress that has been made.

16 (b) SURVEY FREQUENCY.—Section 60108(d) is
17 amended by adding at the end the following new para-
18 graph:

19 “(4) The Secretary shall conduct a follow-up survey
20 to measure progress of plan implementation biennially.”.

21 **SEC. 10. HAZARDOUS LIQUID PIPELINE LEAK DETECTION.**

22 (a) LEAK DETECTION REPORT.—Not later than 1
23 year after the date of enactment of this Act, the Secretary
24 of Transportation shall submit to the Senate Committee
25 on Commerce, Science, and Transportation and the House

1 of Representatives Committee on Transportation and In-
2 frastructure and Committee on Energy and Commerce a
3 report on leak detection systems utilized by operators of
4 hazardous liquid pipeline facilities and transportation-re-
5 lated flow lines. The report shall include an analysis of
6 the technical limitations of current leak detection systems,
7 including the systems' ability to detect ruptures and small
8 leaks that are ongoing or intermittent, and what can be
9 done to foster development of better technologies.

10 (b) **STANDARDS.**—Not later than 2 years after sub-
11 mission of the report under subsection (a), the Secretary
12 shall, as appropriate, based on the findings of such report,
13 prescribe regulations, after notice and an opportunity for
14 a hearing, that require an operator of a hazardous liquid
15 pipeline facility to use leak detection systems, employing
16 technically, operationally, and economically feasible stand-
17 ards established by the Secretary for the capability of such
18 systems to detect leaks.

19 **SEC. 11. INCIDENT NOTIFICATION.**

20 (a) **REVIEW OF PROCEDURES.**—Not later than 18
21 months after the date of enactment of this Act, the Sec-
22 retary of Transportation shall review procedures for the
23 National Response Center to provide thorough and coordi-
24 nated notification to all relevant State and local emer-

1 gency response officials and revise such procedures as ap-
2 propriate.

3 (b) TELEPHONIC NOTICE OF CERTAIN INCIDENTS.—

4 (1) IN GENERAL.—Chapter 601, as amended by
5 this Act, is further amended by adding at the end
6 the following:

7 **“§ 60139. Telephonic notice of certain incidents**

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

10 “(1) a failure of a hazardous liquid pipeline fa-
11 cility described in section 195.50 of title 49, Code of
12 Federal Regulations; and

13 “(2) an incident, as defined in section 191.3 of
14 title 49, Code of Federal Regulations.

15 “(b) IMMEDIATE TELEPHONIC NOTICE DEFINED.—

16 In subsection (a), the term ‘immediate telephonic notice’
17 means telephonic notice, as described in section 191.5 of
18 such title, to the National Response Center at the earliest
19 practicable moment following confirmed discovery and not
20 later than one hour following the time of such confirmed
21 discovery.

22 “(c) ESTIMATES OF RELEASE VOLUMES.—When
23 providing immediate telephonic notice under subsection
24 (a), the owner or operator of a pipeline facility shall esti-
25 mate the general volume of a release using ranges such

1 as ‘small’, ‘medium’, ‘large’, and ‘very large’, with the vol-
2 ume of such ranges, but shall not be required to provide
3 a numerical estimate of the size of the release. The owner
4 or operator shall be required to revise an estimate to pro-
5 vide more specific information, including, but not limited
6 to, a numerical estimate of the size of the release within
7 48 hours, to the extent practicable.

8 “(d) REFERENCES.—Any reference to a regulation in
9 this section means the regulation as in effect on the date
10 of enactment of this section.”.

11 (2) CLERICAL AMENDMENT.—The table of sec-
12 tions for chapter 601 is amended by inserting after
13 the item relating to section 60138 the following:

“60139. Telephonic notice of certain incidents.”.

14 (3) EFFECTIVE DATE.—The amendments made
15 by this subsection shall take effect on the date that
16 the Secretary prescribes regulations under sub-
17 section (c).

18 (c) STANDARDS.—Not later than 2 years after the
19 date of enactment of this Act, the Secretary of Transpor-
20 tation shall prescribe regulations, after notice and an op-
21 portunity for comment, defining the meaning of the terms
22 “discovery”, “small”, “medium”, “large”, and “very
23 large” as used in section 60139(c) of title 49, United
24 States Code, as added by subsection (b) of this section.

