114TH CONGRESS
1ST SESSION

S. _____

To amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. FISCHER (for herself, Mr. BOOKER, Mr. DAINES, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 49, United States Code, to provide enhanced safety in 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; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Securing America's Future Energy: Protecting our Infrastructure of Pipelines and Enhancing Safety Act" or the "SAFE PIPES Act".

(b) REFERENCES TO TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms

of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125(a) is amended—

(1) in paragraph (1), by striking "there is authorized to be appropriated to the Department of Transportation for each of fiscal years 2012 through 2015, from fees collected under section 60301, $90,679,000, of which $4,746,000 is for carrying out such section 12 and $ 36,194,000 is for making grants." and inserting the following: "there are authorized to be appropriated to the Department of Transportation from fees collected under section 60301—

"(A) $127,060,000 for fiscal year 2016, of which $9,325,000 shall be expended for carrying out such section 12 and $42,515,000 shall be expended for making grants;

"(B) $129,671,000 for fiscal year 2017, of which $9,418,000 shall be expended for carrying out such section 12 and $42,941,000 shall be expended for making grants;

"(C) $132,334,000 for fiscal year 2018, of which $9,512,000 shall be expended for carrying out such section 12 and $43,371,000 shall be expended for making grants; and

"(D) $135,051,000 for fiscal year 2019, of which $9,607,000 shall be expended for carrying out such section 12 and $43,805,000 shall be expended for making grants."; and

(2) in paragraph (2), by striking "there is authorized to be appropriated for each of fiscal years 2012 through 2015 from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355), $18,573,000, of which $2,174,000 is for carrying out such section 12 and $4,558,000 is for making grants" and inserting the following: "there are authorized to be appropriated from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355)—"

"(A) $19,890,000 for fiscal year 2016, of which $3,108,000 shall be expended for car-

1 rying out such section 12 and $8,708,000 shall
2 be expended for making grants;
3 "(B) $20,288,000 for fiscal year 2017, of
4 which $3,139,000 shall be expended for car-
5 rying out such section 12 and $8,795,000 shall
6 be expended for making grants;
7 "(C) $20,694,000 for fiscal year 2018, of
8 which $3,171,000 shall be expended for car-
9 rying out such section 12 and $8,883,000 shall
10 be expended for making grants; and
11 "(D) $21,108,000 for fiscal year 2019, of
12 which $3,203,000 shall be expended for car-
13 rying out such section 12 and $8,972,000 shall
14 be expended for making grants.".
15 (b) EMERGENCY RESPONSE GRANTS.—Section
16 60125(b)(2) is amended by striking "2012 through 2015"
17 and inserting "2016 through 2019".
18 (c) ONE-CALL NOTIFICATION PROGRAMS.—Section
19 6107 is amended—
20 (1) in subsection (a), by striking "$1,000,000
21 for each of fiscal years 2012 through 2015" and in-
22 serting "$1,060,000 for each of the fiscal years
23 2016 through 2019"; and
24 (2) in subsection (b), by striking "2012 through
25 2015" and inserting "2016 through 2019".

1 (d) STATE DAMAGE PREVENTION PROGRAMS.—Sec-
2 tion 60134(i) is amended by striking "2012 through
3 2015" and inserting "2016 through 2019".
4 (e) COMMUNITY PIPELINE SAFETY INFORMATION
5 GRANTS.—Section 60130(c) is amended by striking "2012
6 through 2015" and inserting "2016 through 2019".
7 (f) PIPELINE INTEGRITY PROGRAM.—Section 12(f)
8 of the Pipeline Safety Improvement Act of 2002 (49
9 U.S.C. 60101 note) is amended by striking "2012 through
10 2015" and inserting "2016 through 2019".

