H. R. 7655

To amend title 49, United States Code, to improve the safety of pipeline transportation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DUNCAN introduced the following bill; which was referred to the Committee on

A BILL

To amend title 49, United States Code, to improve the safety of pipeline transportation, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Pipeline Safety, Modernization, and Expansion Act of 2024”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Minimum safety standards.
Sec. 4. Regulation of carbon dioxide pipeline facilities.
Sec. 5. Purpose and general authority.
Sec. 6. Eliminating hazardous natural gas leaks.
Sec. 7. Technical safety standards committees.
Sec. 8. Opportunity for formal hearing.
Sec. 9. Special permit program.
Sec. 10. Strengthening penalties for pipeline safety violations.
Sec. 11. Authorization levels.
Sec. 12. Maximum allowable operating pressure.
Sec. 13. Pipeline safety enhancement programs.
Sec. 14. Pipeline safety voluntary information-sharing system.
Sec. 15. Excavation damage prevention.
Sec. 16. Protecting fuel choice for consumers.
Sec. 17. Modernizing and expanding pipelines.
Sec. 18. Regulatory updates.
Sec. 19. Class location changes.
Sec. 20. Inspection of in-service breakout tanks.
Sec. 21. Liquefied natural gas regulatory coordination.
Sec. 22. Hydrogen study.

SEC. 2. DEFINITIONS.

Section 60101(a)(21)(B) of title 49, United States Code, is amended to read as follows:

“(B) does not include—

“(i) gathering gas (except through regulated gathering lines) in a rural area outside a populated area designated by the Secretary as a nonrural area; or

“(ii) moving gas through a piping system for a purpose that directly supports the operations of an onshore production, refining, or manufacturing facility, including for use as fuel or feedstock, if the piping system is—
“(I) an in-plant piping system that is located entirely within the boundary of the facility; or

“(II) a transfer piping system that extends less than one mile in length outside the boundaries of the facility;”.

**SEC. 3. MINIMUM SAFETY STANDARDS.**

Section 60102(b) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (D), by striking “benefits” and inserting “safety and economic benefits within the United States”; and

(B) in subparagraph (E), by inserting “within the United States” after “costs”;

(2) in paragraph (3)(B), by striking “benefits” and inserting “safety and economic benefits within the United States”; and

(3) in paragraph (5)—

(A) by inserting “explicitly” before “required”; and

(B) by inserting “, economic,” after “safety”; and
(C) by inserting “within the United States” after “environmental benefits”.

SEC. 4. REGULATION OF CARBON DIOXIDE PIPELINE FACILITIES.

(a) FACILITY OPERATION INFORMATION STANDARDS.—Section 60102(d)(5) of title 49, United States Code is amended—

(1) in subparagraph (B), by striking “; and”;

and

(2) by adding at the end the following:

“(D) for pipelines transporting carbon dioxide, actions and procedures for leak detection and for coordination, communications, and alerts specific to responding to and containing a release from such a pipeline; and”.

(b) CARBON DIOXIDE REGULATION.—

(1) RULEMAKINGS REQUIRED.—

(A) TRANSPORTATION IN LIQUID STATE.—Not later than one year after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to carry out section 60102(i)(1) of title 49, United States Code; and

(B) TRANSPORTATION IN GASEOUS STATE.—Not later than one year after the date
of enactment of this Act, the Secretary of Transportation shall issue a final rule to carry out section 60102(i)(2) of title 49, United States Code.

(2) TRANSPORTATION IN GASEOUS STATE.—Section 60102(i)(2)(B) of title 49, United States Code, is amended by striking “consider whether applying the minimum safety standards in part 195 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this paragraph, for the transportation of carbon dioxide in a liquid state to the transportation of carbon dioxide in a gaseous state would ensure safety” and inserting “apply the minimum safety standards in part 195 of title 49, Code of Federal Regulations, as appropriate”.

(3) CONSIDERATIONS; DISPERSION MODELING.—Section 60102(i) of title 49, United States Code, is amended by adding at the end the following:

“(4) CONSIDERATIONS.—In prescribing standards under this subsection, the Secretary shall consider public input and the adoption of industry consensus standards regarding the safe transportation of carbon dioxide.

“(5) DISPERSION MODELING.—
“(A) SAFETY STANDARDS.—In prescribing standards under this subsection, the Secretary shall prescribe minimum safety standards to require each operator of a pipeline facility by which carbon dioxide is transported to perform vapor dispersion modeling to identify high consequence areas (as defined in section 195.450 of title 49, Code of Federal Regulations, and paragraph (7)(I)(A) of Appendix C to part 195 of such title (or a successor regulation)) that could be affected by a release from such a pipeline facility.

“(B) CONSIDERATIONS.—In performing vapor dispersion modeling pursuant to subparagraph (A), operators of a pipeline facility by which carbon dioxide is transported shall consider—

“(i) the topography surrounding the pipeline facility;

“(ii) atmospheric conditions that could affect vapor dispersion;

“(iii) pipeline facility operating characteristics; and
“(iv) additional substances present in the pipeline facility that could affect vapor dispersion.

“(C) MAINTENANCE OF FILES.—The Secretary shall require each operator of a pipeline facility by which carbon dioxide is transported to maintain records documenting the areas that could affect high consequence areas, as determined using the vapor dispersion modeling required pursuant to subparagraph (A), in the manual of written procedures for operating, maintaining, and handling emergencies for such pipeline facility.

“(D) PROTECTION OF SENSITIVE INFORMATION.—In responding to a public request for information regarding vapor dispersion modeling performed pursuant to this paragraph, the Secretary may, taking into account public safety, security, and the need for public access, exclude from disclosure (as the Secretary determines appropriate)—

“(i) security-sensitive information related to strategies for responding to worst-case carbon dioxide release scenarios;
“(ii) security-sensitive information related to carbon dioxide release plumes; and
“(iii) security-sensitive information related to plans for responding to a carbon dioxide release.

“(E) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed to require disclosure of information or records that are exempt from disclosure under section 552 of title 5.”.