1 **SEC. 12. TRANSPORTATION-RELATED ONSHORE FACILITY**
2 **RESPONSE PLAN COMPLIANCE.**

3 (a) IN GENERAL.—Subparagraphs (A) and (B) of
4 section 311(m)(2) of the Federal Water Pollution Control
5 Act (33 U.S.C. 1321(m)(2)) are amended to read as fol-
6 lows:

7 “(A) RECORDKEEPING.—Whenever re-
8 quired to carry out the purposes of this section,
9 the Administrator, the Secretary of Transpor-
10 tation, or the Secretary of the department in
11 which the Coast Guard is operating shall re-
12 quire the owner or operator of a facility to
13 which this section applies to establish and
14 maintain such records, make such reports, in-
15 stall, use, and maintain such monitoring equip-
16 ment and methods, and provide such other in-
17 formation as the Administrator, the Secretary
18 of Transportation, or Secretary of the depart-
19 ment in which the Coast Guard is operating, as
20 the case may be, may require to carry out the
21 objectives of this section.

22 “(B) ENTRY AND INSPECTION.—Whenever
23 required to carry out the purposes of this sec-
24 tion, the Administrator, the Secretary of Trans-
25 portation, or the Secretary of the Department
26 in which the Coast Guard is operating or an au-

1 thorized representative of the Administrator,
2 the Secretary of Transportation, or Secretary of
3 the department in which the Coast Guard is op-
4 erating, upon presentation of appropriate cre-
5 dentials, may—

6 “(i) enter and inspect any facility to
7 which this section applies, including any
8 facility at which any records are required
9 to be maintained under subparagraph (A);
10 and

11 “(ii) at reasonable times, have access
12 to and copy any records, take samples, and
13 inspect any monitoring equipment or meth-
14 ods required under subparagraph (A).”.

15 (b) CONFORMING AMENDMENT.—Section
16 311(b)(6)(A) of the Federal Water Pollution Control Act
17 (33 U.S.C. 1321(b)(6)(A)) is amended by striking “oper-
18 ating or” and inserting “operating, the Secretary of
19 Transportation, or”.

20 **SEC. 13. PIPELINE INFRASTRUCTURE DATA COLLECTION.**

21 (a) IN GENERAL.—Section 60132(a) is amended—

22 (1) in the text preceding paragraph (1), by
23 striking “and gathering lines”; and

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

1 national efforts to share information about the risks
2 to the public and the environment from pipeline fa-
3 cilities and means of protecting against those risks.
4 Such cooperation may include the exchange of infor-
5 mation with domestic and appropriate international
6 organizations to facilitate efforts to develop and im-
7 prove safety standards and requirements for pipeline
8 transportation in or affecting interstate or foreign
9 commerce.

10 “(2) CONSULTATION.—To the extent prac-
11 ticable, subject to guidance from the Secretary of
12 State, the Secretary may consult with interested au-
13 thorities in Canada, Mexico, and other interested au-
14 thorities, as needed, to ensure that the respective
15 pipeline facility safety standards and requirements
16 prescribed by the Secretary and those prescribed by
17 such authorities are consistent with the safe and re-
18 liable operation of cross-border pipeline facilities.

19 “(3) DIFFERENCES IN INTERNATIONAL STAND-
20 ARDS AND REQUIREMENTS.—Nothing in this section
21 requires that a standard or requirement prescribed
22 by the Secretary under this chapter be identical to
23 a standard or requirement adopted by a foreign or
24 international authority.”.

1 **SEC. 15. TRANSPORTATION-RELATED OIL FLOW LINES.**

2 Section 60102, as amended by section 5, is further
3 amended by adding at the end the following:

4 “(o) TRANSPORTATION-RELATED OIL FLOW
5 LINES.—

6 “(1) DATA COLLECTION.—The Secretary may
7 collect geospatial or technical data on transpor-
8 tation-related oil flow lines, including unregulated
9 transportation-related oil flow lines.

10 “(2) TRANSPORTATION-RELATED OIL FLOW
11 LINE DEFINED.—In this subsection, the term ‘trans-
12 portation-related oil flow line’ means a pipeline
13 transporting oil off of the grounds of the well where
14 it originated across areas not owned by the pro-
15 ducer, regardless of the extent to which the oil has
16 been processed, if at all.