11 **SEC. 3. REGULATORY UPDATES.**

12 (a) IN GENERAL.—Not later than 120 days after the
13 date of enactment of this Act, and every 90 days there-
14 after until a final rule has been issued for each of the
15 requirements described under paragraphs (1), (2), and
16 (3), the Secretary of Transportation shall submit a report
17 to the Committee on Commerce, Science, and Transpor-
18 tation of the Senate and the Committee on Transportation
19 and Infrastructure of the House of Representatives re-
20 garding the status of a final rule for—
21 (1) regulations required under the Pipeline
22 Safety Regulatory Certainty and Job Creation Act
23 of 2011 (Public Law 112–90; 125 Stat. 1904) for
24 which no interim final rule or direct final rule has
25 been issued;

1 (2) any regulation relating to pipeline safety re-
2 quired by law, other than a regulation described
3 under paragraph (1), for which for more than 2
4 years after the date of the enacting statute or statu-
5 tory deadline no interim final rule or direct final rule
6 has been issued; and
7 (3) any other rulemaking categorized as signifi-
8 cant.
9 (b) CONTENTS.—Each report under subsection (a)
10 shall include—
11 (1) a description of the work plan for the out-
12 standing regulation;
13 (2) an updated rulemaking timeline for the out-
14 standing regulation;
15 (3) current staff allocations;
16 (4) current data collection or research relating
17 to the development of the rulemaking;
18 (5) current collaborative efforts with safety ex-
19 perts and other stakeholders;
20 (6) any resource constraints impacting the rule-
21 making process for the outstanding regulation; and
22 (7) any other details associated with the devel-
23 opment of the rulemaking that impact the progress
24 of the rulemaking.

1 **SEC. 4. STATUTORY PREFERENCE.**

2 The Administrator of the Pipeline and Hazardous
3 Materials Safety Administration shall prioritize the use of
4 Pipeline and Hazardous Materials Safety Administration
5 resources for the completion of each outstanding statutory
6 requirement for a rulemaking described in a report under
7 section 3 before beginning any new rulemaking required
8 after the date of the enactment of this Act unless the Sec-
9 retary of Transportation certifies to Congress that there
10 is a significant need to move forward with a new rule-
11 making.

12 **SEC. 5. NATURAL GAS INTEGRITY MANAGEMENT REVIEW.**

13 (a) REPORT.—Not later than 18 months after the
14 publication of a final rule regarding the safety of gas
15 transmission pipelines (76 Fed. Reg. 53086), the Comp-
16 troller General shall submit a report to Congress regard-
17 ing the natural gas integrity management program.

18 (b) CONTENTS.—The report under subsection (a)
19 shall include—

20 (1) an analysis of the extent to which the nat-
21 ural gas integrity management program under sec-
22 tion 60109(c) of title 49, United States Code, has
23 improved the safety of natural gas transmission
24 pipelines;

25 (2) an analysis or recommendations regarding
26 changes to the program that would prevent inad-

1 vertent releases from pipelines and mitigate any ad-
2 verse consequences of an inadvertent release, includ-
3 ing changes to the current definition of high con-
4 sequence area, or would expand integrity manage-
5 ment beyond high consequence areas;
6 (3) a review of the cost effectiveness of the leg-
7 acy class location regulations;
8 (4) an analysis of and recommendations regard-
9 ing what impact the age of a pipeline should have
10 on risk analysis of a particular pipeline;
11 (5) a description of any challenges affecting
12 Federal or State regulators in their oversight of the
13 program and how the challenges are being ad-
14 dressed; and
15 (6) a description of any challenges affecting the
16 natural gas industry in complying with the program,
17 and how the challenges are being addressed.
18 (c) DEFINITION OF HIGH CONSEQUENCE AREA.—In
19 this section and in section 6, the term "high consequence
20 area" means an area described in section 60109(a) of title
21 49, United States Code.
22 **SEC. 6. HAZARDOUS LIQUID INTEGRITY MANAGEMENT RE-**
23 **VIEW.**
24 (a) SAFETY STUDY.—Not later than 18 months after
25 the publication of a final rule regarding the safety of haz-

1 ardous liquid pipelines (80 Fed. Reg. 61610), the Comp-
2 troller General shall submit a report to Congress regard-
3 ing the hazardous liquid integrity management program.
4 (b) CONTENTS.—The report under subsection (a)
5 shall include—
6 (1) an analysis of the extent to which liquid
7 pipeline integrity management in high consequence
8 areas for operators of certain hazardous liquid pipe-
9 line facilities, as regulated under sections 195.450
10 and 195.452 of title 49, Code of Federal Regula-
11 tions, has improved the safety of hazardous liquid
12 pipelines;
13 (2) recommendations, including consideration of
14 technical, operational, and economic feasibility, re-
15 garding changes to the program that could prevent
16 inadvertent releases from pipelines and mitigate any
17 adverse consequences of an inadvertent release, in-
18 cluding changes to the current definition of high
19 consequence area;
20 (3) an analysis of how surveying, assessment,
21 mitigation, and monitoring activities, including real-
22 time hazardous liquid pipeline monitoring during
23 significant flood events and information sharing with
24 other Federal agencies, are being used to address

