ardous liquid pipeline facilities and transportation-related flow lines.

''(2) CONTENTS.—The report shall include—

''(A) an analysis of the technical limitations of current leak detection systems, including the ability of the systems to detect ruptures and small leaks that are ongoing or intermittent, and what can be done to foster development of better technologies; and

''(B) an analysis of the practicability of establishing technically, operationally, and economically feasible standards for the capability of such systems to detect leaks, and the safety benefits and adverse consequences of requiring operators to use leak detection systems.

''(b) RULEMAKING REQUIREMENTS.—

''(1) REVIEW PERIOD DEFINED.—In this subsection, the term 'review period' means the period beginning on the date of enactment of this Act [Jan. 3, 2012] and ending on the earlier of—

''(A) the date that is 1 year after the date of completion of the report under subsection (a); or

''(B) the date that is 2 years after the date of enactment of this Act.

''(2) CONGRESSIONAL AUTHORITY.—In order to provide Congress the necessary time to review the results of the report required by subsection (a) and implement appropriate recommendations, the Secretary, during the review period, shall not issue final regulations described in paragraph (3).

''(3) STANDARDS.—As soon as practicable following the review period, if the report required by subsection (a) finds that it is practicable to establish technically, operationally, and economically feasible standards for the capability of leak detection systems to detect leaks, the Secretary shall issue final regulations that—

''(A) require operators of hazardous liquid pipeline facilities to use leak detection systems where practicable; and

''(B) establish technically, operationally, and economically feasible standards for the capability of such systems to detect leaks.

''(4) SAVINGS CLAUSE.—

''(A) IN GENERAL.—Notwithstanding any other provision of this subsection, the Secretary, during the review period, may issue final regulations described in paragraph (3) if the Secretary determines that a condition that poses a risk to public safety, property, or the environment is present or an imminent hazard exists and that the regulations will address the risk or hazard.

''(B) IMMINENT HAZARD DEFINED.—In subparagraph (A), the term 'imminent hazard' means the existence of a condition related to pipelines or pipeline operations that presents a substantial likelihood that death, serious illness, severe personal injury, or substantial endangerment to health, property, or the environment may occur.''

[Terms used in section 8 of Pub. L. 112–90, set out above, have the meaning given those terms in this chapter, see section 1(c)(1) of Pub. L. 112–90, set out as a note under section 60101 of this title.]

PIPELINE BRIDGE RISK STUDY

Pub. L. 107–355, § 25, Dec. 17, 2002, 116 Stat. 3011, required the Secretary of Transportation to conduct a study to determine whether cable-suspension pipeline bridges pose structural or other risks warranting particularized attention in connection with pipeline operators risk assessment programs and whether particularized inspection standards need to be developed by the Department of Transportation to recognize the peculiar risks posed by such bridges and to transmit a report detailing the results of the completed study within 2 years after Dec. 17, 2002.

STUDY OF UNDERWATER ABANDONED PIPELINE FACILITIES

Pub. L. 102–508, title III, § 307, Oct. 24, 1992, 106 Stat. 3309, directed Secretary of Transportation, in consultation with State and other Federal agencies having authority over underwater natural gas and hazardous liquid pipeline facilities and with pipeline owners and operators, fishing and maritime industries, and other affected groups, to submit to Congress, not later than 3 years after Oct. 24, 1992, report and recommendations on abandonment of such pipeline facilities, including analysis of problems caused by such facilities, alternative methods to abandonment, as well as navigational, safety, economic, and environmental impacts associated with abandonment, and further authorized Secretary to require, based on findings of such study, additional appropriate actions to prevent hazards to navigation in connection with such facilities.