17 “(3) LIMITATION.—Nothing in this subsection
18 authorizes the Secretary to prescribe standards for
19 the movement of oil through production, refining, or
20 manufacturing facilities, or through oil production
21 flow lines located on the grounds of wells.”.

22 **SEC. 16. ALASKA PROJECT COORDINATION.**

23 (a) IN GENERAL.—Chapter 601, as amended by this
24 Act, is further amended by adding at the end the fol-
25 lowing:

1 **“§ 60140. Alaska project coordination**

2 “The Secretary may provide technical assistance to
3 the State of Alaska for the purpose of achieving coordi-
4 nated and effective oversight of the construction and oper-
5 ation of new and prospective pipeline facility systems in
6 Alaska. The assistance may include—

7 “(1) conducting coordinated inspections of pipe-
8 line facility systems subject to the respective au-
9 thorities of the Department of Transportation and
10 the State of Alaska;

11 “(2) consulting on the development and imple-
12 mentation of programs designed to manage the in-
13 tegrity risks associated with operating pipeline facil-
14 ity systems in the unique conditions of Alaska;

15 “(3) training inspection and enforcement per-
16 sonnel and consulting on the development and imple-
17 mentation of inspection protocols and training pro-
18 grams; and

19 “(4) entering into cooperative agreements,
20 grants, or other transactions with the State of Alas-
21 ka, the Joint Pipeline Office, other Federal agencies,
22 and other public and private agencies to carry out
23 the objectives of this section.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 601 is amended by inserting after the item
3 relating to section 60139 the following:

“60140. Alaska project coordination.”.

4 **SEC. 17. COST RECOVERY FOR DESIGN REVIEWS.**

5 (a) Section 60117(n) is amended to read as follows:

6 “(n) COST RECOVERY FOR DESIGN REVIEWS.—

7 “(1) IN GENERAL.—

8 “(A) REVIEW COSTS.—For any project de-
9 scribed in subparagraph (B), if the Secretary
10 conducts facility design safety reviews in con-
11 nection with a proposal to construct, expand, or
12 operate a new gas or hazardous liquid pipeline
13 facility or liquefied natural gas pipeline facility,
14 including construction inspections and over-
15 sight, the Secretary may require the person or
16 entity proposing the project to pay the costs in-
17 curred by the Secretary relating to such re-
18 views. If the Secretary exercises the cost recov-
19 ery authority described in this section, the Sec-
20 retary shall prescribe a fee structure and as-
21 sessment methodology that is based on the
22 costs of providing these reviews and shall pre-
23 scribe procedures to collect fees under this sec-
24 tion. The Secretary shall not collect design safe-

1 ty review fees under this chapter and section
2 60301 for the same design safety review.

3 “(B) PROJECTS TO WHICH APPLICABLE.—

4 Subparagraph (A) applies to any project that—

5 “(i) has design and construction costs
6 totaling at least \$1,000,000,000, as ad-
7 justed for inflation; or

8 “(ii) uses new or novel technologies or
9 design.

10 “(2) NOTIFICATION.—For any new pipeline fa-
11 cility construction project in which the Secretary will
12 conduct design reviews, the person or entity pro-
13 posing the project shall notify the Secretary and pro-
14 vide the design specifications, construction plans and
15 procedures, and related materials at least 120 days
16 prior to the commencement of construction. Within
17 90 days of receiving such design specifications, con-
18 struction plans and procedures, the Secretary shall
19 provide written comments, feedback, and guidance
20 on such project.

21 “(3) DEPOSIT AND USE.—There is established
22 a Pipeline Safety Design Review Fund in the Treas-
23 ury of the United States. The Secretary shall deposit
24 funds paid under this subsection into the Fund.
25 Funds deposited under this subsection are author-

1 ized to be appropriated for the purposes set forth in
2 this chapter. Fees authorized under this subsection
3 shall be available for obligation only to the extent
4 and in the amount provided in advance in appropria-
5 tions Acts.”.

6 (b) GUIDANCE.—Not later than 1 year after the date
7 of enactment of this Act, the Secretary of Transportation
8 shall issue guidance to clarify the meaning of the term
9 “new or novel technologies or design” as used in section
10 60117(n) of title 49, United States Code, as amended by
11 subsection (a) of this section.

