

Amendment to H.R. 2845

Offered by Mr. Shuster

On page 10 strike lines 14 through 18 and insert the following:

“(f) Congressional Authority – In order to provide Congress the necessary time to review the results of the report in subsection (c) and implement the appropriate recommendations, the Secretary shall not proceed with a rulemaking that expands integrity management system requirements, or elements thereof, beyond high consequence areas for a period of 1 year after completion of the report or 3 years after the date of enactment of this Act, whichever is earlier.

(g) STANDARDS.—Not earlier than 1 year after completion of the report or 3 years after the date of enactment of this Act, whichever is earlier, the Secretary may, as appropriate, prescribe regulations, after notice and an opportunity for a hearing, that—

(1) expand integrity management system requirements, or elements thereof, beyond high consequence areas; and

(2) remove redundant class location requirements for gas transmission pipeline facilities that are regulated under an integrity management program adopted and implemented under section 60109(c)(2) of title 49, United States Code.

(h) SAVINGS CLAUSE - The Secretary may proceed with a rulemaking described in subsection (g) earlier than 1 year after the completion of the report or 3 years after the date of enactment of this Act, whichever is earlier, if the Secretary determines that a condition that poses a risk to public safety, property or the environment is present or an imminent hazard exists. For the purposes of this section the term “imminent hazard” means the existence of a condition related to pipelines or pipeline operations that present a substantial likelihood that death, serious illness, severe personal injury, or substantial endangerment to health, property, or the environment may occur.”

On page 15 strike lines 5 through 10 and insert the following:

“(b) Congressional Authority – In order to provide Congress the necessary time to review the results of the report in subsection (a) and implement the appropriate recommendations, the Secretary shall not proceed with a rulemaking establishing standards for the capability of leak detection systems or requiring operators to use leak detection systems for a period of 1 year after completion of the report or 2 years after the date of enactment of this Act, whichever is earlier.

(c) STANDARDS.—Not earlier than 1 year after completion of the report or 2 years after the date of enactment of this Act, whichever is earlier, the Secretary may, as appropriate, prescribe regulations, after notice and an opportunity for a hearing, that—

(1) requires an operator of a hazardous liquid pipeline facility to use leak detection systems; and

(2) establishes technically, operationally, and economically feasible standards for the capability of such systems to detect leaks.

(d) SAVINGS CLAUSE - The Secretary may proceed with a rulemaking described in subsection (c) earlier than 1 year after the completion of the report or 2 years after the date of enactment of this Act, whichever is earlier, if the Secretary determines that a condition that poses a risk to public safety, property or the environment is present or an imminent hazard exists. For the purposes of this section the term “imminent hazard” means the existence of a condition related to pipelines or pipeline operations that present a substantial likelihood that death, serious illness, severe personal injury, or substantial endangerment to health, property, or the environment may occur.”