

(B) has not been purged as described in subparagraph (A), but the volume of gas is so small that there is no potential hazard, as determined by the Secretary pursuant to a rule.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of the PIPES Act of 2020, the Secretary shall promulgate regulations prescribing the applicability of the pipeline safety requirements to idled natural or other gas transmission and hazardous liquid pipelines.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The applicability of the regulations under paragraph (1) shall be based on the risk that idled natural or other gas transmission and hazardous liquid pipelines pose to the public, property, and the environment, and shall include requirements to resume operation.

(B) INSPECTION.—The Secretary or an appropriate State agency shall inspect each idled pipeline and verify that the pipeline has been purged of combustibles and hazardous materials, if required under subsection (a).

(C) REQUIREMENTS FOR REINSPECTION.—The Secretary shall determine the requirements for periodic reinspection of idled natural or other gas transmission and hazardous liquid pipelines.

(D) RESUMPTION OF OPERATIONS.—As a condition to allowing an idled pipeline to resume operations, the Secretary shall require that, prior to resuming operations, the pipeline shall be—

(i) inspected with—

(I) hydrostatic pressure testing;

(II) an internal inspection device; or

(III) if the use of hydrostatic pressure testing or an internal inspection device is not technologically feasible, another comparable technology or practice; and

(ii) in compliance with regulations promulgated under this chapter, including any regulations that became effective while the pipeline was idled.

(Added Pub. L. 116-260, div. R, title I, §109(a), Dec. 27, 2020, 134 Stat. 2223.)

REFERENCES IN TEXT

The date of enactment of the PIPES Act of 2020, referred to in subsec. (b)(1), is the date of enactment of div. R of Pub. L. 116-260, which was approved Dec. 27, 2020.

CHAPTER 603—USER FEES

Sec.	
60301.	User fees.
60302.	User fees for underground natural gas storage facilities.
60303.	Fees for compliance reviews of liquefied natural gas facilities.

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-260, div. R, title I, §103(b), Dec. 27, 2020, 134 Stat. 2215, added item 60303.

2016—Pub. L. 114-183, §12(d)(2), June 22, 2016, 130 Stat. 524, added item 60302.

§ 60301. User fees

(a) SCHEDULE OF FEES.—The Secretary of Transportation shall prescribe a schedule of fees for all natural gas and hazardous liquids transported by pipelines subject to chapter 601 of this title. The fees shall be based on usage (in reasonable relationship to volume-miles, miles, revenues, or a combination of volume-miles, miles, and revenues) of the pipelines. The Secretary shall consider the allocation of resources of the Department of Transportation when establishing the schedule.

(b) IMPOSITION AND TIME OF COLLECTION.—A fee shall be imposed on each person operating a gas pipeline transmission facility, a liquefied natural gas pipeline facility, or a hazardous liquid pipeline facility to which chapter 601 of this title applies. The fee shall be collected before the end of the fiscal year to which it applies.

(c) MEANS OF COLLECTION.—The Secretary shall prescribe procedures to collect fees under this section. The Secretary may use a department, agency, or instrumentality of the United States Government or of a State or local government to collect the fee and may reimburse the department, agency, or instrumentality a reasonable amount for its services.

(d) USE OF FEES.—A fee collected under this section—

(1)(A) related to a gas pipeline facility may be used only for an activity related to gas under chapter 601 of this title; and

(B) related to a hazardous liquid pipeline facility may be used only for an activity related to hazardous liquid under chapter 601 of this title; and

(2) may be used only to the extent provided in advance in an appropriation law.

(e) LIMITATIONS.—Fees prescribed under subsection (a) of this section shall be sufficient to pay for the costs of activities described in subsection (d) of this section. However, the total amount collected for a fiscal year may not be more than 105 percent of the total amount of the appropriations made for the fiscal year for activities to be financed by the fees.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1328.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60301(a) .....	49 App.:1682a(a)(1), (d) (words after "subsection (a) of this section" and before "shall be sufficient").	Apr. 7, 1986, Pub. L. 99-272, §7005, 100 Stat. 140.
60301(b) .....	49 App.:1682a(a)(3), (b).	
60301(c) .....	49 App.:1682a(a)(2).	
60301(d) .....	49 App.:1682a(c).	
60301(e) .....	49 App.:1682a(d) (less words after "subsection (a) of this section" and before "shall be sufficient").	

In this section, the word "prescribe" is substituted for "establish" for consistency in the revised title and with other titles of the United States Code.

In subsection (a), the words "(hereafter in this section referred to as the 'Secretary')" and "appropriate" are omitted as surplus.