12 **SEC. 18. SPECIAL PERMITS.**

13 (a) IN GENERAL.—Section 60118(c)(1) is amended
14 to read as follows:

15 “(1) ISSUANCE OF WAIVERS.—

16 “(A) IN GENERAL.—On application of an
17 owner or operator of a pipeline facility, the Sec-
18 retary by order may waive compliance with any
19 part of an applicable standard prescribed under
20 this chapter with respect to the facility on
21 terms the Secretary considers appropriate, if
22 the Secretary finds that the waiver is not incon-
23 sistent with pipeline facility safety.

1 “(B) CONSIDERATIONS.—In determining
2 whether to grant a waiver, the Secretary shall
3 consider—

4 “(i) the applicant’s compliance his-
5 tory;

6 “(ii) the applicant’s accident history;
7 and

8 “(iii) any additional factors the Sec-
9 retary considers relevant.

10 “(C) EFFECTIVE PERIOD.—A waiver of
11 one or more pipeline facility operating require-
12 ments shall be reviewed by the Secretary 5
13 years after its effective date. In reviewing a
14 waiver, the Secretary shall consider any change
15 in ownership or control of the pipeline facility,
16 any change in the conditions around the pipe-
17 line facility, and other factors as appropriate.
18 The Secretary may modify, suspend, or revoke
19 a waiver after such review in accordance with
20 subparagraph (E).

21 “(D) PUBLIC NOTICE AND HEARING.—The
22 Secretary may act on a waiver under this sub-
23 section only after public notice and an oppor-
24 tunity for a hearing, which may consist of pub-
25 lication of notice in the Federal Register that

1 an application for a waiver has been filed and
2 providing the public with the opportunity to re-
3 view and comment on the application. If a waiv-
4 er is granted, the Secretary shall state in the
5 order and associated analysis the reasons for
6 granting it.

7 “(E) NONCOMPLIANCE AND MODIFICA-
8 TION, SUSPENSION, OR REVOCATION.—After no-
9 tice to a holder of a waiver and opportunity to
10 show cause, the Secretary may modify, suspend,
11 or revoke a waiver issued under this subsection
12 for failure to comply with its terms or condi-
13 tions, intervening changes in Federal law, a ma-
14 terial change in circumstances affecting safety,
15 including erroneous information in the applica-
16 tion, or any other reason. If necessary to avoid
17 a significant risk of harm to persons, property,
18 or the environment, the Secretary may waive
19 the show cause procedure and make the action
20 immediately effective.”.

21 (b) REGULATIONS; EFFECTIVE DATE.—

22 (1) REGULATIONS.—Not later than 6 months
23 after the date of enactment of this Act, the Sec-
24 retary shall publish a rule, after notice and an op-
25 portunity for comment, describing the additional fac-

1 tors the Secretary considers relevant under section
2 60118(c)(1)(B)(iii) of title 49, United States Code,
3 as amended by subsection (a) of this section.

4 (2) **EFFECTIVE DATE.**—The requirements for
5 consideration under section 60118(c)(1)(B) of title
6 49, United States Code, as amended by subsection
7 (a) of this section, shall not take effect until the
8 date on which the Secretary publishes a rule under
9 paragraph (1).

10 **SEC. 19. BIOFUEL PIPELINES.**

11 Section 60101(a)(4) is amended—

12 (1) by striking “and” after the semicolon in
13 subparagraph (A);

14 (2) by redesignating subparagraph (B) as sub-
15 paragraph (C); and

16 (3) by inserting after subparagraph (A) the fol-
17 lowing:

18 “(B) non-petroleum fuels, including
19 biofuels, that are flammable, toxic, or corrosive
20 or would be harmful to the environment if re-
21 leased in significant quantities; and”.