§ 60109. High-density population areas and environmentally sensitive areas

(a) IDENTIFICATION REQUIREMENTS.—Not later than October 24, 1994, the Secretary of Transportation shall prescribe standards that—

(1) establish criteria for identifying—

(A) by operators of gas pipeline facilities, each gas pipeline facility (except a natural gas distribution line) located in a high-density population area; and

(B) by operators of hazardous liquid pipeline facilities and gathering lines—

(i) each hazardous liquid pipeline facility, whether otherwise subject to this chapter, that crosses waters where a substantial likelihood of commercial navigation exists or that is located in an area described in the criteria as a high-density population area; and

(ii) each hazardous liquid pipeline facility and gathering line, whether otherwise subject to this chapter, located in an area that the Secretary, in consultation with the Administrator of the Environmental Protection Agency, describes as unusually sensitive to environmental damage if there is a hazardous liquid pipeline accident; and

(2) provide that the identification be carried out through the inventory required under section 60102(e) of this title.

(b) AREAS TO BE INCLUDED AS UNUSUALLY SENSITIVE.—When describing areas that are unusually sensitive to environmental damage if there is a hazardous liquid pipeline accident, the Secretary shall consider areas where a pipeline rupture would likely cause permanent or long-term environmental damage, including—

(1) locations near pipeline rights-of-way that are critical to drinking water, including intake locations for community water systems and critical sole source aquifer protection areas; and

(2) locations near pipeline rights-of-way that are part of the Great Lakes or have been identified as coastal beaches, marine coastal waters, critical wetlands, riverine or estuarine systems, national parks, wilderness areas, wildlife preservation areas or refuges, wild and scenic rivers, or critical habitat areas for threatened and endangered species.

(c) RISK ANALYSIS AND INTEGRITY MANAGEMENT PROGRAMS.—

(1) REQUIREMENT.—Each operator of a gas pipeline facility shall conduct an analysis of the risks to each facility of the operator located in an area identified pursuant to sub-

section (a)(1) and defined in chapter 192 of title 49, Code of Federal Regulations, including any subsequent modifications, and shall adopt and implement a written integrity management program for such facility to reduce the risks.

(2) REGULATIONS.—

(A) IN GENERAL.—Not later than 12 months after the date of enactment of this subsection, the Secretary shall issue regulations prescribing standards to direct an operator's conduct of a risk analysis and adoption and implementation of an integrity management program under this subsection. The regulations shall require an operator to conduct a risk analysis and adopt an integrity management program within a time period prescribed by the Secretary, ending not later than 24 months after such date of enactment. Not later than 18 months after such date of enactment, each operator of a gas pipeline facility shall begin a baseline integrity assessment described in paragraph (3).

(B) AUTHORITY TO ISSUE REGULATIONS.—The Secretary may satisfy the requirements of this paragraph through the issuance of regulations under this paragraph or under other authority of law.

(3) MINIMUM REQUIREMENTS OF INTEGRITY MANAGEMENT PROGRAMS.—An integrity management program required under paragraph (1) shall include, at a minimum, the following requirements:

(A) A baseline integrity assessment of each of the operator's facilities in areas identified pursuant to subsection (a)(1) and defined in chapter 192 of title 49, Code of Federal Regulations, including any subsequent modifications, by internal inspection device, pressure testing, direct assessment, or an alternative method that the Secretary determines would provide an equal or greater level of safety. The operator shall complete such assessment not later than 10 years after the date of enactment of this subsection. At least 50 percent of such facilities shall be assessed not later than 5 years after such date of enactment. The operator shall prioritize such facilities for assessment based on all risk factors, including any previously discovered defects or anomalies and any history of leaks, repairs, or failures. The operator shall ensure that assessments of facilities with the highest risks are given priority for completion and that such assessments will be completed not later than 5 years after such date of enactment.

(B) Subject to paragraph (5), periodic reassessments of the facility, at a minimum of once every 7 calendar years, using methods described in subparagraph (A). The Secretary may extend such deadline for an additional 6 months if the operator submits written notice to the Secretary with sufficient justification of the need for the extension.

(C) Clearly defined criteria for evaluating the results of assessments conducted under subparagraphs (A) and (B) and for taking actions based on such results.