1 risks associated with the dynamic and unique nature
2 of rivers, flood plains, and lakes;
3 (4) an analysis of and recommendations regard-
4 ing what impact pipeline features and conditions, in-
5 cluding the age, condition, materials, and construc-
6 tion of a pipeline should have on risk analysis of a
7 particular pipeline and what changes to the defini-
8 tion of high consequence area could be made to im-
9 prove pipeline safety; and
10 (5) a description of any challenges affecting
11 Federal or State regulators in their oversight of the
12 program and how the challenges are being ad-
13 dressed.

14 **SEC. 7. TECHNICAL SAFETY STANDARDS COMMITTEES.**

15 Section 60115(b)(4)(A) is amended by striking
16 "State commissioners. The Secretary shall consult with
17 the national organization of State commissions before se-
18 lecting those 2 individuals." and inserting "State officials.
19 The Secretary shall consult with national organizations
20 representing State commissioners or governors when mak-
21 ing a selection under this subparagraph."

22 **SEC. 8. INSPECTION REPORT INFORMATION.**

23 (a) IN GENERAL.—Not later than 30 days after the
24 completion of a pipeline safety inspection, the Adminis-
25 trator of the Pipeline and Hazardous Materials Safety Ad-

1 ministration, or the head of the agency leading the inspec-
2 tion, shall—
3 (1) conduct a post-inspection briefing with the
4 operator outlining concerns, and to the extent prac-
5 ticable, provide written preliminary findings of the
6 inspection; or
7 (2) issue to the operator a final report, notice
8 of amendment of plans or procedures, safety order,
9 or corrective action order.
10 (b) REPORT.—
11 (1) IN GENERAL.—The Administrator shall
12 submit an annual report to Congress regarding—
13 (A) the actions that the Pipeline and Haz-
14 ardous Materials Safety Administration has
15 taken to ensure that inspections by State au-
16 thorities provide effective and timely oversight;
17 and
18 (B) statistics relating to the timeliness of
19 the actions described in paragraphs (1) and (2)
20 of subsection (a).
21 (2) CESSATION OF EFFECTIVENESS.—Para-
22 graph (1) shall cease to be effective on September
23 30, 2019.

1 **SEC. 9. IMPROVING LOCATION MAPPING TECHNOLOGY.**

2 (a) STUDY.—The Secretary of Transportation, in
3 consultation with stakeholders, shall conduct a study on
4 improving damage prevention through technological im-
5 provements in location and communications practices to
6 prevent accidental excavation damage to a pipe or its coat-
7 ing, including considerations of technical, operational, and
8 economic feasibility.

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

11 (1) an identification of any methods that could
12 improve damage prevention through location and
13 mapping data in an effort to reduce unintended re-
14 leases caused by excavation;

15 (2) an analysis of how increased use of GPS
16 digital mapping technologies, predictive analytic
17 tools, public awareness initiatives, including one-call
18 initiatives, the use of mobile devices, and other ad-
19 vanced technologies could supplement existing one-
20 call notification and damage prevention programs to
21 reduce the frequency and severity of incidents
22 caused by excavation damage;

23 (3) an analysis of the feasibility of a national
24 data repository for pipeline excavation accident data
25 that creates standardized data models for storing
26 and sharing pipeline accident information; and

1 (4) an identification of opportunities for stake-
2 holder engagement in preventing excavation damage.
3 (c) REPORT.—Not later than 1 year after the date
4 of the enactment of this Act, the Secretary of Transpor-
5 tation shall submit a report to the Committee on Com-
6 merce, Science, and Transportation of the Senate and the
7 Committee on Transportation and Infrastructure of the
8 House of Representatives regarding the study under this
9 section, including recommendations, that include the con-
10 sideration of technical, operational, and economic feasi-
11 bility, on how to incorporate technological improvements
12 and practices that may help prevent accidental excavation
13 damage.

