



Discussion Draft H.R. __ the “Pipeline Safety, Modernization, and Expansion Act of 2023”

Section-by-Section Analysis

Sec. 1. Short Title. “Pipeline Safety, Modernization, and Expansion Act.”

Sec. 2. Minimum Safety Standards. Requires the Pipeline and Hazardous Materials Safety Administration (PHMSA) to consider the “safety and economic benefits within the United States” when conducting the cost-benefit analysis of proposed regulations.

Sec. 3. Regulation of Carbon Dioxide Pipeline Facilities. Requires PHMSA to finalize safety standards for pipeline facilities that transport carbon dioxide no later than one year from the date of enactment. Clarifies the authority of the Environmental Protection Agency (EPA) to identify areas suitable for underground sequestration of carbon dioxide.

Sec. 4. Protecting Fuel Choice for Consumers. Prohibits a State or municipality from banning the transportation of an energy source, including natural gas or liquid fuels, that are sold in interstate commerce using a pipeline facility regulated by PHMSA.

Sec. 5. Technical Safety Standards Committees. Requires PHMSA to conduct technical safety advisory meetings more regularly to review and improve proposed regulations.

Sec. 6. Strengthening Penalties for Pipeline Safety Violations. Strengthens penalties for “damaging, destroying, or impairing the operation of” pipeline facilities.

Sec. 7. Authorization Levels. Reauthorizes PHMSA’s pipeline safety programs for five years.

Sec. 8. Pipeline Safety Enhancement Programs. Directs PHMSA to conduct a pilot program to test innovative pipeline safety technologies and integrity management practices that meet or exceed PHMSA’s safety regulations.

Sec. 9. Pipeline Safety Voluntary Information Sharing System. Directs PHMSA to establish a voluntary information sharing system to gather, evaluate, and quantify critical pipeline safety data and information to improve safety.

Sec. 10. Modernizing and Expanding Pipelines. Authorizes the Federal Energy Regulatory Commission (FERC) to issue any federal permit required for the construction, modification, expansion, inspection, repair, or maintenance of an existing pipeline or a new pipeline co-located within an existing right-of-way. A person may request FERC to make a final decision on a permit if the federal agency with statutory authority, or the state to which authority has been delegated by the federal agency, fails to complete a proceeding within one year after the application was filed.

Sec. 11. Regulatory Updates. Requires PHMSA to report to Congress on outstanding regulations and overdue congressional mandates required by prior pipeline safety laws.