(D) A method for conducting an analysis on a continuing basis that integrates all available information about the integrity of the facility and the consequences of releases from the facility.

(E) A description of actions to be taken by the operator to promptly address any integrity issue raised by an evaluation conducted under subparagraph (C) or the analysis conducted under subparagraph (D).

(F) A description of measures to prevent and mitigate the consequences of releases from the facility.

(G) A method for monitoring cathodic protection systems throughout the pipeline system of the operator to the extent not addressed by other regulations.

(H) If the Secretary raises a safety concern relating to the facility, a description of the actions to be taken by the operator to address the safety concern, including issues raised with the Secretary by States and local authorities under an agreement entered into under section 60106.

(4) TREATMENT OF BASELINE INTEGRITY ASSESSMENTS.—In the case of a baseline integrity assessment conducted by an operator in the period beginning on the date of enactment of this subsection and ending on the date of issuance of regulations under this subsection, the Secretary shall accept the assessment as complete, and shall not require the operator to repeat any portion of the assessment, if the Secretary determines that the assessment was conducted in accordance with the requirements of this subsection.

(5) WAIVERS AND MODIFICATIONS.—In accordance with section 60118(c), the Secretary may waive or modify any requirement for reassessment of a facility under paragraph (3)(B) for reasons that may include the need to maintain local product supply or the lack of internal inspection devices if the Secretary determines that such waiver is not inconsistent with pipeline safety.

(6) STANDARDS.—The standards prescribed by the Secretary under paragraph (2) shall address each of the following factors:

(A) The minimum requirements described in paragraph (3).

(B) The type or frequency of inspections or testing of pipeline facilities, in addition to the minimum requirements of paragraph (3)(B).

(C) The manner in which the inspections or testing are conducted.

(D) The criteria used in analyzing results of the inspections or testing.

(E) The types of information sources that must be integrated in assessing the integrity of a pipeline facility as well as the manner of integration.

(F) The nature and timing of actions selected to address the integrity of a pipeline facility.

(G) Such other factors as the Secretary determines appropriate to ensure that the integrity of a pipeline facility is addressed and that appropriate mitigative measures are adopted to protect areas identified under subsection (a)(1).

In prescribing those standards, the Secretary shall ensure that all inspections required are

conducted in a manner that minimizes environmental and safety risks, and shall take into account the applicable level of protection established by national consensus standards organizations.

(7) ADDITIONAL OPTIONAL STANDARDS.—The Secretary may also prescribe standards requiring an operator of a pipeline facility to include in an integrity management program under this subsection—

(A) changes to valves or the establishment or modification of systems that monitor pressure and detect leaks based on the operator's risk analysis; and

(B) the use of emergency flow restricting devices.

(8) LACK OF REGULATIONS.—In the absence of regulations addressing the elements of an integrity management program described in this subsection, the operator of a pipeline facility shall conduct a risk analysis and adopt and implement an integrity management program described in this subsection not later than 24 months after the date of enactment of this subsection and shall complete the baseline integrity assessment described in this subsection not later than 10 years after such date of enactment. At least 50 percent of such facilities shall be assessed not later than 5 years after such date of enactment. The operator shall prioritize such facilities for assessment based on all risk factors, including any previously discovered defects or anomalies and any history of leaks, repairs, or failures. The operator shall ensure that assessments of facilities with the highest risks are given priority for completion and that such assessments will be completed not later than 5 years after such date of enactment.

(9) REVIEW OF INTEGRITY MANAGEMENT PROGRAMS.—

(A) REVIEW OF PROGRAMS.—

(i) IN GENERAL.—The Secretary shall review a risk analysis and integrity management program under paragraph (1) and record the results of that review for use in the next review of an operator's program.

(ii) CONTEXT OF REVIEW.—The Secretary may conduct a review under clause (i) as an element of the Secretary's inspection of an operator.