14 **SEC. 10. WORKFORCE OF PIPELINE AND HAZARDOUS MA-**
15 **TERIALS SAFETY ADMINISTRATION.**

16 (a) REVIEW.—Not later than 1 year after the date
17 of the enactment of this Act, the Administrator of the
18 Pipeline and Hazardous Materials Safety Administration
19 shall submit to Congress a review of Pipeline and Haz-
20 ardous Materials Safety Administration staff resource
21 management, including geographic allocation plans, hiring
22 challenges, and expected retirement rates and strategies.
23 The review shall include recommendations to address hir-
24 ing challenges, training needs, and any other identified
25 staff resource challenges.

1 (b) CRITICAL HIRING NEEDS.—
2 (1) IN GENERAL.—Beginning on the date on
3 which the review is submitted under subsection (a),
4 the Administrator may certify to Congress, not less
5 frequently than annually, that a severe shortage of
6 qualified candidates or a critical hiring need exists
7 for a position or group of positions in the Pipeline
8 and Hazardous Material Safety Administration.
9 (2) DIRECT HIRE AUTHORITY.—Notwith-
10 standing sections 3309 through 3318 of title 5,
11 United States Code, the Administrator, after making
12 a certification under paragraph (1), may hire a can-
13 didate for the position or candidates for the group
14 of positions, as applicable.
15 (3) TERMINATIONS OF EFFECTIVENESS.—The
16 direct hire authority provided under paragraph (2)
17 shall terminate on September 30, 2019.
18 **SEC. 11. RESEARCH AND DEVELOPMENT.**
19 (a) IN GENERAL.—In developing a research and de-
20 velopment program plan under paragraph (3) of section
21 12(d) of the Pipeline Safety Improvement Act of 2002 (49
22 U.S.C. 60101 note), the Administrator of the Pipeline and
23 Hazardous Material Safety Administration, in consulta-
24 tion with the Assistant Secretary for Research and Tech-
25 nology, shall—

(1) detail compliance with the consultation requirement under paragraph (2) of such section;

(2) provide opportunities for joint research ventures with non-Federal entities, whenever practicable and appropriate, to leverage limited Federal research resources; and

(3) permit collaborative research and development projects with appropriate non-Federal organizations.

(b) COLLABORATIVE SAFETY RESEARCH REPORT.—Section 60124(a)(6) is amended—

(1) in subparagraph (A), by striking "and" at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(C) research activities in collaboration with non-Federal entities, including the intended improvements to safety technology, inspection technology, operator response time, and emergency responder incident response time.".

SEC. 12. INFORMATION SHARING SYSTEM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Trans-

1 portation shall convene a working group to consider the
2 development of a voluntary no-fault information sharing
3 system to encourage collaborative efforts to improve in-
4 spection information feedback and information sharing
5 with the purpose of improving natural gas transmission
6 and hazardous liquid pipeline integrity risk analysis.

7 (b) MEMBERSHIP.—The working group described in
8 subsection (a) shall include representatives from—

9 (1) the Pipeline and Hazardous Materials Safe-
10 ty Administration;

11 (2) industry stakeholders, including operators
12 of pipeline facilities, inspection technology vendors,
13 and pipeline inspection organizations;

14 (3) safety advocacy groups;

15 (4) research institutions;

16 (5) State public utility commissions or State of-
17 ficials responsible for pipeline safety oversight;

18 (6) State pipeline safety inspectors; and

19 (7) labor representatives.

20 (c) CONSIDERATIONS.—The working group described
21 in subsection (a) shall consider and provide recommenda-
22 tions, if applicable, to the Secretary on—

23 (1) the need for and the identification of a sys-
24 tem to ensure that dig verification data is shared
25 with inline inspection operators to the extent con-

1 sistent with the need to maintain proprietary data in
2 a confidential manner to improve pipeline safety and
3 inspection technology;
4 (2) ways to encourage the exchange of pipeline
5 inspection information and the development of ad-
6 vanced pipeline inspection technologies and enhanced
7 risk analysis;
8 (3) opportunities to share data, including dig
9 verification data between operators of pipeline facili-
10 ties and in-line inspector vendors to expand knowl-
11 edge of the advantages and disadvantages of the dif-
12 ferent types of in-line inspection technology and
13 methodologies;
14 (4) options to create a secure system that pro-
15 tects proprietary data while encouraging the ex-
16 change of pipeline inspection information and the
17 development of advanced pipeline inspection tech-
18 nologies and enhanced risk analysis; and
19 (5) regulatory, funding, and legal barriers to
20 sharing the information described in paragraphs (1)
21 through (4).
22 (d) FACA.—The working group shall not be subject
23 to the Federal Advisory Committee Act (5 U.S.C. App.).

