

(11) a description of the number and qualifications of State pipeline safety inspectors in each State for which a certification under section 60105 of this title or an agreement under section 60106 of this title is in effect and the number and qualifications of inspectors the Secretary recommends for that State.

(12) recommendations for legislation the Secretary considers necessary—

(A) to promote cooperation among the States in improving—

- (i) gas pipeline safety; or
- (ii) hazardous liquid pipeline safety programs; and

(B) to strengthen the national gas pipeline safety program.

(b) SUBMISSION OF ONE REPORT.—The Secretary may submit one report to carry out subsection (a) of this section.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1326; Pub. L. 104–66, title I, §1121(l), Dec. 21, 1995, 109 Stat. 724; Pub. L. 104–304, §15(a), Oct. 12, 1996, 110 Stat. 3803.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60124(a)	49 App.:1683(a).	Aug. 12, 1968, Pub. L. 90–481, §16(a), 82 Stat. 728; Oct. 11, 1976, Pub. L. 94–477, §7, 90 Stat. 2075; Nov. 30, 1979, Pub. L. 96–129, §§104(b), 107, 109(l), (m), 93 Stat. 992, 995, 997; Oct. 11, 1984, Pub. L. 98–464, §3(a), 98 Stat. 1821; Oct. 24, 1992, Pub. L. 102–508, §110(b), 106 Stat. 3295.
	49 App.:1683(b).	Aug. 12, 1968, Pub. L. 90–481, §16(b), 82 Stat. 728; Nov. 30, 1979, Pub. L. 96–129, §104(b), 93 Stat. 992.
	49 App.:2012(a).	Nov. 30, 1979, Pub. L. 96–129, §213(a), 93 Stat. 1013; Oct. 11, 1984, Pub. L. 98–464, §3(b), 98 Stat. 1821; Oct. 24, 1992, Pub. L. 102–508, §209(b), 106 Stat. 3304.
	49 App.:2012(b).	Nov. 30, 1979, Pub. L. 96–129, §213(b), (c), 93 Stat. 1014.
60124(b)	49 App.:2012(c).	

In subsection (a), before clause (1), the words “prepare and” and “comprehensive” are omitted as surplus. The words “the following information” are added for clarity. The words “about the prior year” are substituted for “occurring in such year”, “established or in effect in such year”, “during such year”, and “during the preceding calendar year” to eliminate unnecessary words. In clause (2), the word “Federal” is omitted as surplus. The word “prescribed” is substituted for “established or in effect” and “established” for consistency in the revised title and with other titles of the United States Code and to eliminate unnecessary words. The word “newly” is omitted as surplus. In clause (4), the words “for the transportation of gas and pipeline facilities” in 49 App.:1683(a)(4) and “for the transportation of hazardous liquids and pipeline facilities” in 49 App.:2012(a)(4) are omitted because of the restatement. In clause (5), the words “in carrying out” are substituted for “confronting the administration of” for consistency. In clause (9), before subclause (A), the words “by State agencies (including municipalities)” are omitted as surplus. In clauses (9)(B) and (10)(B), the words “in any part” are added for clarity. In clause (10), before subclause (A), the words “with State agencies (including municipalities)” are omitted as surplus. In clause (12), before subclause (A), the word “additional” is omitted as surplus. In subclause (A), the word “several” is omitted as surplus.

In subsection (b), the words “annual” and “the report requirements of” are omitted as surplus.

AMENDMENTS

1996—Pub. L. 104–304, §15(a)(1), substituted “Biennial” for “Annual” in section catchline.

Subsec. (a). Pub. L. 104–304, §15(a)(2), inserted first sentence and struck out former first sentence which read as follows: “The Secretary of Transportation shall submit to Congress not later than August 15 of each odd-numbered year a report on carrying out this chapter for the prior calendar year for gas and a report on carrying out this chapter for the prior calendar year for hazardous liquid.”

1995—Subsec. (a). Pub. L. 104–66 substituted “of each odd-numbered year” for “of each year” in first sentence of introductory provisions.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103–7 (in which the 7th and 9th items on page 135 identify reporting provisions which, as subsequently amended, are contained in this section), see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

§ 60125. Authorization of appropriations

(a) GAS AND HAZARDOUS LIQUID.—

(1) IN GENERAL.—To carry out the provisions of this chapter related to gas and hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107–355), 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.

(2) TRUST FUND AMOUNTS.—In addition to the amounts authorized to be appropriated by paragraph (1), 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.