22 **SEC. 20. CARBON DIOXIDE PIPELINES.**

23 Section 60102(i) is amended—

24 (1) by inserting “(1)” after “CARBON DIOXIDE
25 REGULATION.—”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(2) The Secretary shall prescribe minimum safety
4 standards for the transportation of carbon dioxide by pipe-
5 line in a gaseous state. In establishing the standards, the
6 Secretary shall consider whether applying the minimum
7 safety standards in part 195 of title 49 of the Code of
8 Federal Regulations, as in effect on the date of enactment
9 of the Pipeline Infrastructure and Community Protection
10 Act of 2011 for the transportation of carbon dioxide in
11 a liquid state, to the transportation of carbon dioxide in
12 a gaseous state would ensure safety. Nothing in this sub-
13 section authorizes the Secretary to regulate piping or
14 equipment used in the production, extraction, recovery,
15 lifting, stabilization, separation, or treating of carbon di-
16 oxide or its preparation for transportation by pipeline at
17 production, refining, or manufacturing facilities.”.

18 **SEC. 21. STUDY OF THE TRANSPORTATION OF DILUTED BI-**
19 **TUMEN.**

20 Not later than 18 months after the date of enactment
21 of this Act, the Secretary of Transportation shall complete
22 a comprehensive review of hazardous liquid pipeline facil-
23 ity regulations to determine whether these regulations are
24 sufficient to regulate pipeline facilities used for the trans-
25 portation of diluted bitumen. In conducting this review,

1 the Secretary shall conduct an analysis of whether any in-
2 crease in risk of release exists for pipeline facilities trans-
3 porting diluted bitumen. The Secretary shall report the
4 results of this review to the Senate Committee on Com-
5 merce, Science, and Transportation, and the House of
6 Representatives Committee on Transportation and Infra-
7 structure and Committee on Energy and Commerce.

8 **SEC. 22. STUDY OF NON-PETROLEUM HAZARDOUS LIQUIDS**
9 **TRANSPORTED BY PIPELINE.**

10 The Secretary of Transportation may conduct an
11 analysis of the transportation of non-petroleum hazardous
12 liquids by pipeline facility for the purpose of identifying
13 the extent to which pipeline facilities are currently being
14 used to transport non-petroleum hazardous liquids, such
15 as chlorine, from chemical production facilities across land
16 areas not owned by the producer that are accessible to
17 the public. The analysis should identify the extent to which
18 the safety of the pipeline facilities is unregulated by the
19 States and evaluate whether the transportation of such
20 chemicals by pipeline facility across areas accessible to the
21 public would present significant risks to public safety,
22 property, or the environment in the absence of regulation.
23 The results of the analysis shall be made available to the
24 Senate Committee on Commerce, Science, and Transpor-
25 tation and the House of Representatives Committee on

1 Transportation and Infrastructure and Committee on En-
2 ergy and Commerce.

3 **SEC. 23. CLARIFICATIONS.**

4 (a) AMENDMENT OF PROCEDURES CLARIFICA-
5 TION.—Section 60108(a)(1) is amended by striking “an
6 intrastate” and inserting “a”.

7 (b) OWNER AND OPERATOR CLARIFICATION.—Sec-
8 tion 60102(a)(2)(A) is amended by striking “owners and
9 operators” and inserting “any or all of the owners or oper-
10 ators”.

11 **SEC. 24. ADDITIONAL RESOURCES.**

12 (a) IN GENERAL.—To the extent funds are appro-
13 priated, the Secretary of Transportation shall increase the
14 personnel of the Pipeline and Hazardous Materials Safety
15 Administration by a total of 39 full-time employees to
16 carry out the pipeline safety program and the administra-
17 tion of that program, of which—

18 (1) 9 employees shall be added in fiscal year
19 2011;

20 (2) 10 employees shall be added in fiscal year
21 2012;

22 (3) 10 employees shall be added in fiscal year
23 2013; and

24 (4) 10 employees shall be added in fiscal year
25 2014.

1 (b) FUNCTIONS.—In increasing the number of em-
2 ployees under subsection (a), the Secretary shall hire em-
3 ployees—

4 (1) to conduct inspections of pipeline facilities
5 to determine compliance with applicable regulations
6 and standards;

7 (2) to conduct data collection, analysis, and re-
8 porting;

9 (3) to develop, implement, and update informa-
10 tion technology;

11 (4) to provide administrative, legal, and other
12 support for pipeline facility enforcement activities;
13 and

14 (5) to support the overall pipeline safety mis-
15 sion of the Pipeline and Hazardous Materials Safety
16 Administration, including training of pipeline en-
17 forcement personnel.