1 (e) PUBLICATION.—The Secretary shall publish the
2 recommendations provided under subsection (c) on a pub-
3 licly available website.

4 **SEC. 13. NATIONWIDE INTEGRATED PIPELINE SAFETY REG-**
5 **ULATORY DATABASE.**

6 (a) REPORT.—Not later than 18 months after the
7 date of the enactment of this Act and subject to subsection
8 (c), the Secretary of Transportation shall submit a report
9 to Congress on the feasibility of a national integrated pipe-
10 line safety regulatory inspection database to improve com-
11 munication and collaboration between the Pipeline and
12 Hazardous Materials Safety Administration and State
13 pipeline regulators.

14 (b) CONTENTS.—The report under subsection (a)
15 shall include—

16 (1) a description of any efforts currently under-
17 way to test a secure information-sharing system for
18 the purpose described in subsection (a);

19 (2) a description of any progress in establishing
20 common standards for maintaining, collecting, and
21 presenting pipeline safety regulatory inspection data,
22 and a methodology for the sharing of the data;

23 (3) a description of any existing inadequacies or
24 gaps in State and Federal inspection, enforcement,

1 geospatial, or other pipeline safety regulatory inspec-
2 tion data;
3 (4) a description of the potential safety benefits
4 of a national integrated pipeline database; and
5 (5) recommendations for how to implement a
6 secure information-sharing system for the purpose
7 described in subsection (a).
8 (c) CONSULTATION.—In preparing the report under
9 subsection (a), the Secretary shall consult with stake-
10 holders, including each State authority operating under a
11 certification to regulate intrastate pipelines under section
12 60105 of title 49, United States Code.

13 **SEC. 14. UNDERGROUND NATURAL GAS STORAGE FACILI-**
14 **TIES.**

15 (a) DEFINITION OF UNDERGROUND NATURAL GAS
16 STORAGE FACILITY.—In this section, the term "under-
17 ground natural gas storage facility" means a gas pipeline
18 facility (as defined in section 60101 of title 49, United
19 States Code) that stores gas in an underground facility,
20 including—
21 (1) a depleted hydrocarbon reservoir;
22 (2) an aquifer reservoir; or
23 (3) a solution mined salt cavern reservoir.
24 (b) MINIMUM UNIFORM SAFETY STANDARDS.—Not
25 later than 2 years after the date of the enactment of this

1 Act, the Secretary of Transportation, in consultation with
2 the heads of other relevant Federal agencies, shall issue
3 minimum uniform safety standards, incorporating, to the
4 extent practicable, consensus standards for the operation,
5 environmental protection, and integrity management of
6 underground natural gas storage facilities.

7 (c) CONSIDERATIONS.—In developing the uniform
8 safety standards under subsection (b), the Secretary
9 shall—

10 (1) consider the economic impacts of the regu-
11 lations on individual gas customers to the extent
12 practicable;

13 (2) ensure that the regulations do not have a
14 significant economic impact on end users to the ex-
15 tent practicable; and

16 (3) consider existing consensus standards.

17 (d) CERTIFICATIONS.—The Secretary may authorize
18 an intrastate underground natural gas storage safety pro-
19 gram by a State authority that annual submits a certifi-
20 cation to the Secretary in the same manner as provided
21 under subsections (b) and (c) of section 60105 of title 49,
22 United States Code.

23 (e) AGREEMENTS.—

24 (1) IN GENERAL.—The Secretary may make an
25 agreement, in the same manner as provided in sec-

1 tion 60106 of title 49, United States Code, with a
2 State authority authorizing the State authority to
3 take necessary action to provide or participate in the
4 oversight of interstate underground natural gas stor-
5 age facilities.

