

Suspend the Rules and Pass the Bill, H.R. 6008, with Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

111TH CONGRESS
2^D SESSION

H. R. 6008

To amend title 49, United States Code, to ensure telephonic notice of certain incidents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. SCHAUER (for himself, Ms. CORRINE BROWN of Florida, Mr. EHLERS, Mr. WALZ, Mr. UPTON, Mr. PETERS, Mrs. MILLER of Michigan, Mr. SMITH of Washington, Mr. KILDEE, Mr. CONYERS, Ms. KAPTUR, Mrs. HALVORSON, and Mr. LIPINSKI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 49, United States Code, to ensure telephonic notice of certain incidents, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Corporate Liability
3 and Emergency Accident Notification Act” or “CLEAN
4 Act”.

5 **SEC. 2. NOTIFICATION OF INCIDENTS.**

6 (a) TELEPHONIC NOTICE OF CERTAIN INCIDENTS.—

7 (1) IN GENERAL.—Chapter 601 of title 49,
8 United States Code, is amended by adding at the
9 end the following:

10 **“§ 60138. Telephonic notice of certain incidents**

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

13 “(1) a release of hazardous liquid or another
14 substance regulated under part 195 of title 49, Code
15 of Federal Regulations, resulting in an event for
16 which notice is required under section 195.50 of
17 such title; and

18 “(2) a release of gas resulting in an incident,
19 as defined in section 191.3 of such title.

20 “(b) IMMEDIATE TELEPHONIC NOTICE DEFINED.—

21 In subsection (a), the term ‘immediate telephonic notice’
22 means telephonic notice, as described in section 191.5 of
23 such title, to the Secretary and the National Response
24 Center at the earliest practicable moment following dis-
25 covery of a release of gas or hazardous liquid and not later
26 than one hour following the time of such discovery.

1 “(c) REFERENCES.—Any reference to a regulation in
2 this section means the regulation as in effect on the date
3 of enactment of this section.”.

4 (2) CLERICAL AMENDMENT.—The analysis for
5 such chapter is amended by adding at the end the
6 following:

“60138. Telephonic notice of certain incidents.”.

7 (b) GUIDANCE.—Not later than 60 days after the
8 date of enactment of this Act, the Secretary shall issue
9 guidance to clarify the meaning of the term “discovery”
10 as used in section 60138(b) of title 49, United States
11 Code, as added by subsection (a) of this section.

12 **SEC. 3. TRANSPARENCY OF ACCIDENTS AND INCIDENTS.**

13 Not later than December 31, 2010, the Secretary of
14 Transportation shall maintain on the Department of
15 Transportation’s Internet Web site a database of all re-
16 portable incidents involving gas or hazardous liquid pipe-
17 lines and allow the public to search the database for inci-
18 dents by owner or operator of a pipeline facility.

19 **SEC. 4. CIVIL PENALTIES.**

20 Section 60122(a)(1) of title 49, United States Code,
21 is amended—

22 (1) in the first sentence—

23 (A) by inserting “, or has obstructed or
24 prevented the Secretary from carrying out an

1 inspection or investigation under this chapter,”
2 after “under this chapter”; and

3 (B) by striking “\$100,000” and inserting
4 “\$250,000”; and

5 (2) in the last sentence by striking
6 “\$1,000,000” and inserting “\$2,500,000”.

7 **SEC. 5. COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO**
8 **ACT OF 2010.**

9 The budgetary effects of this Act, for the purpose of
10 complying with the Statutory Pay-As-You-Go Act of 2010,
11 shall be determined by reference to the latest statement
12 titled “Budgetary Effects of PAYGO Legislation” for this
13 Act, submitted for printing in the Congressional Record
14 by the Chairman of the House Budget Committee, pro-
15 vided that such statement has been submitted prior to the
16 vote on passage.

Amend the title so as to read: “A bill to ensure tele-
phonic notice of certain incidents involving hazardous liq-
uid and gas pipeline facilities, and for other purposes.”.