(b) EMERGENCY RESPONSE GRANTS.—

(1) IN GENERAL.—The Secretary may establish a program for making grants to State, county, and local governments in high consequence areas, as defined by the Secretary, for emergency response management, training, and technical assistance. To the extent that such grants are used to train emergency responders, such training shall ensure that emergency responders have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving gas or hazardous liquid pipelines, in accordance with existing regulations.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 for each of fiscal years 2012 through 2015 to carry out this subsection.

(c) CREDITING APPROPRIATIONS FOR EXPENDITURES FOR TRAINING.—The Secretary may credit

to an appropriation authorized under subsection (a) amounts received from sources other than the Government for reimbursement for expenses incurred by the Secretary in providing training. (Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1327; Pub. L. 104–304, §21, Oct. 12, 1996, 110 Stat. 3805; Pub. L. 107–355, §22, Dec. 17, 2002, 116 Stat. 3010; Pub. L. 109–468, §18(a)–(c), Dec. 29, 2006, 120 Stat. 3497, 3498; Pub. L. 112–90, §32(a), (b), Jan. 3, 2012, 125 Stat. 1922.)

omitted as obsolete. The reference to section 60114(b) of the revised title is added for clarity.

In subsection (c)(1) and (2), the words “the Federal grants-in-aid provisions of” are omitted as surplus.

In subsection (c)(3), the words “the amount of” are omitted as surplus. The word “program” is added for consistency in this chapter. The words “made to a State” are omitted as surplus.

In subsection (e), the text of 49 App.:1684(a) (last sentence) is omitted as expired.

In subsection (f)(5), the words “made available” are omitted as surplus.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60125(a)	49 App.:1684(a) (1st sentence).	Aug. 12, 1968, Pub. L. 90–481, §17(a), 82 Stat. 729; Aug. 22, 1972, Pub. L. 92–401, §4, 86 Stat. 616; Aug. 30, 1974, Pub. L. 93–403, §3, 88 Stat. 802; Oct. 11, 1976, Pub. L. 94–477, §2(1), 90 Stat. 2073; restated Nov. 30, 1979, Pub. L. 96–129, §§104(b), 108, 93 Stat. 992, 996; Oct. 11, 1984, Pub. L. 98–464, §1(a), 98 Stat. 1821; Apr. 7, 1986, Pub. L. 99–272, §§7001, 7002(b)(4), 100 Stat. 139; Oct. 22, 1986, Pub. L. 99–516, §1(a), 100 Stat. 2965; Oct. 31, 1988, Pub. L. 100–561, §§110, 303(b)(2), 102 Stat. 2809, 2816; Oct. 24, 1992, Pub. L. 102–508, §114, 106 Stat. 3296.
60125(b)	49 App.:2013(a) (1st sentence).	Nov. 30, 1979, Pub. L. 96–129, §214(a), 93 Stat. 1014; Oct. 11, 1984, Pub. L. 98–464, §2(a), 98 Stat. 1821; Apr. 7, 1986, Pub. L. 99–272, §§7002(b)(3), 7004, 100 Stat. 139, 140; Oct. 22, 1986, Pub. L. 99–516, §2, 100 Stat. 2965; Oct. 31, 1988, Pub. L. 100–561, §210, 102 Stat. 2812; Oct. 24, 1992, Pub. L. 102–508, §214, 106 Stat. 3305.
60125(c)(1) ..	49 App.:1684(c).	Aug. 12, 1968, Pub. L. 90–481, 82 Stat. 720, §17(c); added Apr. 7, 1986, Pub. L. 99–272, §7002(a), 100 Stat. 139; Oct. 22, 1986, Pub. L. 99–516, §1(b), 100 Stat. 2965; Oct. 31, 1988, Pub. L. 100–561, §301(a), 102 Stat. 2813; Oct. 24, 1992, Pub. L. 102–508, §301, 106 Stat. 3307.
60125(c)(2), (3).	49 App.:1684(d).	Aug. 12, 1968, Pub. L. 90–481, 82 Stat. 720, §17(d); added Apr. 7, 1986, Pub. L. 99–272, §7002(a), 100 Stat. 139; Oct. 31, 1988, Pub. L. 100–561, §301(b), 102 Stat. 2813.
60125(d)	49 App.:1687(f).	Aug. 12, 1968, Pub. L. 90–481, 82 Stat. 720, §20(f); added Oct. 31, 1988, Pub. L. 100–561, §303(a), 102 Stat. 2816.
60125(e)	49 App.:1684(a) (2d, last sentences). 49 App.:2013(a) (last sentence).	
60125(f)	49 App.:1684(e).	Aug. 12, 1968, Pub. L. 90–481, 82 Stat. 720, §17(e); added Oct. 31, 1988, Pub. L. 100–561, §301(c), 102 Stat. 2814.