6 (2) RULE OF CONSTRUCTION.—Notwith-
7 standing the limitation under section 60104(b) of
8 title 49, United States Code, to the extent a State
9 has oversight of the wellbore piping and hole drilled
10 to connect the surface wellhead with the under-
11 ground reservoir, the standards adopted under sub-
12 section (b) may be enforced by the State.

13 (f) GRANTS.—If a State authority with responsibility
14 for regulating gas pipelines in that State under a certifi-
15 cation under section 60105 of title 49, United States
16 Code, an agreement under section 60106 of that title, or
17 both, files an application in such form and manner as pre-
18 scribed by the Secretary not later than September 30 of
19 a calendar year, the Secretary shall pay not more than
20 80 percent of the cost of the personnel, equipment, and
21 activities the authority reasonably requires during the next
22 calendar year—

23 (1) to carry out an intrastate underground nat-
24 ural gas storage safety program under a certification
25 under subsection (d); or

1 (2) to act as an agent of the Secretary on inter-
2 state underground natural gas storage facilities
3 under an agreement under subsection (e).
4 (g) USER FEES.—
5 (1) IN GENERAL.—A fee shall be imposed on an
6 entity operating an underground natural gas storage
7 facility to which this section applies. Any such fee
8 imposed shall be collected before the end of the fiscal
9 year to which it applies.
10 (2) MEANS OF COLLECTION.—The Secretary
11 shall prescribe procedures to collect fees under this
12 subsection. The Secretary may use a department,
13 agency, or instrumentality of the United States Gov-
14 ernment or of a State or local government to collect
15 the fee and may reimburse the department, agency,
16 or instrumentality a reasonable amount for its serv-
17 ices.
18 (3) USE OF FEES.—
19 (A) ACCOUNT.—There is established an
20 underground natural gas storage facility safety
21 account in the Pipeline Safety Fund established
22 under section 60301 of title 49, United States
23 Code, in the Treasury of the United States.
24 (B) USE OF FEES.—A fee collected under
25 this subsection—

(i) shall be deposited in the underground natural gas storage facility safety account; and

(ii) if the fee is related to an underground natural gas storage facility, may be used only for an activity related to underground natural gas storage safety under this section.

(C) LIMITATION.—Amounts collected under this subsection shall be made available only to the extent provided in advance in an appropriation law for an activity related to underground natural gas storage safety.

(h) RULES OF CONSTRUCTION.—

(1) IN GENERAL.—Nothing in this section may be construed to affect any regulation relating to gas pipeline facilities that is in effect on the day before the date of enactment of this Act.

(2) LIMITATIONS.—Nothing in this section may be construed to authorize the Secretary to prescribe the location of an underground natural gas storage facility or to require the Secretary's permission to construct such a facility.

1 **SEC. 15. RESPONSE PLANS.**

2 (a) IN GENERAL.—In preparing or reviewing a re-
3 sponse plan under part 194 of title 49, Code of Federal
4 Regulations, the Administrator of the Pipeline and Haz-
5 ardous Materials Safety Administration and an operator
6 shall each consider, to the maximum extent practicable,
7 the impact of a worse case discharge of hazard liquid, or
8 the substantial threat of such a discharge, into or on any
9 navigable waters or adjoining shorelines that may be cov-
10 ered in whole or in part by ice.

11 (b) DEFINITIONS.—In this section, any applicable
12 definitions set forth in section 194.5 of title 49, Code of
13 Federal Regulations (as in effect on the day before the
14 date of enactment of this Act) shall apply.

15 **SEC. 16. HIGH CONSEQUENCE AREAS.**

16 The Secretary of Transportation shall revise section
17 195.6(b) of title 49, Code of Federal Regulations to explic-
18 itly state that the Great Lakes are a USA ecological re-
19 source (as defined in section 195.6(b) of that title) for
20 purposes of determining whether a pipeline is in a high
21 consequence area (as defined in section 195.450 of that
22 title).

23 **SEC. 17. SURFACE TRANSPORTATION SECURITY REVIEW.**

24 Not later than 1 year after the date of the enactment
25 of this Act, the Comptroller General shall submit a report
26 to Congress on the staffing, resource allocation, oversight

1 strategy, and management of the Transportation Security
2 Administration's pipeline security program and other sur-
3 face transportation programs. The report shall include in-
4 formation on the coordination between the Transportation
5 Security Administration, other Federal stakeholders, and
6 industry.