(c) UNDERGROUND SEQUESTRATION OF CARBON DIOXIDE.—Section 40306 of the Infrastructure Investment and Jobs Act (42 U.S.C. 300h–9) is amended by adding at the end the following:

“(d) UNDERGROUND SEQUESTRATION OF CARBON DIOXIDE.—

“(1) IN GENERAL.—Effective immediately upon the date of enactment of this subsection, owners or operators may request that the Administrator issue an aquifer exemption for a Class VI well. In addition, owners or operators of Class II wells may request that the Administrator approve an expansion to the areal extent of an aquifer exemption already in place for a Class II well for the purpose of Class VI injection for geologic sequestration.
“(2) DESIGNATIONS.—In considering a request under paragraph (1), the Administrator shall designate an aquifer or portion thereof an exempted aquifer, as defined in section 144.3 of title 40, Code of Federal Regulations (or successor regulations), if it meets the criteria set forth in paragraphs (a) through (e) of section 146.4 of title 40, Code of Federal Regulations, as in effect on the date of enactment of this subsection. In addition, an aquifer or portion thereof shall be considered an exempted aquifer for Class VI wells if the Administrator has designated that aquifer or portion thereof an exempted aquifer for any other purpose.

“(3) RULEMAKING.—The Administrator shall revise section 144.7 and section 146.4 of title 40, Code of Federal Regulations, to conform with this subsection.”.

SEC. 5. PURPOSE AND GENERAL AUTHORITY.

(a) WORKER AND PUBLIC SAFETY ZONES.—Section 60102 of title 49, United States Code, is amended by adding at the end the following:

“(u) WORKER AND PUBLIC SAFETY ZONES.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall prescribe a safety standard requiring
each owner or operator of a pipeline facility to establish a worker and public safety zone at the location of any construction, replacement, or repair of the pipeline facility, within which only persons authorized by the owner or operator of the pipeline facility, including contractors and subcontractors, shall be permitted.

“(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall include requirements that the owner or operator of a pipeline facility—

“(A) ensure that—

“(i) a worker and public safety zone is in place at all times beginning on the date on which the construction, replacement, or repair of the pipeline facility commences and ending on the date on which such construction, replacement, or repair is completed; and

“(ii) the worker and public safety zone includes any areas associated with such construction, replacement, or repair that are reasonably necessary for such activities to be carried out; and

“(B) post a notice at an appropriate location at or near the boundary of the worker and public safety zone.
public safety zone to increase public awareness
and minimize potential hazards of the zone.

“(3) SCOPE.—The standards prescribed under
this subsection shall not apply to any pipeline facil-
ity used in local distribution of gas or hazardous liq-
uid, an intrastate gas pipeline facility, or an intra-
state hazardous liquid pipeline facility.

“(4) CIVIL PENALTY.—

“(A) IN GENERAL.—Any unauthorized in-
dividual entering a worker and public safety
zone established pursuant to this subsection
shall be liable to the United States for a civil
penalty for each violation.

“(B) AMOUNT.—The Secretary shall deter-
mine the amount of such penalty using the con-
siderations under section 60122(b).

“(5) RULE OF CONSTRUCTION.—Nothing in
this subsection may be construed to authorize the
use of eminent domain.”.

(b) ALTERNATIVE TECHNOLOGIES.—Section 60102
of title 49, United States Code, is further amended by
adding at the end the following:

“(v) ALTERNATIVE TECHNOLOGIES.—

“(1) REQUESTS FOR COMMENTS.—Not later
than 1 year after the date of enactment of this sub-
section, and every 5 years thereafter, the Secretary shall issue a request for comments to identify any potential alternative technology that—

“(A) is commercially available; and

“(B) if used by the operator of a pipeline facility, will provide a level of safety that is equal to, or greater than, that provided by a safety standard prescribed under this chapter.

“(2) EVALUATIONS AND PROPOSED RULES.—

Not later than 2 years after a request for comments is issued under paragraph (1), the Secretary shall—

“(A) evaluate the alternative technologies identified pursuant to such request;

“(B) determine whether any such alternative technologies meet the requirements of subparagraphs (A) and (B) of such paragraph; and

“(C) with respect to each alternative technology the Secretary determines meets such requirements, issue a proposed rule authorizing operators of pipeline facilities to comply with the applicable safety standard through the use of such alternative technology.
“(3) FINAL RULES.—Not later than 1 year after issuing a proposed rule under paragraph (2), the Secretary shall finalize such rule.

“(4) LIMITATION.—The Secretary may not, in a final rule issued under paragraph (3), require an operator of a pipeline facility to comply with a safety standard through the use of an alternative technology identified under this subsection.”.

SEC. 6. ELIMINATING HAZARDOUS NATURAL GAS LEAKS.

Section 60108(a)(2) of title 49, United States Code, is amended—

(1) in subparagraph (D)(ii)—

(A) by inserting “with respect to gas pipeline facilities,” before “eliminating”;

(B) by inserting “natural gas” before “leaks”; and

(C) by inserting “such gas” after “natural gas from”; and

(2) in subparagraph (E)—

(A) by inserting “if applicable,” before “the extent”;

(B) by striking “pipelines” and inserting “gas pipeline facilities”; and

(C) by striking “of the pipeline” and inserting “of the gas pipeline facility”.

SEC. 6. ELIMINATING HAZARDOUS NATURAL GAS LEAKS.
SEC. 7. TECHNICAL SAFETY STANDARDS COMMITTEES.

Section 60115 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (2), by inserting “in accordance with paragraph (4)” after “the Secretary shall publish the reasons”; and

(B) by adding at the end the following:

“(4) The Secretary shall, not later than 15 days after prescribing a standard under paragraph (3) with respect to which a committee has prepared a report under paragraph (2), submit to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available, a report regarding the reasons the Secretary rejected any conclusions of the committee.”; and

(2) in subsection (e), by striking “up to 4 times” and inserting “2 times”.

SEC. 8. OPPORTUNITY FOR FORMAL HEARING.

(a) Enforcement Procedures.—Section 60117(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following:

“(K) in the case of an enforcement matter relating to a notice of a probable violation, provide an opportunity for a formal hearing described in paragraph (2)(B).”.

