

tion system. The Secretary may adopt industry accepted performance standards in order to comply with the requirement under the preceding sentence. The standards shall be incorporated into regulations the Secretary prescribes under this section. All excess flow valves shall be installed according to the standards.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1316; Pub. L. 104–304, §§8, 20(j), Oct. 12, 1996, 110 Stat. 3800, 3805; Pub. L. 107–355, §21(1), Dec. 17, 2002, 116 Stat. 3010.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60110(a)	49 App.:1672(j)(5).	Aug. 12, 1968, Pub. L. 90–481, 82 Stat. 720, §3(j); added Oct. 24, 1992, Pub. L. 102–508, §104, 106 Stat. 3291.
60110(b)	49 App.:1672(j)(1).	
60110(c)	49 App.:1672(j)(2).	
60110(d)	49 App.:1672(j)(3).	
60110(e)	49 App.:1672(j)(4).	

In subsection (a)(2), the words “in a manner” are omitted as surplus.

In subsection (b), before clause (1), the words “on when” are substituted for “prescribing the circumstances, if any, under which” to eliminate unnecessary words.

AMENDMENTS

2002—Subsec. (b). Pub. L. 107–355 substituted “circumstances, if any, under which an operator” for “circumstances under which an operator” in introductory provisions.

1996—Subsec. (b). Pub. L. 104–304, §20(j), substituted “standards” for “regulations” in introductory provisions.

Subsec. (b)(1). Pub. L. 104–304, §8(1), which directed the insertion of “, if any,” after “circumstances” in the first sentence of subsection (b)(1), could not be executed because the word “circumstances” did not appear in subsec. (b)(1).

Subsec. (b)(4). Pub. L. 104–304, §8(2), inserted “, operating, and maintaining” after “cost of installing”.

Subsec. (c)(1). Pub. L. 104–304, §20(j), substituted “standards” for “regulations” after “prescribe” in introductory provisions.

Subsec. (c)(1)(C). Pub. L. 104–304, §8(3), inserted “, maintenance, and replacement” after “installation”.

Subsec. (c)(2). Pub. L. 104–304, §20(j), substituted “standards” for “regulations”.

Subsec. (e). Pub. L. 104–304, §8(4), inserted after first sentence “The Secretary may adopt industry accepted performance standards in order to comply with the requirement under the preceding sentence.”

§ 60111. Financial responsibility for liquefied natural gas facilities

(a) NOTICE.—When the Secretary of Transportation believes that an operator of a liquefied natural gas facility does not have adequate financial responsibility for the facility, the Secretary may issue a notice to the operator about the inadequacy and the amount of financial responsibility the Secretary considers adequate.

(b) HEARINGS.—An operator receiving a notice under subsection (a) of this section may have a hearing on the record not later than 30 days after receiving the notice. The operator may show why the Secretary should not issue an order requiring the operator to demonstrate and maintain financial responsibility in at least the amount the Secretary considers adequate.

(c) ORDERS.—After an opportunity for a hearing on the record, the Secretary may issue the order if the Secretary decides it is justified in the public interest.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1317.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60111(a)	49 App.:1674b(b)(1), (c).	Aug. 12, 1968, Pub. L. 90–481, 82 Stat. 720, §7(b)(1)–(3), (c); added Nov. 30, 1979, Pub. L. 96–129, §153, 93 Stat. 1002.
60111(b)	49 App.:1674b(b)(2).	
60111(c)	49 App.:1674b(b)(3).	

In subsection (a), the words “is not maintaining adequate insurance or otherwise”, the text of 49 App.:1674b(c), and the words “and serve upon” and “a statement of” are omitted as surplus.

In subsection (b), the words “in accordance with section 554 of title 5” are omitted for consistency in the revised title and because 5:554 applies to a hearing on the record unless otherwise stated. The words “to be held” and “cause as to” are omitted as surplus. The words “the Secretary considers adequate” are substituted for “indicated in the notice under paragraph (1)” for clarity and to eliminate unnecessary words.

Subsection (c) is substituted for 49 App.:1674b(b)(3) to eliminate unnecessary words.

§ 60112. Pipeline facilities hazardous to life and property

(a) GENERAL AUTHORITY.—After notice and an opportunity for a hearing, the Secretary of Transportation may decide that a pipeline facility is hazardous if the Secretary decides that—

(1) operation of the facility is or would be hazardous to life, property, or the environment; or

(2) the facility is or would be constructed or operated, or a component of the facility is or would be constructed or operated, with equipment, material, or a technique that the Secretary decides is hazardous to life, property, or the environment.

(b) CONSIDERATIONS.—In making a decision under subsection (a) of this section, the Secretary shall consider, if relevant—

(1) the characteristics of the pipe and other equipment used in the pipeline facility, including the age, manufacture, physical properties, and method of manufacturing, constructing, or assembling the equipment;

(2) the nature of the material the pipeline facility transports, the corrosive and deteriorative qualities of the material, the sequence in which the material are¹ transported, and the pressure required for transporting the material;

(3) the aspects of the area in which the pipeline facility is located, including climatic and geologic conditions and soil characteristics;

(4) the proximity of the area in which the hazardous liquid pipeline facility is located to environmentally sensitive areas;

(5) the population density and population and growth patterns of the area in which the pipeline facility is located;

¹ So in original. Probably should be “is”.