In this section, references to fiscal years ending September 30, 1980, 1981, and 1985–1992, are omitted as expired.

In subsection (a), the words “(except sections 60107 and 60114(b))” are substituted for “(other than provisions for which funds are authorized to be appropriated under subsection . . . (c) of this section or section 1687 of this Appendix)” to eliminate unnecessary words. The reference to subsection (b) is omitted as obsolete.

In subsection (b), the words “(except sections 60107” are substituted for “(other than provisions for which funds are authorized to be appropriated under . . . section 1684(c) of this Appendix)” to eliminate unnecessary words. The words “subsection (b) of this section or” are

AMENDMENTS

2012—Subsec. (a). Pub. L. 112–90, §32(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) authorized appropriations and trust fund amounts for gas and hazardous liquid transportation for fiscal years 2007 through 2010.

Subsec. (b)(2). Pub. L. 112–90, §32(b), substituted “2012 through 2015” for “2007 through 2010”.

2006—Subsec. (a). Pub. L. 109–468, §18(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) authorized appropriations for gas and hazardous liquid transportation for fiscal years 2003 through 2006.

Subsec. (b). Pub. L. 109–468, §18(b), redesignated subsec. (d) as (b) and struck out former subsec. (b) which limited appropriation amounts for fiscal years 2003 through 2006 to carry out section 60107 of this title.

Subsec. (b)(1). Pub. L. 109–468, §18(c)(1), inserted at end “To the extent that such grants are used to train emergency responders, such training shall ensure that emergency responders have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving gas or hazardous liquid pipelines, in accordance with existing regulations.”

Subsec. (b)(2). Pub. L. 109–468, §18(c)(2), substituted “\$10,000,000” for “\$6,000,000” and “2007 through 2010” for “2003 through 2006”.

Subsec. (c). Pub. L. 109–468, §18(b), redesignated subsec. (e) as (c) and struck out heading and text of former subsec. (c). Text read as follows: “Of the amounts available in the Oil Spill Liability Trust Fund, \$8,000,000 shall be transferred to the Secretary of Transportation, as provided in appropriation Acts, to carry out programs authorized in this chapter for each of fiscal years 2003 through 2006.”

Subsecs. (d), (e). Pub. L. 109–468, §18(b), redesignated subsecs. (d) and (e) as (b) and (c), respectively.

2002—Subsec. (a). Pub. L. 107–355, §22(a), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “To carry out this chapter (except for sections 60107 and 60114(b)) related to gas and hazardous liquid, there are authorized to be appropriated to the Department of Transportation—

“(1) \$19,448,000 for fiscal year 1996;

“(2) \$20,028,000 for fiscal year 1997, of which \$14,600,000 is to be derived from user fees for fiscal year 1997 collected under section 60301 of this title;

“(3) \$20,729,000 for fiscal year 1998, of which \$15,100,000 is to be derived from user fees for fiscal year 1998 collected under section 60301 of this title;

“(4) \$21,442,000 for fiscal year 1999, of which \$15,700,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title; and

“(5) \$22,194,000 for fiscal year 2000, of which \$16,300,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title.”

Subsec. (b). Pub. L. 107–355, §22(b)(1), redesignated subsec. (c) as (b) and struck out former subsec. (b) which read as follows:

“(b) HAZARDOUS LIQUID.—Not more than the following amounts may be appropriated to the Secretary to carry out this chapter (except sections 60107 and 60114(b)) related to hazardous liquid:

“(1) \$1,728,500 for the fiscal year ending September 30, 1993.

“(2) \$1,866,800 for the fiscal year ending September 30, 1994.

“(3) \$2,000,000 for the fiscal year ending September 30, 1995.”

Subsec. (b)(1). Pub. L. 107-355, §22(b)(2), added subpars. (A) to (D) and struck out former subpars. (A) to (H) which read as follows:

“(A) \$7,750,000 for the fiscal year ending September 30, 1993.

“(B) \$9,000,000 for the fiscal year ending September 30, 1994.

“(C) \$10,000,000 for the fiscal year ending September 30, 1995.

“(D) \$12,000,000 for fiscal year 1996.

“(E) \$14,000,000 for fiscal year 1997, of which \$12,500,000 is to be derived from user fees for fiscal year 1997 collected under section 60301 of this title.