(iii) INADEQUATE PROGRAMS.—If the Secretary determines that a risk analysis or integrity management program does not comply with the requirements of this subsection or regulations issued as described in paragraph (2), has not been adequately implemented, or is inadequate for the safe operation of a pipeline facility, the Secretary may conduct proceedings under this chapter.

(B) AMENDMENTS TO PROGRAMS.—In order to facilitate reviews under this paragraph, an operator of a pipeline facility shall notify the Secretary of any amendment made to the operator's integrity management program not later than 30 days after the date of adoption of the amendment. The Secretary shall review any such amendment in accordance with this paragraph.

(C) TRANSMITTAL OF PROGRAMS TO STATE AUTHORITIES.—The Secretary shall provide a copy of each risk analysis and integrity management program reviewed by the Secretary under this paragraph to any appropriate State authority with which the Secretary has entered into an agreement under section 60106.

(10) STATE REVIEW OF INTEGRITY MANAGEMENT PLANS.—A State authority that enters into an agreement pursuant to section 60106, permitting the State authority to review the risk analysis and integrity management program pursuant to paragraph (9), may provide the Secretary with a written assessment of the risk analysis and integrity management program, make recommendations, as appropriate, to address safety concerns not adequately addressed by the operator's risk analysis or integrity management program, and submit documentation explaining the State-proposed revisions. The Secretary shall consider carefully the State's proposals and work in consultation with the States and operators to address safety concerns.

(11) APPLICATION OF STANDARDS.—Section 60104(b) shall not apply to this section.

(d) EVALUATION OF INTEGRITY MANAGEMENT REGULATIONS.—Not later than 4 years after the date of enactment of this subsection, the Comptroller General shall complete an assessment and evaluation of the effects on public safety and the environment of the requirements for the implementation of integrity management programs contained in the standards prescribed as described in subsection (c)(2).

(e) DISTRIBUTION INTEGRITY MANAGEMENT PROGRAMS.—

(1) MINIMUM STANDARDS.—Not later than December 31, 2007, the Secretary shall prescribe minimum standards for integrity management programs for distribution pipelines.

(2) ADDITIONAL AUTHORITY OF SECRETARY.—In carrying out this subsection, the Secretary may require operators of distribution pipelines to continually identify and assess risks on their distribution lines, to remediate conditions that present a potential threat to line integrity, and to monitor program effectiveness.

(3) EXCESS FLOW VALVES.—

(A) IN GENERAL.—The minimum standards shall include a requirement for an operator of a natural gas distribution system to install an excess flow valve on each single family residence service line connected to such system if—

(i) the service line is installed or entirely replaced after June 1, 2008;

(ii) the service line operates continuously throughout the year at a pressure not less than 10 pounds per square inch gauge;

(iii) the service line is not connected to a gas stream with respect to which the operator has had prior experience with contaminants the presence of which could interfere with the operation of an excess flow valve;

(iv) the installation of an excess flow valve on the service line is not likely to

cause loss of service to the residence or interfere with necessary operation or maintenance activities, such as purging liquids from the service line; and

(v) an excess flow valve meeting performance standards developed under section 60110(e) of title 49, United States Code, is commercially available to the operator, as determined by the Secretary.

(B) DISTRIBUTION BRANCH SERVICES, MULTIFAMILY FACILITIES, AND SMALL COMMERCIAL FACILITIES.—Not later than 2 years after the date of enactment of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, and after issuing a final report on the evaluation of the National Transportation Safety Board's recommendation on excess flow valves in applications other than service lines serving one single family residence, the Secretary, if appropriate, shall by regulation require the use of excess flow valves, or equivalent technology, where economically, technically, and operationally feasible on new or entirely replaced distribution branch services, multifamily facilities, and small commercial facilities.

(C) REPORTS.—Operators of natural gas distribution systems shall report annually to the Secretary on the number of excess flow valves installed on their systems under subparagraph (A).

(4) APPLICABILITY.—The Secretary shall determine which distribution pipelines will be subject to the minimum standards.