18 **SEC. 25. MAINTENANCE OF EFFORT.**

19 Section 60107(b) is amended by adding at the end
20 the following: “The Secretary may grant such a waiver
21 if a State can demonstrate an inability to maintain or in-
22 crease the required funding share of its pipeline safety
23 program at or above the level required by this section due
24 to economic hardship in that State.”.

1 **SEC. 26. ADMINISTRATIVE ENFORCEMENT PROCESS.**

2 (a) ISSUANCE OF REGULATIONS.—

3 (1) IN GENERAL.—Not later than two years
4 after the date of enactment of this Act, the Sec-
5 retary shall prescribe regulations—

6 (A) requiring hearings under sections
7 60112, 60117, 60118, and 60122 to be con-
8 vened before a presiding official;

9 (B) providing the opportunity for any per-
10 son requesting a hearing under section 60112,
11 60117, 60118, or 60122 to arrange for a tran-
12 script of that hearing, at the expense of the re-
13 questing person;

14 (C) ensuring expedited review of any order
15 issued pursuant to section 60112(e); and

16 (D) implementing a separation of functions
17 between personnel involved with investigative
18 and prosecutorial activities and advising the
19 Secretary on findings and determinations.

20 (2) PRESIDING OFFICIAL.—The regulations pre-
21 scribed under this subsection shall—

22 (A) define the term “presiding official” to
23 mean the person who conducts any hearing re-
24 lating to civil penalty assessments, compliance
25 orders, safety orders, or corrective action or-
26 ders; and

1 (B) require that the presiding official must
2 be an attorney on the staff of the Deputy Chief
3 Counsel that is not engaged in investigative or
4 prosecutorial functions, including the prepara-
5 tion of notices of probable violations, orders re-
6 lating to civil penalty assessments, compliance
7 orders, or corrective action orders.

8 (3) EXPEDITED REVIEW.—The regulations pre-
9 scribed under this subsection shall define the term
10 “expedited review” for the purposes of paragraph
11 (1)(C).

12 (b) STANDARDS OF JUDICIAL REVIEW.—Section
13 60119(a) is amended by adding at the end the following
14 new paragraph:

15 “(3) All judicial review of agency action under this
16 section shall apply the standards of review established in
17 section 706 of title 5.”.

18 **SEC. 27. MAXIMUM ALLOWABLE OPERATING PRESSURE.**

19 (a) ESTABLISHMENT OF RECORDS.—

20 (1) IN GENERAL.—Not later than 6 months
21 after the date of enactment of this Act, the Sec-
22 retary of Transportation shall require pipeline facil-
23 ity operators to conduct a verification of records for
24 all interstate and intrastate gas transmission lines in
25 high consequence areas (as described in section

1 60109(a) of title 49, United States Code) con-
2 structed before July 1, 1970, that accurately reflect
3 the pipeline's physical and operational characteris-
4 tics and confirm the established maximum allowable
5 operating pressure of those pipelines.

6 (2) ELEMENTS.—Verification of each record
7 under paragraph (1) shall include such elements as
8 the Secretary considers appropriate.

9 (b) REPORTING.—

10 (1) DOCUMENTATION OF CERTAIN PIPE-
11 LINES.—Not later than 18 months after the date of
12 enactment of this Act, pipeline facility operators
13 shall submit to the Secretary documentation of all
14 interstate and intrastate gas transmission pipelines
15 in high consequence areas (as described in section
16 60109(a) of title 49, United States Code) con-
17 structed before the July 1, 1970, where the records
18 required under subsection (a) are not sufficient to
19 confirm the established maximum allowable oper-
20 ating pressure of those pipelines.

21 (2) EXCEEDENCES OF MAXIMUM ALLOWABLE
22 OPERATING PRESSURE.—All pipeline facility opera-
23 tors shall report any exceedence of the maximum al-
24 lowable operating pressure for gas transmission
25 pipelines that exceed the build-up allowed for oper-

1 ation of pressure-limiting or control devices to the
2 Secretary not later than 5 working days after the
3 exceedence occurs. Notice of exceedence by intra-
4 state gas transmission pipelines shall be provided
5 concurrently to appropriate State authorities.

6 (c) DETERMINATION OF MAXIMUM ALLOWABLE OP-
7 ERATING PRESSURE.—

8 (1) IN GENERAL.—For any transmission line
9 reported in subsection (b), the Secretary shall re-
10 quire the operator of the transmission line to recon-
11 firm a maximum allowable operational pressure as
12 expeditiously as economically feasible.