(b) PROTOCOLS FOR PUBLIC HEARING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall publish protocols for hearings open to the public pursuant to section 60117(b)(2) of title 49, United States Code, that ensure an orderly process and protection of confidential information, in accordance with section 554 of title 5, United States Code.

SEC. 9. SPECIAL PERMIT PROGRAM.

(a) COMPLIANCE AND WAIVERS.—Section 60118(c)(1) of title 49, United States Code, is amended by adding at the end the following:

“(C) LIMITATION ON TERMS.—The Secretary shall impose no terms on a waiver under this paragraph that do not apply to known pipeline safety risks applicable to the standard being waived under subparagraph (A).

“(D) PUBLICATION.—Upon completion of the application requirements under section 190.341 of title 49, Code of Federal Regula-
tions, or successor regulations, the Secretary shall publish notice of the application in the Federal Register.

“(E) REVIEW OF APPLICATION.—The Secretary shall complete a review of each such application not later than 18 months after publishing a notice in the Federal Register described in subparagraph (D) with respect to the application.”.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation by the Administrator of the Pipeline and Hazardous Materials Safety Administration of the amendment made by subsection (a).

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) a listing of each special permit application applied for under section 60118(c)(1) of title 49, United States Code;
(B) a brief summary of the purpose of each such special permit;

(C) the date on which each such application was received;

(D) the date on which each such application was completed or, in the absence of completion, the status of the application;

(E) the date on which the Secretary issued a determination on the application; and

(F) the explanation of the Secretary for any decision made outside the review period identified in section 60118(c)(1)(E) of title 49, United States Code, if applicable.

(e) GAO REPORT.—Not later than 1 year after the submission of the report under subsection (b), the Comptroller General of the United States shall submit to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report assessing the Secretary's implementation of, and compliance with, subparagraphs (C) through (E) of section 60118(c)(1) of title 49, United States Code.
SEC. 10. STRENGTHENING PENALTIES FOR PIPELINE SAFETY VIOLATIONS.

Section 60123(b) of title 49, United States Code, is amended—

(1) by striking “damaging or destroying” and inserting “damaging, destroying, or impairing the operation of”; and

(2) by inserting “damaging or destroying such a facility under construction and intended to be operated as such a facility on completion of the construction,” before “or attempting”.

SEC. 11. AUTHORIZATION LEVELS.

Section 60125 of title 49, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a) GAS AND HAZARDOUS LIQUID.—

“(1) IN GENERAL.—From fees collected under section 60301, there are authorized to be appropriated to the Secretary to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355) and the provisions of this chapter relating to gas and hazardous liquid $150,000,000 for each of fiscal years 2024 through 2028, of which—
“(A) $9,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

“(B) $75,000,000 shall be used for making grants.

“(2) TRUST FUND AMOUNTS.—In addition to the amounts authorized to be appropriated under paragraph (1), there are authorized to be appropriated from the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986 to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355) and the provisions of this chapter relating to hazardous liquid

$28,000,000 for each of fiscal years 2024 through 2028, of which—

“(A) $3,000,000 shall be used to carry out section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355); and

“(B) $13,000,000 shall be used for making grants.

“(3) UNDERGROUND NATURAL GAS STORAGE FACILITY SAFETY ACCOUNT.—From fees collected
under section 60302, there is authorized to be ap-
propriated to the Secretary to carry out section
60141 $8,000,000 for each of fiscal years 2024
through 2028.’’; and

(2) in subsection (b)(2), by striking ‘‘2021
through 2023’’ and inserting ‘‘2024 through 2028’’.

SEC. 12. MAXIMUM ALLOWABLE OPERATING PRESSURE.

Section 60139 of title 49, United States Code, is
amended—

(1) in subsection (c)(1)(A) by inserting ‘‘except
as provided in subsection (e),’’ before ‘‘require’’;

(2) by redesignating subsection (e) as sub-
section (f); and

(3) by inserting after subsection (d) the fol-
lowing:

‘‘(e) TESTING RECORDS WORKING GROUP.—

‘‘(1) PREVIOUSLY TESTED GAS PIPELINE FA-
cilities.—Until the publication of a final rule
under paragraph (3), the Secretary shall not require
an owner or operator of a gas pipeline facility to re-
confirm the maximum allowable operating pressure
of a transmission line of the gas pipeline facility
pursuant to section 192.624 of title 49, Code of
Federal Regulations (or any successor regulations),
if the owner or operator confirms the material
strength of the transmission line through prior testing that is—

“(A) conducted to a sufficient minimum pressure in accordance with prevailing safety standards and practices, including any applicable class location factors; and

“(B) documented in contemporaneous records.

“(2) WORKING GROUP REPORT.—

“(A) IN GENERAL.—Not later than 30 days after the date of enactment of the Pipeline Safety, Modernization, and Expansion Act of 2024, the Secretary shall create a balanced working group (hereinafter referred to as the ‘Working Group’) to prepare a report on prior testing described in paragraph (1), including recommendations on documentation of such prior testing that is sufficient to confirm the material strength of transmission lines of gas pipeline facilities.

“(B) COMPOSITION OF WORKING GROUP.—

The Working Group—

“(i) shall be comprised of the Administrator of the Pipeline and Hazardous Materials Safety Administration, State pipe-
line regulators, the public, and industry
stakeholders active in the operation of
transmission lines of gas pipeline facilities;
and
“(ii) may include members of the
Technical Pipeline Safety Standards Com-
mittee and be conducted in a manner that
otherwise ensures input from the public, as
determined appropriate by the Secretary.
“(C) CONSIDERATION.—In preparing the
report required under subparagraph (A), the
Working Group—
“(i) shall consider historical practices
and all available research conducted re-
garding contemporaneous records of the
minimum pressure of transmission lines of
gas pipeline facilities; and
“(ii) may consider the need for any
additional research or analysis needed to
demonstrate the adequacy of any material
strength testing performed.
“(D) APPLICABILITY OF FACA.—Chapter
10 of title 5 shall not apply to the Working
Group.
“(E) SUBMISSION OF REPORT.—Not later than 180 days after the date of enactment of the Pipeline Safety, Modernization, and Expansion Act of 2024, the Working Group shall submit to the Secretary the report prepared under subparagraph (A), including any minority views.