(5) DEVELOPMENT AND IMPLEMENTATION.—Each operator of a distribution pipeline that the Secretary determines is subject to the minimum standards prescribed by the Secretary under this subsection shall develop and implement an integrity management program in accordance with those standards.

(6) SAVINGS CLAUSE.—Subject to section 60104(c), a State authority having a current certification under section 60105 may adopt or continue in force additional integrity management requirements, including additional requirements for installation of excess flow valves, for gas distribution pipelines within the boundaries of that State.

(f) CERTIFICATION OF PIPELINE INTEGRITY MANAGEMENT PROGRAM PERFORMANCE.—The Secretary shall establish procedures requiring certification of annual and semiannual pipeline integrity management program performance reports by a senior executive officer of the company operating a pipeline subject to this chapter. The procedures shall require a signed statement, which may be effected electronically in accordance with the provisions of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. 7001 et seq.), certifying that—

(1) the signing officer has reviewed the report; and

(2) to the best of such officer's knowledge and belief, the report is true and complete.

(g) HAZARDOUS LIQUID PIPELINE FACILITIES.—

(1) INTEGRITY ASSESSMENTS.—Notwithstanding any pipeline integrity management program or integrity assessment schedule otherwise required by the Secretary, each operator of a pipeline facility to which this subsection applies shall ensure that pipeline integrity assessments—

(A) using internal inspection technology appropriate for the integrity threat are completed not less often than once every 12 months; and

(B) using pipeline route surveys, depth of cover surveys, pressure tests, external corrosion direct assessment, or other technology that the operator demonstrates can further the understanding of the condition of the pipeline facility are completed on a schedule based on the risk that the pipeline facility poses to the high consequence area in which the pipeline facility is located.

(2) APPLICATION.—This subsection shall apply to any underwater hazardous liquid pipeline facility located in a high consequence area—

(A) that is not an offshore pipeline facility; and

(B) any portion of which is located at depths greater than 150 feet under the surface of the water.

(3) HIGH CONSEQUENCE AREA DEFINED.—For purposes of this subsection, the term ''high consequence area'' has the meaning given that term in section 195.450 of title 49, Code of Federal Regulations.

(4) INSPECTION AND ENFORCEMENT.—The Secretary shall conduct inspections under section 60117(c) to determine whether each operator of a pipeline facility to which this subsection applies is complying with this section.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1315; Pub. L. 103–429, §6(75), Oct. 31, 1994, 108 Stat. 4388; Pub. L. 104–304, §§7, 20(i), Oct. 12, 1996, 110 Stat. 3800, 3805; Pub. L. 107–355, §14(a), (b), Dec. 17, 2002, 116 Stat. 3002, 3005; Pub. L. 109–468, §§9, 14, 16, Dec. 29, 2006, 120 Stat. 3493, 3496; Pub. L. 112–90, §§5(e), 22, Jan. 3, 2012, 125 Stat. 1908, 1917; Pub. L. 114–183, §§19(a), 25, June 22, 2016, 130 Stat. 527, 530.)

HISTORICAL AND REVISION NOTES

PUB. L. 103–272

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
60109(a)(1)(A).	49 App.:1672(i)(1) (1st sentence), (2).	Aug. 12, 1968, Pub. L. 90–481, 82 Stat. 720, §3(i); added Oct. 24, 1992, Pub. L. 102–508, §102(a)(2), 106 Stat. 3291.
60109(a)(1)(B).	49 App.:2002(m)(1) (1st sentence).	Nov. 30, 1979, Pub. L. 96–129, 93 Stat. 989, §203(m); added Oct. 24, 1992, Pub. L. 102–508, §202(a)(2), 106 Stat. 3300.
60109(a)(2) ..	49 App.:1672(i)(1) (last sentence). 49 App.:2002(m)(1) (2d sentence).	
60109(b)	49 App.:2002(m)(1) (last sentence).	

In subsection (a)(1)(B)(i) and (ii), the words ''regulation under'' and ''or not'' are omitted as surplus.