13 (2) INTERIM ACTIONS.—For cases described in
14 paragraph (1), the Secretary shall determine what
15 actions are appropriate for a pipeline facility oper-
16 ator to take to maintain safety until a maximum al-
17 lowable operating pressure is confirmed. In deter-
18 mining what actions an operator should take, the
19 Secretary shall take into account consequences to
20 public safety and the environment, impacts on pipe-
21 line facility system reliability and deliverability, and
22 other factors, as appropriate.

23 **SEC. 28. COVER OVER BURIED PIPELINE.**

24 (a) AMENDMENT.— Chapter 601 is amended by add-
25 ing at the end the following:

1 **“§ 60141. Cover over buried pipeline**

2 “Not later than 1 year after the date of enactment
3 of the Pipeline Infrastructure and Community Protection
4 Act of 2011, the Secretary shall complete an evaluation
5 to determine whether or not current regulations regarding
6 cover over buried pipeline at crossings of inland bodies of
7 water with a width of at least 100 feet from high water
8 mark to high water mark are sufficient to prevent a re-
9 lease of hazardous liquid. If, based on the evaluation, the
10 Secretary determines that such current regulations are in-
11 sufficient to provide adequate protection against the risk
12 of a release of a hazardous liquid to the extent provided
13 for under section 60102, not later than 2 years after the
14 completion of the evaluation, the Secretary shall by regula-
15 tion, after notice and an opportunity for a hearing, ensure
16 the adequacy of cover over buried pipelines at crossings
17 of inland bodies of water with a width of at least 100 feet
18 from high water mark to high water mark by addressing
19 cover over such buried pipelines or requiring equivalent
20 protection.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 for chapter 601 is amended by inserting after the item
23 relating to section 60140 the following:

“60141. Cover over buried pipeline.”.

1 **SEC. 29. ONSHORE GATHERING LINES.**

2 Not later than 1 year after the date of enactment
3 of this Act, the Secretary shall conduct a review of all on-
4 shore gas and hazardous liquid gathering lines not regu-
5 lated under title 49, United States Code, and submit a
6 report based on such review to the Senate Committee on
7 Commerce, Science, and Transportation and the House of
8 Representatives Committee on Transportation and Infra-
9 structure and Committee on Energy and Commerce con-
10 taining the Secretary's recommendations with respect to—

11 (1) the sufficiency of existing Federal and State
12 laws and regulations to ensure pipeline safety;

13 (2) the economical and technical practicability
14 of applying existing regulations to currently unregu-
15 lated onshore gathering lines; and

16 (3) subject to a risk-based assessment, the
17 modification or revocation of existing statutory or
18 regulatory exemptions.

19 **SEC. 30. NATURAL GAS PIPELINE LEAK DETECTION RE-**
20 **PORT.**

21 Not later than 1 year after the date of enactment
22 of this Act, the Secretary of Transportation shall submit
23 to the Senate Committee on Commerce, Science, and
24 Transportation and the House of Representatives Com-
25 mittee on Transportation and Infrastructure and Com-
26 mittee on Energy and Commerce a report on the tech-

1 nologies available for detecting leaks from natural gas
2 pipelines. The report shall include an analysis of the effec-
3 tiveness, benefits, costs, and feasibility of adoption of
4 available technologies, as well as the utility of the data
5 generated by such available technologies for enhancing
6 safety, and what can be done to foster development of ad-
7 ditional technologies.

8 **SEC. 31. REPORT ON MINORITY OR WOMAN-OWNED OR DIS-**
9 **ADVANTAGED BUSINESSES.**

10 Not later than 180 days after the date of enactment
11 of this Act, the Secretary of Transportation shall, based
12 upon available information, submit to the Senate Com-
13 mittee on Commerce, Science, and Transportation and the
14 House of Representatives Committee on Transportation
15 and Infrastructure and Committee on Energy and Com-
16 merce a report on—

17 (1) the number of minority-business enter-
18 prises, woman-business enterprises, and disadvan-
19 taged-business enterprises that have been granted
20 permits to build or operate pipeline facilities; and

21 (2) the extent to which pipeline facility opera-
22 tors utilize the services of companies that are minor-
23 ity-business enterprises, woman-business enterprises,
24 or disadvantaged-business enterprises.