“(3) RULEMAKING.—Not later than 180 days after receiving the report submitted under paragraph (2)(E), the Secretary shall publish a final rule to implement the recommendations contained in such report that the Secretary determines are necessary to confirm the material strength of transmission lines of gas pipeline facilities through prior testing.”.

SEC. 13. PIPELINE SAFETY ENHANCEMENT PROGRAMS.

Section 60142 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “The Secretary may” and inserting “During the period of calendar years 2024 through 2030, the Secretary shall”;

(2) in subsection (b), by striking paragraphs (1) and (2) and inserting the following:
“(1) IN GENERAL.—Testing programs established under subsection (a) may not exceed—

“(A) 5 percent of the total miles of hazardous liquid pipelines in the United States; and

“(B) 5 percent of the total miles of natural gas pipelines in the United States.

“(2) OPERATOR MILEAGE LIMITATION.—The Secretary shall limit the miles of pipelines that each operator can test under each program established under subsection (a) to the lesser of—

“(A) 50 percent of the total miles of pipelines in the system of the operator; or

“(B) 1,000 miles.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “3 years” and inserting “4 years”; and

(B) in paragraph (2), by striking “3 years after the date of enactment of this section” and inserting “3 years after the date of enactment of the Pipeline Safety, Modernization, and Expansion Act of 2024”;

(4) in subsection (d)—

(A) in paragraph (1), by inserting “equal to or” before “greater than”;
(B) in paragraph (2)—

(i) in subparagraph (A), by striking “under subparagraph (A) of section 60118(c)(1)” and inserting “waiving compliance with any part of an applicable standard prescribed under this chapter”; 

(ii) in subparagraph (B), by striking “pertain only to those regulations that would otherwise prevent the use of the safety technology to be tested under the testing program” and inserting “require no further conditions beyond compliance with this section”; and 

(iii) by adding at the end the following:

“(C) APPLICABILITY OF SECTION 60118(C)(1) WAIVER PROCESS.—The process to waive compliance with any part of an applicable standard prescribed under this chapter under subparagraph (A) of this paragraph shall be separate from the process under subparagraph (A) of section 60118(c)(1) and the Secretary may not require a testing program applicant to use the process or otherwise meet the requirements under section 60118(c)(1) (including any
regulations issued thereunder) in order for an order waiving compliance with any part of an applicable standard prescribed under this chapter to be issued under subparagraph (A) of this paragraph.”; and

(C) in paragraph (3)—

(i) in the heading, by striking “INCREASED SAFETY CAPABILITIES” and inserting “PIPELINE SAFETY ENHANCEMENT”; and

(ii) by striking “improvement” and inserting “enhancement”;

(5) by striking subsection (h);

(6) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(7) by adding the following after subsection (e):

“(f) MULTIPLE OPERATORS.—The Secretary may select up to 5 owners or operators under a single application for participation in a testing program to be carried out under subsection (a).”;

(8) in subsection (i)(2)(B), by striking “30 days” and inserting “10 days”; and

(9) by adding at the end the following:

“(m) APPROVAL PROCESS.—The Secretary establishing and carrying out a testing program under sub-
section (a) may not be considered a major Federal action
under section 102(2)(C) of the National Environmental
Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

“(n) PROHIBITION.—In establishing and carrying out
a testing program under subsection (a), the Secretary may
not enforce any requirement not described in this sec-
tion.”.

SEC. 14. PIPELINE SAFETY VOLUNTARY INFORMATION-
SHARING SYSTEM.

(a) IN GENERAL.—Chapter 601 of title 49, United
States Code, is amended by adding at the end the fol-
lowing:

“§ 60144. Voluntary information-sharing system

“(a) ESTABLISHMENT.—The Secretary shall estab-
lish a confidential voluntary information-sharing system,
in accordance with the recommendations provided under
section 10 of the PIPES Act of 2016, that—

“(1) is a comprehensive, systematic, and inte-
grated structure for—

“(A) gathering, evaluating, and quanti-
fying critical pipeline safety data and informa-
tion; and

“(B) sharing recommended remediation
measures and lessons learned across the pipe-
lin
line industry in an efficient and confidential manner;

“(2) will encourage the voluntary sharing of pipeline safety data and information to improve the safety of pipeline facilities; and

“(3) may not be used in relation to the enforcement of requirements under this chapter.

“(b) GOVERNANCE.—

“(1) GOVERNING BOARD.—

“(A) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Pipeline Safety, Modernization, and Expansion Act of 2024, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall appoint a governing board for the VIS in accordance with this paragraph, after consulting with public and private pipeline safety stakeholders.

“(B) COMPOSITION OF THE BOARD.—The governing board shall be comprised of 15 members and shall represent a balanced cross-section of pipeline safety stakeholders as follows:

“(i) 5 individuals shall be representatives of departments, agencies, or instrumentalities of the Federal Government and
of the States and territories, one of which
shall be the Administrator.

“(ii) 5 individuals shall be representa-
tives of the gas or hazardous liquid indus-
tries, such as operators, trade associations,
inspection technology, coating, and ca-
thodic protection vendors, and pipeline in-
spection organizations.

“(iii) 5 individuals shall be represent-
atives of general public safety advocacy or-
ganizations, such as pipeline safety and en-
vIRONMENTAL ADVOCACY GROUPS, LABOR AND
worker safety representatives, and the gen-
eral public.

“(C) BOARD TERMS.—Each member of the
governing board shall be appointed for three
years, with the terms of five of the members ex-
piring each year. The term of at least one and
not more than two members of each of the
three stakeholder groups established in sub-
paragraph (B) shall expire each year. In the
initial appointment, terms of one, two, and
three years shall be established to allow the
terms of five members to expire thereafter each
Each member may be reappointed for consecutive three-year terms.