PUB. L. 103–429

This amends 49:60109(a)(2) to correct an error in the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103–272, 108 Stat. 1315).

REFERENCES IN TEXT

The date of enactment of this subsection, referred to in subsecs. (c) and (d), is the date of enactment of Pub. L. 107–355, which was approved Dec. 17, 2002.

The date of enactment of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, referred to in subsec. (e)(3)(B), is the date of enactment of Pub. L. 112–90, which was approved Jan. 3, 2012.

The Electronic Signatures in Global and National Commerce Act, referred to in subsec. (f), is Pub. L. 106–229, June 30, 2000, 114 Stat. 464, which is classified principally to chapter 96 (§7001 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 7001 of Title 15 and Tables.

AMENDMENTS

2016—Subsec. (b)(2). Pub. L. 114–183, §19(a), substituted ''are part of the Great Lakes or have been identified as coastal beaches, marine coastal waters,'' for ''have been identified as''.

Subsec. (g). Pub. L. 114–183, §25, added subsec. (g).

2012—Subsec. (c)(3)(B). Pub. L. 112–90, §5(e), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: ''Subject to paragraph (5), periodic reassessment of the facility, at a minimum of once every 7 years, using methods described in subparagraph (A).''

Subsec. (e)(3)(B), (C). Pub. L. 112–90, §22, added subpar. (B) and redesignated former subpar. (B) as (C).

2006—Subsec. (c)(9)(A)(iii). Pub. L. 109–468, §14, reenacted heading without change and amended text generally. Prior to amendment, text read as follows: ''If the Secretary determines that a risk analysis or integrity management program does not comply with the requirements of this subsection or regulations issued as described in paragraph (2), or is inadequate for the safe operation of a pipeline facility, the Secretary shall act under section 60108(a)(2) to require the operator to revise the risk analysis or integrity management program.''

Subsec. (e). Pub. L. 109–468, §9, added subsec. (e).

Subsec. (f). Pub. L. 109–468, §16, added subsec. (f).

2002—Subsec. (c). Pub. L. 107–355, §14(a), added subsec. (c).

Subsec. (d). Pub. L. 107–355, §14(b), added subsec. (d).

1996—Subsec. (a). Pub. L. 104–304, §20(i), substituted ''standards'' for ''regulations'' in introductory provisions.

Subsec. (a)(1)(B)(i). Pub. L. 104–304, §7(a), substituted ''waters where a substantial likelihood of commercial navigation exists'' for ''a navigable waterway (as the Secretary defines by regulation)''.

Subsec. (b). Pub. L. 104–304, §7(b), reenacted heading without change and amended text generally. Prior to amendment, text read as follows: ''When describing an area that is unusually sensitive to environmental damage if there is a hazardous liquid pipeline accident, the Secretary shall consider including—

''(1) earthquake zones and areas subject to landslides and other substantial ground movements;

''(2) areas of likely ground water contamination if a hazardous liquid pipeline facility ruptures;

''(3) freshwater lakes, rivers, and waterways; and

''(4) river deltas and other areas subject to soil erosion or subsidence from flooding or other water action where a hazardous liquid pipeline facility is likely to become exposed or undermined.''

1994—Subsec. (a)(2). Pub. L. 103–429 substituted ''section 60102(e)'' for ''section 60102(c)''.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–429 effective July 5, 1994, see section 9 of Pub. L. 103–429, set out as a note under section 321 of this title.

UNUSUALLY SENSITIVE AREAS (USA) ECOLOGICAL RESOURCES

Pub. L. 114–183, §19(b), June 22, 2016, 130 Stat. 527, provided that: ''The Secretary of Transportation shall revise section 195.6(b) of title 49, Code of Federal Regulations, to explicitly state that the Great Lakes, coastal beaches, and marine coastal waters are USA ecological resources for purposes of determining whether a pipeline is in a high consequence area (as defined in section 195.450 of such title).''