1 **SEC. 32. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) GAS AND HAZARDOUS LIQUID.—

3 (1) Section 60125(a)(1) is amended by striking
4 subparagraphs (A) through (D) and inserting the
5 following:

6 “(A) For fiscal year 2011, \$92,206,000, of
7 which \$9,200,000 is for carrying out such sec-
8 tion 12 and \$36,958,000 is for making grants.

9 “(B) For fiscal year 2012, \$96,144,000, of
10 which \$9,600,000 for carrying out such section
11 12 and \$39,611,000 is for making grants.

12 “(C) For fiscal year 2013, \$99,876,000, of
13 which \$9,900,000 is for carrying out such sec-
14 tion 12 and \$41,148,000 is for making grants.

15 “(D) For fiscal year 2014, \$102,807,000,
16 of which \$10,200,000 is for carrying out such
17 section 12 and \$42,356,000 is for making
18 grants.”.

19 (2) Section 60125(a)(2) is amended by striking
20 subparagraphs (A) through (D) and inserting the
21 following:

22 “(A) For fiscal year 2011, \$18,905,000, of
23 which \$7,562,000 is for carrying out such sec-
24 tion 12 and \$7,864,000 is for making grants.

1 “(B) For fiscal year 2012, \$19,661,000, of
2 which \$7,864,000 is for carrying out such sec-
3 tion 12 and \$7,864,000 is for making grants.

4 “(C) For fiscal year 2013, \$20,000,000, of
5 which \$8,000,000 is for carrying out such sec-
6 tion 12 and \$8,000,000 is for making grants.

7 “(D) For fiscal year 2014, \$20,000,000, of
8 which \$8,000,000 is for carrying out such sec-
9 tion 12 and \$8,000,000 is for making grants.”.

10 (b) EMERGENCY RESPONSE GRANTS.—Section
11 60125(b)(2) is amended by striking “2007 through 2010”
12 and inserting “2011 through 2014”.

13 (c) ONE-CALL NOTIFICATION PROGRAMS.—Section
14 6107 is amended—

15 (1) by striking “2007 through 2010.” in sub-
16 section (a) and inserting “2011 through 2014.”;

17 (2) by striking “2007 through 2010.” in sub-
18 section (b) and inserting “2011 through 2014.”; and

19 (3) by striking subsection (c).

20 (d) STATE DAMAGE PREVENTION PROGRAMS.—Sec-
21 tion 60134 is amended by adding at the end the following:

22 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Secretary to pro-
24 vide grants under this section \$2,000,000 for each of fiscal

1 years 2011 through 2014. The funds shall remain avail-
2 able until expended.”.

3 (e) COMMUNITY PIPELINE SAFETY INFORMATION
4 GRANTS.—Section 60130 is amended—

5 (1) by striking “\$50,000” in subsection (a)(1)
6 and inserting “\$100,000”;

7 (2) by inserting “, for direct advocacy for or
8 against a pipeline,” after “for lobbying” in sub-
9 section (b); and

10 (3) by striking “\$1,000,000 for each of the fis-
11 cal years 2003 through 2010. Such amounts shall
12 not be derived from user fees collected under section
13 60301.” in subsection (d) and inserting “\$2,000,000
14 for each of the fiscal years 2011 through 2014.”.

15 (f) PIPELINE TRANSPORTATION RESEARCH AND DE-
16 VELOPMENT.—Section 12 of the Pipeline Safety Improve-
17 ment Act of 2002 (49 U.S.C. 60101 note) is amended—

18 (1) by adding at the end of subsection (d) the
19 following:

20 “(3) ONGOING PIPELINE TRANSPORTATION RE-
21 SEARCH AND DEVELOPMENT.—After the initial 5-
22 year program plan has been carried out by the par-
23 ticipating agencies, the Secretary of Transportation
24 shall prepare a research and development program
25 plan every 5 years thereafter and shall transmit a

1 report to Congress on the status and results-to-date
2 of implementation of the program each year that
3 funds are appropriated for carrying out the plan.”;
4 and
5 (2) by striking “2003 through 2006.” in sub-
6 section (f) and inserting “2011 through 2014.”.