“(D) **CO-CHAIRS.**—The governing board shall be co-chaired by the Administrator, who shall appoint as co-chairs, with advice and consent of the governing board, a member appointed under each of clauses (ii) and (iii) of subparagraph (B). The co-chairs shall be jointly responsible for organizing and conducting meetings of the governing board.

“(E) **AUTHORITY.**—The governing board shall make decisions by a super-majority, defined as two-thirds plus one of the governing board members, and shall have the authority to—

“(i) govern and provide strategic oversight of the VIS;

“(ii) develop and make public governance documents, including a charter that describes the scope of the authority and objectives of the governing board;

“(iii) select a third-party data manager with expertise in data protection, aggregation, and analytics;
“(iv) approve the criteria and procedures governing how the third-party data manager will receive, secure, and accept for inclusion in the VIS pipeline safety data and information;

“(v) establish and appoint members to the issue analysis teams;

“(vi) collaborate with the issue analysis teams to—

“(I) identify the issues and topics to be analyzed by the issue analysis teams; and

“(II) specify the type of pipeline safety data and information that the issue analysis teams need to analyze such issues and topics;

“(vii) determine the information to be accepted for inclusion in, and shared using, the VIS;

“(viii) determine the reports to be accepted for inclusion in, and shared using, the VIS;

“(ix) determine which participating entities are authorized to access information and reports included in the VIS;
“(x) at least once per year, issue a public report on VIS processes, membership of the governing board, issues being investigated and analyzed, pipeline safety data and information that the VIS has requested for submission to the VIS, and safety trends identified; and

“(xi) perform other functions as the governing board decides are necessary or appropriate, consistent with the purpose of the VIS.

“(F) FEDERAL ADVISORY COMMITTEE ACT INAPPLICABLE.—The governing board shall not be subject to the requirements of chapter 10 of title 5, United States Code.

“(2) PROGRAM MANAGEMENT.—The Administrator shall provide program management and administrative support for the VIS, including oversight of the third-party data manager.

“(3) THIRD-PARTY DATA MANAGER.—The third-party data manager selected by the governing board shall provide data management and data oversight services for the VIS, including—

“(A) receiving and securing pipeline safety data and information submitted to the VIS;
“(B) accepting for inclusion in the VIS such pipeline safety data and information that meets the criteria and procedures established by the governing board under paragraph (1)(E)(iv);

“(C) deidentifying, storing, and managing pipeline safety data and information that is accepted for inclusion in the VIS;

“(D) collaborating with the issue analysis teams to analyze and aggregate pipeline safety data and information that is accepted for inclusion in the VIS;

“(E) preparing reports as requested by the governing board regarding the type of pipeline safety data and information that is included in the VIS; and

“(F) making recommendations to the governing board regarding the management of pipeline safety data and information, as appropriate.

“(4) ISSUE ANALYSIS TEAMS.—The issue analysis teams established by the governing board shall—

“(A) consist of technical and subject matter experts;
“(B) work with the third-party data manager to aggregate and analyze pipeline safety data and information submitted to the VIS that is related to issues and topics identified by the governing board; and

“(C) collaborate with the governing board to identify issues and topics for analysis and submit internal reports and recommendations to the governing board on the identified issues and topics.

“(5) PARTICIPATION.—

“(A) Voluntary participation.—No person shall be required to participate in or submit data or information for inclusion in the VIS.

“(B) Prohibition.—The criteria and procedures established under paragraph (1)(E)(iv) shall prohibit the acceptance of data or information about an operator if the operator has not authorized the submission of the data or information.

“(C) Sharing of information.—The governing board shall encourage the voluntary sharing of pipeline safety data and information among participating entities.
“(c) INFORMATION SHARING.—Pipeline safety data and information accepted for inclusion in the VIS shall be related to the issues and topics identified by the governing board to be analyzed by the issue analysis teams, including—

“(1) pipeline integrity risk analysis information;

“(2) lessons learned from accidents and near misses;

“(3) process improvements;

“(4) technology deployment practices;

“(5) information obtained through VIS pipeline safety surveys of pipeline operator employees, provided that such surveys are voluntarily agreed to by the pipeline operator; and

“(6) pipeline safety data and information that may lead to the identification of pipeline safety risks, as determined by the governing board.

“(d) CONFIDENTIALITY.—

“(1) NONPUBLIC INFORMATION.—To facilitate the sharing of otherwise nonpublic pipeline safety data and information in the VIS, nonpublic information accepted for inclusion in the VIS shall be kept confidential, except as provided in paragraph (2).

“(2) DEIDENTIFIED NONPUBLIC INFORMATION.—
“(A) SAFETY.—The governing board may approve the disclosure of deidentified nonpublic information through the VIS, or by the Administrator of the Pipeline and Hazardous Materials Safety Administration, that the governing board in its sole discretion determines is appropriate to disclose to improve pipeline safety, based on analysis of the deidentified information and any safety findings or recommendations.

“(B) REPORTS.—The governing board, in issuing public reports under subsection (b)(1)(E)(x), shall approve the disclosure of deidentified nonpublic information through the VIS that the governing board determines is necessary to adequately describe and illustrate the issues and topics being investigated and analyzed using the VIS.

“(3) PROHIBITION.—Except as provided in paragraph (2), no person, including any governing board member, the third-party data manager, any issue analysis team member, nor any Federal, State, local, or Tribal agency, having or obtaining access to nonpublic information accepted for inclusion in the VIS, shall release or communicate such nonpublic in-
(c) APPLICABILITY OF FOIA.—Any nonpublic information that is accepted for inclusion in the VIS and subsequently obtained by the Secretary or the Administrator from the VIS is exempt from the requirements of section 552 of title 5, and specifically exempt from release under subsection (b)(3) of such section.

(f) EXCLUSIONS.—

(1) EXCLUDED EVIDENCE.—Except as provided in paragraph (3), nonpublic information accepted for inclusion in the VIS shall not be obtained from the VIS—

(A) for use as evidence for any purpose in any Federal, State, local, Tribal, or private litigation, including any action or proceeding; or

(B) to initiate any enforcement action or civil litigation against a pipeline operator or its employees or contractors relating to a probable violation under this chapter (including any regulation promulgated or order issued under this chapter).