INTEGRITY MANAGEMENT

Pub. L. 112–90, §5, Jan. 3, 2012, 125 Stat. 1907, provided that:

''(a) EVALUATION.—Not later than 18 months after the date of enactment of this Act [Jan. 3, 2012], the Secretary of Transportation shall evaluate—

''(1) whether integrity management system requirements, or elements thereof, should be expanded beyond high-consequence areas; and

''(2) with respect to gas transmission pipeline facilities, whether applying integrity management program requirements, or elements thereof, to additional areas would mitigate the need for class location requirements.

''(b) FACTORS.—In conducting the evaluation under subsection (a), the Secretary shall consider, at a minimum, the following:

''(1) The continuing priority to enhance protections for public safety.

''(2) The continuing importance of reducing risk in high-consequence areas.

''(3) The incremental costs of applying integrity management standards to pipelines outside of high-consequence areas where operators are already conducting assessments beyond what is required under chapter 601 of title 49, United States Code.

''(4) The need to undertake integrity management assessments and repairs in a manner that is achievable and sustainable, and that does not disrupt pipeline service.

''(5) The options for phasing in the extension of integrity management requirements beyond high-consequence areas, including the most effective and efficient options for decreasing risks to an increasing number of people living or working in proximity to pipeline facilities.

''(6) The appropriateness of applying repair criteria, such as pressure reductions and special requirements for scheduling remediation, to areas that are not high-consequence areas.

''(c) REPORT.—Not later than 2 years after the date of enactment of this Act [Jan. 3, 2012], the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report, based on the evaluation conducted under subsection (a), containing the Secretary's analysis and findings regarding—

''(1) expansion of integrity management requirements, or elements thereof, beyond high-consequence areas; and

''(2) with respect to gas transmission pipeline facilities, whether applying the integrity management program requirements, or elements thereof, to additional areas would mitigate the need for class location requirements.

''(d) DATA REPORTING.—The Secretary shall collect any relevant data necessary to complete the evaluation required by subsection (a).

''(e) TECHNICAL CORRECTION.—[Amended this section.]

''(f) RULEMAKING REQUIREMENTS.—

''(1) REVIEW PERIOD DEFINED.—In this subsection, the term 'review period' means the period beginning on the date of enactment of this Act [Jan. 3, 2012] and ending on the earlier of—

''(A) the date that is 1 year after the date of completion of the report under subsection (c); or

''(B) the date that is 3 years after the date of enactment of this Act.

''(2) CONGRESSIONAL AUTHORITY.—In order to provide Congress the necessary time to review the results of the report required by subsection (c) and implement

appropriate recommendations, the Secretary shall not, during the review period, issue final regulations described in paragraph (3)(B).

''(3) STANDARDS.—

''(A) FINDINGS.—As soon as practicable following the review period, the Secretary shall issue final regulations described in subparagraph (B), if the Secretary finds, in the report required under subsection (c), that—

''(i) integrity management system requirements, or elements thereof, should be expanded beyond high-consequence areas; and

''(ii) with respect to gas transmission pipeline facilities, applying integrity management program requirements, or elements thereof, to additional areas would mitigate the need for class location requirements.

''(B) REGULATIONS.—Regulations issued by the Secretary under subparagraph (A), if any, shall—

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

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

''(4) SAVINGS CLAUSE.—

''(A) IN GENERAL.—Notwithstanding any other provision of this subsection, the Secretary, during the review period, may issue final regulations described in paragraph (3)(B), if the Secretary determines that a condition that poses a risk to public safety, property, or the environment is present or an imminent hazard exists and that the regulations will address the risk or hazard.

''(B) IMMINENT HAZARD DEFINED.—In subparagraph (A), the term 'imminent hazard' means the existence of a condition related to pipelines or pipeline operations that presents a substantial likelihood that death, serious illness, severe personal injury, or substantial endangerment to health, property, or the environment may occur.