“(F) \$14,490,000 for fiscal year 1998, of which \$12,900,000 is to be derived from user fees for fiscal year 1998 collected under section 60301 of this title.

“(G) \$15,000,000 for fiscal year 1999, of which \$13,300,000 is to be derived from user fees for fiscal year 1999 collected under section 60301 of this title.

“(H) \$15,524,000 for fiscal year 2000, of which \$13,700,000 is to be derived from user fees for fiscal year 2000 collected under section 60301 of this title.”

Subsec. (c). Pub. L. 107-355, §22(c), added subsec. (c). Former subsec. (c) redesignated (b).

Subsec. (d). Pub. L. 107-355, §22(b)(1), (c), added subsec. (d) and struck out former subsec. (d) which read as follows:

“(d) GRANTS FOR ONE-CALL NOTIFICATION SYSTEMS.—Not more than \$_____ may be appropriated to the Secretary for the fiscal year ending September 30, 19__, to carry out section 60114(b) of this title. Amounts under this subsection remain available until expended.”

Subsec. (e). Pub. L. 107-355, §22(d), struck out “or (b) of this section” after “under subsection (a)”.

Subsec. (f). Pub. L. 107-355, §22(b)(1), struck out subsec. (f) which read as follows:

“(f) AVAILABILITY OF UNUSED AMOUNTS FOR GRANTS.—(1) The Secretary shall make available for grants to States amounts appropriated for each of the fiscal years that ended September 30, 1986, and 1987, that have not been expended in making grants under section 60107 of this title.

“(2) A grant under this subsection is available to a State that after December 31, 1987—

“(A) undertakes a new responsibility under section 60105 of this title; or

“(B) implements a one-call damage prevention program established under State law.

“(3) This subsection does not authorize a State to receive more than 50 percent of its allowable pipeline safety costs from a grant under this chapter.

“(4) A State may receive not more than \$75,000 under this subsection.

“(5) Amounts under this subsection remain available until expended.”

1996—Subsec. (a). Pub. L. 104-304, §21(a)(1), added subsec. (a) and struck out former subsec. (a) which read as follows:

“(a) GAS.—Not more than the following amounts may be appropriated to the Secretary of Transportation to carry out this chapter (except sections 60107 and 60114(b)) related to gas:

“(1) \$6,857,000 for the fiscal year ending September 30, 1993.

“(2) \$7,000,000 for the fiscal year ending September 30, 1994.

“(3) \$7,500,000 for the fiscal year ending September 30, 1995.”

Subsec. (c)(1). Pub. L. 104-304, §21(b), added subpars. (D) to (H).

§ 60126. Risk management

(a) RISK MANAGEMENT PROGRAM DEMONSTRATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall establish risk management demonstration projects—

(A) to demonstrate, through the voluntary participation by owners and operators of gas pipeline facilities and hazardous liquid pipeline facilities, the application of risk management; and

(B) to evaluate the safety and cost-effectiveness of the program.

(2) EXEMPTIONS.—In carrying out a demonstration project under this subsection, the Secretary, by order—

(A) may exempt an owner or operator of the pipeline facility covered under the project (referred to in this subsection as a “covered pipeline facility”), from the applicability of all or a portion of the requirements under this chapter that would otherwise apply to the covered pipeline facility; and

(B) shall exempt, for the period of the project, an owner or operator of the covered pipeline facility, from the applicability of any new standard that the Secretary promulgates under this chapter during the period of that participation, with respect to the covered facility.

(b) REQUIREMENTS.—In carrying out a demonstration project under this section, the Secretary shall—

(1) invite owners and operators of pipeline facilities to submit risk management plans for timely approval by the Secretary;

(2) require, as a condition of approval, that a risk management plan submitted under this subsection contain measures that are designed to achieve an equivalent or greater overall level of safety than would otherwise be achieved through compliance with the standards contained in this chapter or promulgated by the Secretary under this chapter;

(3) provide for—

(A) collaborative government and industry training;

(B) methods to measure the safety performance of risk management plans;

(C) the development and application of new technologies;

(D) the promotion of community awareness concerning how the overall level of safety will be maintained or enhanced by the demonstration project;

(E) the development of models that categorize the risks inherent to each covered pipeline facility, taking into consideration the location, volume, pressure, and material transported or stored by that pipeline facility;

(F) the application of risk assessment and risk management methodologies that are suitable to the inherent risks that are determined to exist through the use of models developed under subparagraph (E);

(G) the development of project elements that are necessary to ensure that—

(i) the owners and operators that participate in the demonstration project demonstrate that they are effectively managing the risks referred to in subparagraph (E); and