(2) EXCLUSION FROM DISCOVERY.—Except as provided in paragraph (3), nonpublic information ac-
cepted for inclusion in the VIS shall not be subject
to discovery from the VIS in any Federal, State,
local, Tribal, or private litigation or other pro-
ceeding.

“(3) Limitations on exclusions.—The ex-
cclusions described in paragraphs (1) and (2) shall
not apply to—

“(A) data or information that is evidence
of a criminal violation;

“(B) data or information not related to the
activities described in subsection (a)(1) for
which the VIS is established;

“(C) data or information otherwise re-
quired to be reported to the Secretary under
part 191 (including information about an inci-
dent or accident), part 192, part 194, part 195,
or part 199 of title 49, Code of Federal Regula-
tions (or a successor regulation) or required to
be reported under the requirements of a State
authority; or

“(D) data or information developed or ob-
tained from a source other than the VIS.

“(g) No effect on discovery.—

“(1) In general.—Nothing in this section, nor
any rule, regulation, or amendment shall be con-
strued to create a defense to a discovery request or otherwise limit or affect the discovery of pipeline safety data and information arising from a cause of action authorized under any under Federal, State, or local law.

“(2) EXCEPTION.—Paragraph (1) shall not apply to exclusions from discovery from the VIS as described in subsection (f)(2).

“(h) REPORTING.—Not later than the end of each fiscal year, the Secretary shall submit to Congress a report on the status of the VIS.

“(i) DEFINITIONS.—In this section:

“(1) NONPUBLIC INFORMATION.—The term ‘nonpublic information’ means any data or information, regardless of form or format, that a company does not disclose, disseminate, or make available to the public or that is not otherwise in the public domain.

“(2) PARTICIPATING ENTITY.—The term ‘participating entity’ means an entity determined appropriate by the Secretary to submit information for inclusion in the VIS, or to be authorized to access information and reports included in the VIS, including—
“(A) an operator of a pipeline facility, and related employees, labor unions, contractors, in-line inspection service providers, and non-destructive evaluation experts;

“(B) the Pipeline and Hazardous Materials Safety Administration; and

“(C) a representative of a State pipeline safety agency, a Tribal agency, a pipeline safety advocacy group, a manufacturer of materials or equipment used in pipeline facilities, a research or academic institution, and other pipeline stakeholders.

“(3) PUBLIC INFORMATION.—The term ‘public information’ means any data or information, regardless of form or format, that a company discloses, disseminates, or makes available to the public or that is otherwise in the public domain.

“(4) VIS.—The term ‘VIS’ means the voluntary information-sharing system established under subsection (a)”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 601 of title 49, United States Code, is amended by adding at the end the following:

“60144.Voluntary information-sharing system.”. 
SEC. 15. EXCAVATION DAMAGE PREVENTION.

(a) GRANTS TO STATES.—Section 6106 of title 49, United States Code, is amended—

(1) in subsection (b) by inserting “adoption or progress toward adoption of the leading practices listed in subsection (b) and” before “legislative and regulatory”; 

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively;

(3) by inserting after subsection (a) the following:

“(b) LEADING PRACTICES.—Each State shall adopt as a part of its State one-call notification program leading practices that—

“(1) identify the size and scope of a one-call ticket for standard locate requests, including process exceptions for special large project tickets;

“(2) restrict the longevity of a one-call ticket for standard locate requests, which may include process exceptions for special large project tickets;

“(3) examine and limit exemptions to the State one-call notification program to prevent common excavation damage incidents, including limiting exemptions for—
“(A) excavation or demolition performed by the owner of a single-family residential property;

“(B) any excavation of 18 inches or less when maintenance activities are performed;

“(C) repairing, connecting, adjusting, or conducting routine maintenance of a private or public underground utility facility; and

“(D) municipalities, public works organizations, and State departments of transportation for road maintenance;

“(4) specify tolerance zone horizontal dimensions and requirements for hand-dig, hydro, vacuum excavation, and other nonintrusive methods;

“(5) specify emergency excavation notification requirements, including defining emergency excavation and identifying the notification requirements for an emergency excavation;

“(6) specify the responsibilities of the excavator, including the reporting of damages due to excavation activities;

“(7) define who is an excavator and what is considered excavation;
“(8) require the use of white lining or electronic white lining, allowing for exceptions for special large project tickets;

“(9) require a positive response, meaning the utility, municipality, or other entity marks the area of excavation in positive response to the notification center and the excavator confirms a positive response before beginning excavation;

“(10) require newly installed underground facilities to be locatable;

“(11) require the marking of lines and laterals, including sewer lines and laterals;

“(12) require training programs and requirements for third-party excavators performing excavation activities that are not subject to pipeline construction requirements under part 192 or part 195 of title 49, Code of Federal Regulations (or any successor regulations);

“(13) require training for locate professionals; and

“(14) encourage the use of commercially available technologies to locate underground facilities, such as geographic information systems and enhanced positive response.

“(c) REPORT TO CONGRESS.—
“(1) INITIAL REPORT.—Not later than 3 years after the date of enactment of the Pipeline Safety, Modernization, and Expansion Act of 2024, the Secretary shall submit to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

“(A) the adoption of the leading practices described in such subsection;

“(B) recommendations to increase the adoption of such leading practices and recommendations for the reduction of excavation damage incidents; and

“(C) the number of underground facility damages per 1,000 one-call tickets in each State for the reporting year.

“(2) ADDITIONAL REPORTS.—Not later than once every 2 years beginning after the submittal of the report under paragraph (1), the Secretary shall submit to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—
“(A) the adoption of the leading practices described in subsection (b); 

“(B) recommendations to increase the adoption of such leading practices and recommendations for the reduction of excavation damage incidents; and 

“(C) the number of underground facility damages per 1,000 one-call tickets in each state for each year covered by the report.”; and 

(4) by adding at the end the following: 

“(f) SAVINGS CLAUSE.—This section shall not affect—

“(1) the eligibility of a State or State authority for a grant or payment under section 60107 or 60134; 

“(2) the requirements of section 60105 with respect to certifications under such section; or 

“(3) the requirements of section 60106 with respect to agreements under such section.”. 