''(g) REPORT TO CONGRESS ON RISK-BASED PIPELINE REASSESSMENT INTERVALS.—Not later than 2 years after the date of enactment of this Act [Jan. 3, 2012], the Comptroller General of the United States shall evaluate—

''(1) whether risk-based reassessment intervals are a more effective alternative for managing risks to pipelines in high-consequence areas once baseline assessments are complete when compared to the reassessment interval specified in section 60109(c)(3)(B) of title 49, United States Code;

''(2) the number of anomalies found in baseline assessments required under section 60109(c)(3)(A) of title 49, United States Code, as compared to the number of anomalies found in reassessments required under section 60109(c)(3)(B) of such title; and

''(3) the progress made in implementing the recommendations in GAO Report 06–945 and the current relevance of those recommendations that have not been implemented.''

[Terms used in section 5 of Pub. L. 112–90, set out above, have the meaning given those terms in this chapter, see section 1(c)(1) of Pub. L. 112–90, set out as a note under section 60101 of this title. For definition of ''high-consequence area'' as used in section 5 of Pub. L. 112–90, see section 1(c)(2) of Pub. L. 112–90, set out as a note under section 60101 of this title.]

SEISMICITY

Pub. L. 112–90, § 29, Jan. 3, 2012, 125 Stat. 1921, provided that: ''In identifying and evaluating all potential threats to each pipeline segment pursuant to parts 192 and 195 of title 49, Code of Federal Regulations, an operator of a pipeline facility shall consider the seismicity of the area.''

[Terms used in section 29 of Pub. L. 112–90, set out above, have the meaning given those terms in this chapter, see section 1(c)(1) of Pub. L. 112–90, set out as a note under section 60101 of this title.]

STUDY OF REASSESSMENT INTERVALS

Pub. L. 107–355, § 14(d), Dec. 17, 2002, 116 Stat. 3005, required the Comptroller General to study the 7-year reassessment interval required by section 60109(c)(3)(B) of title 49 and to transmit to Congress a report on the study not later than 4 years after Dec. 17, 2002.

§ 60110. Excess flow valves

(a) APPLICATION.—This section applies only to—

(1) a natural gas distribution system installed after the effective date of regulations prescribed under this section; and

(2) any other natural gas distribution system when repair to the system requires replacing a part to accommodate installing excess flow valves.

(b) INSTALLATION REQUIREMENTS AND CONSIDERATIONS.—Not later than April 24, 1994, the Secretary of Transportation shall prescribe standards on the circumstances, if any, under which an operator of a natural gas distribution system must install excess flow valves in the system. The Secretary shall consider—

(1) the system design pressure;

(2) the system operating pressure;

(3) the types of customers to which the distribution system supplies gas, including hospitals, schools, and commercial enterprises;

(4) the technical feasibility and cost of installing, operating, and maintaining the valve;

(5) the public safety benefits of installing the valve;

(6) the location of customer meters; and

(7) other factors the Secretary considers relevant.

(c) NOTIFICATION OF AVAILABILITY.—(1) Not later than October 24, 1994, the Secretary shall prescribe standards requiring an operator of a natural gas distribution system to notify in writing its customers having lines in which excess flow valves are not required by law but can be installed according to the standards prescribed under subsection (e) of this section, of—

(A) the availability of excess flow valves for installation in the system;

(B) safety benefits to be derived from installation; and

(C) costs associated with installation, maintenance, and replacement.

(2) The standards shall provide that, except when installation is required under subsection (b) of this section, excess flow valves shall be installed at the request of the customer if the customer will pay all costs associated with installation.

(d) REPORT.—If the Secretary decides under subsection (b) of this section that there are no circumstances under which an operator must install excess flow valves, the Secretary shall submit to Congress a report on the reasons for the decision not later than 30 days after the decision is made.

(e) PERFORMANCE STANDARDS.—Not later than April 24, 1994, the Secretary shall develop standards for the performance of excess flow valves used to protect lines in a natural gas distribu-