(b) STATE DAMAGE PREVENTION PROGRAMS.—Section 60134(c) of title 49, United States Code, is amended—

(1) by striking “In making grants” and inserting the following: 

“(1) IN GENERAL.—In making grants”; and
(2) by adding at the end the following:

“(2) CONSIDERATIONS.—In evaluating criteria for determining the effectiveness of the damage prevention program of a State, the Secretary shall consider whether the State has, at a minimum—

“(A) effective, active, and consistent enforcement of the State one-call notification program, as such term is defined in section 6102, (including consistency in the application of enforcement resources, fines, and penalties to all relevant stakeholders, such as operators, locators, and excavators);

“(B) data reporting requirements, including—

“(i) to the local one-call center for excavation damage events on pipelines and other underground facilities, that are not privately owned, including (if available at the time of reporting)—

“(I) information about the nature of the incident, including the facility damaged and the apparent cause of such damage (with supporting documentation);
“(II) the organizations or entities involved;

“(III) the impact to public safety, utility operations, and customer service; and

“(IV) the impact to the environment; and

“(ii) to a nationally focused nonprofit organization specifically established for the purpose of reducing construction-related damages to pipelines and other underground facilities, of damages and near-miss events to pipelines and other underground facilities from excavation damages, including potential contributing factors, facility damaged, type of excavator, work performed, equipment type, and State; and

“(C) performance measures to determine the effectiveness of excavation damage prevention efforts.”.

SEC. 16. PROTECTING FUEL CHOICE FOR CONSUMERS.

Notwithstanding the first sentence of section 60104(e)(1) of title 49, United States Code, a State or municipality may not adopt or continue in force a law, regulation, or standard that has the effect, directly or indi-
rectly, of limiting or prohibiting the transportation or distribution for sale or resale of an energy source that is sold in interstate commerce and transported using a pipeline facility (as defined in section 60101 of such title).

SEC. 17. MODERNIZING AND EXPANDING PIPELINES.

(a) In General.—The Commission may, if requested under subsection (b), issue a Federal authorization under this section for—

(1) any construction, modification, expansion, inspection, repair, or maintenance under chapter 601 of title 49, United States Code, of any pipeline facility that is constructed, or for which construction has commenced, prior to the date of enactment of this Act; or

(2) the construction, modification, expansion, inspection, repair, or maintenance of pipeline facility that has not been constructed, or for which construction has not commenced, prior to such date of enactment, that is to be co-located within the boundary of a pipeline or electrical right-of-way that exists as of such date of enactment.

(b) Request for Issuance.—A person who has filed for a Federal authorization from a relevant permitting entity may request that the Commission issue the
Federal authorization under this section if the relevant permitting entity—

(1) notifies the person and the Commission that it waives its authority to issue the Federal authorization; or

(2) does not complete a proceeding that is required for the Federal authorization by the date that is 1 year after the date on which the person filed for the Federal authorization.

(c) ISSUANCE.—

(1) REQUIREMENTS.—Pursuant to a request under subsection (b), the Commission—

(A) shall consider the request and publish a decision whether to issue the Federal authorization under this section; and

(B) may issue a Federal authorization under this section only after notice and opportunity for a hearing and in accordance with the Federal law under which the Federal authorization is required.

(2) EFFECT.—A Federal authorization issued under this section shall be deemed to have been issued under the Federal law under which the Federal authorization is required.
(d) **RULEMAKING.**—Not later than 180 days after the date of enactment of this Act, the Commission shall issue a final rule establishing procedures to carry out this section (which may not include any changes to any regulatory requirement in effect on the date of enactment of this Act relating to any authority of the Commission under any other provision of law).

(e) **DEFINITIONS.**—In this section:

1. **COMMISSION.**—The term “Commission” means the Federal Energy Regulatory Commission.
2. **FEDERAL AUTHORIZATION.**—The term “Federal authorization” means any authorization required under Federal law in connection with an application for the construction, modification, expansion, inspection, repair, or maintenance of a pipeline facility, including a permit, special use authorization, certification, opinion, or other approval (including any authorization required pursuant to a general permit).
3. **PIPELINE FACILITY.**—The term “pipeline facility” has the meaning given that term in section 60101 of title 49, United States Code.
4. **RELEVANT PERMITTING ENTITY.**—The term “relevant permitting entity” means, with respect to a Federal authorization—
(A) the Federal agency with statutory authority to issue the Federal authorization; or

(B) a State in which the applicable pipeline facility is to be constructed, modified, or expanded, to which authority to issue the Federal authorization has been delegated by the Federal agency described in subparagraph (A).

SEC. 18. REGULATORY UPDATES.

(a) REPORTS.—

(1) IN GENERAL.—The Secretary of Transportation shall submit reports to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding the status of a final rule for each outstanding regulation.

(2) DEADLINES.—The Secretary shall submit a report under this subsection not later than 120 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each outstanding regulation described in subsection (c)(2)(A).

(b) CONTENTS.—The Secretary shall include in each report submitted under subsection (a)—
(1) a description of the work plan for each outstanding regulation;

(2) an updated rulemaking timeline for each outstanding regulation;

(3) current staff allocations with respect to each outstanding regulation;

(4) any resource constraints affecting the rulemaking process for each outstanding regulation; and

(5) any other details associated with the development of each outstanding regulation that affect the progress of the rulemaking process.

(c) OUTSTANDING REGULATION DEFINED.—In this section, the term “outstanding regulation” means a regulation relating to pipeline safety—

(1) for which no final rule, including an interim final rule or direct final rule, has been issued; and

(2) that—

(A) is required under any law for which more than 2 years have passed since the statutory deadline for the regulation; or

(B) is being developed under an authority not described in subparagraph (A), and is considered to be a significant regulatory action under Executive Order 12866.
SEC. 19. CLASS LOCATION CHANGES.

Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule amending the safety standards for class location changes in parts 191 and 192 of title 49, Code of Federal Regulations, based on the notice of proposed rulemaking published by the Pipeline and Hazardous Materials Safety Administration on October 14, 2020, titled “Pipeline Safety: Class Location Change Requirements” (85 Fed. Reg. 65142), including consideration of all documents in Docket No. PHMSA–2017–0151.

SEC. 20. INSPECTION OF IN-SERVICE BREAKOUT TANKS.

(a) Inspection of In-service Breakout Tanks.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall—

(1) review the safety standards in part 195 of title 49, Code of Federal Regulations, relating to the internal inspection of the bottoms of in-service breakout tanks; and

(2) amend such safety standards to allow for risk-based inspections if the Secretary determines that allowing risk-based inspections will achieve an equivalent level of safety to the level of safety required under such part 195, relating to the internal inspection of the bottoms of in-service breakout
tanks, as in effect on the date of enactment of this Act.

(b) CONSIDERATION.—In amending the safety standards under subsection (a), the Secretary shall consider the 5th edition of standard 653 published by the American Petroleum Institute issued in November 2014 titled “Tank Inspection, Repair, Alteration, and Reconstruction”.

SEC. 21. LIQUEFIED NATURAL GAS REGULATORY COORDINATION.

(a) ESTABLISHMENT AND PURPOSE.—The Secretary of Transportation shall establish and convene a Liquefied Natural Gas Regulatory Safety Working Group through the National Center of Excellence for Liquefied Natural Gas Safety to clarify the authority of covered agencies in the authorizing and oversight of LNG facilities, other than peak shaving facilities, and improve coordination of the authority of such agencies.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Working Group shall consist of representatives of covered agencies designated by the Secretary of Transportation or the head of a covered agency.

(2) CHAIR.—The Administrator of the Pipeline and Hazardous Materials Safety Administration, or
a designee of the Administrator, shall serve as the
Chair of the Working Group, unless another member
of the Working Group is selected by unanimous con-
sent of the members of the Working Group.

(3) Responsibilities of Chair.—The Chair
of the Working Group shall establish an agenda and
schedule for the Working Group to accomplish the
requirements described in subsection (c).

(c) Evaluation.—

(1) In General.—The Working Group shall
evaluate the authorities of each covered agency per-
taining to the siting and design, construction, oper-
ation and maintenance, and operational and process
safety regulations of LNG facilities.

(2) Negotiation.—The Working Group shall
negotiate the terms of agreements or memorandums
between each covered agency pursuant to subsection
(d) to establish procedures for—

(A) the application of the respective au-
thorities of each Federal agency in a manner
that ensures, through effective regulation, that
LNG facilities are safe and in the public inter-
est;
(B) resolving conflicts concerning overlapping jurisdiction among the covered agencies; and

(C) avoiding, to the extent possible and if appropriate, conflicting or duplicative regulation, inspection protocols, and reporting obligations between the covered agencies.

(d) INTERAGENCY AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING.—Not later than 2 years after the date of enactment of this Act, the covered agencies shall enter into interagency agreements or memorandums of understanding with respect to best practices and individual agency safety oversight and enforcement responsibilities regarding LNG facilities, other than peak shaving facilities.

(e) REPORT TO CONGRESS.—Not later than 1 year after the date on which the covered agencies enter into agreements or memorandums under subsection (d), the Secretary of Transportation shall submit to the Committee on Energy and Commerce and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on such agreements or memorandums entered into and how such agreements or memorandums have contributed to the improved
safety and enforcement oversight coordination of LNG facilities.

(f) DEFINITIONS.—In this section:

(1) COVERED AGENCY.—The term “covered agency” means each of the following:

(A) The Pipeline and Hazardous Materials Safety Administration.

(B) The Federal Energy Regulatory Commission.

(C) The Department of Energy.

(D) The Occupational Safety and Health Administration.

(E) The Coast Guard.

(2) LNG.—The term “LNG” means liquefied natural gas.

(3) WORKING GROUP.—The term “Working Group” means the Liquefied Natural Gas Regulatory Safety Working Group established under subsection (a).

SEC. 22. HYDROGEN STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on existing gas pipeline facilities that transport a gas blend, containing greater than 5 percent hydrogen by volume, to identify the changes that operators have implemented to such gas
pipeline facilities in order to transport such a gas blend safely.

(b) ADDITIONAL CONTENTS.—The study under subsection (a) shall include—

(1) an identification of any technical challenges with repurposing existing natural gas pipeline infrastructure to allow such natural gas pipeline infrastructure to be used for distributing gas blends described in subsection (a); and

(2) an examination of the changes made by international operators to gas pipeline facilities to transport gas blends described in subsection (a) safely, including changes made to pipeline facilities in the United Kingdom, Canada, Europe, Australia, and Hong Kong.

(e) CONSIDERATIONS.—In conducting the study under subsection (a), the Comptroller General shall consider—

(1) changes that domestic and international operators of gas pipeline facilities have implemented to safely transport a gas blend described in subsection (a), including changes to odorants and leak-detection methods, pipeline materials, metering, and operational standards used by such operators to account
for the operation and integrity of gas pipeline facilities; and

(2) how such operators have taken into account the effect of transporting a gas blend described in subsection (a) on gas pipeline facility infrastructure, including—

(A) gas pipeline facility materials, including cast iron, steel, composite pipe, and plastic pipe; and

(B) components of a gas pipeline facility, including valves and meters.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

(e) RULEMAKING.—The Secretary of Transportation may consider the results of the study under subsection (a) in issuing any final rule related to the transportation of a gas blend that contains greater than 5 percent hydrogen by volume.

(f) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to prohibit or otherwise limit
the authority of the Secretary of Transportation to issue a final rule relating to the transportation of a gas blend that contains greater than 5 percent hydrogen by volume prior to the submission of the report under subsection (d).

(g) Gas Pipeline Facility Defined.—In this section, the term “gas pipeline facility” has the meaning given such term in section 60101 of title 49, United States Code.