

PIPES Act of 2020, Excerpt

Full Text Here: <https://www.congress.gov/bill/116th-congress/senate-bill/2299/text#toc-id61ed05d6279a4db78c4274ff0b86ea17>

SEC. 114. LEAK DETECTION AND REPAIR.

Section 60102 of title 49, United States Code, is amended by adding at the end the following:

“(q) GAS PIPELINE LEAK DETECTION AND REPAIR.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall promulgate final regulations that require operators of regulated gathering lines (as defined pursuant to subsection (b) of section 60101 for purposes of subsection (a)(21) of that section) in a Class 2 location, Class 3 location, or Class 4 location, as determined under section 192.5 of title 49, Code of Federal Regulations, operators of new and existing gas transmission pipeline facilities, and operators of new and existing gas distribution pipeline facilities to conduct leak detection and repair programs—

“(A) to meet the need for gas pipeline safety, as determined by the Secretary; and

“(B) to protect the environment.

“(2) LEAK DETECTION AND REPAIR PROGRAMS.—

“(A) MINIMUM PERFORMANCE STANDARDS.—The final regulations promulgated under paragraph (1) shall include, for the leak detection and repair programs described in that paragraph, minimum performance standards that reflect the capabilities of commercially available advanced technologies that, with respect to each pipeline covered by the programs, are appropriate for—

“(i) the type of pipeline;

“(ii) the location of the pipeline;

“(iii) the material of which the pipeline is constructed; and

“(iv) the materials transported by the pipeline.

“(B) REQUIREMENT.—The leak detection and repair programs described in paragraph (1) shall be able to identify, locate, and categorize all leaks that—

“(i) are hazardous to human safety or the environment; or

“(ii) have the potential to become explosive or otherwise hazardous to human safety.

“(3) ADVANCED LEAK DETECTION TECHNOLOGIES AND PRACTICES.—

“(A) IN GENERAL.—The final regulations promulgated under paragraph (1) shall—

“(i) require the use of advanced leak detection technologies and practices described in subparagraph (B);

“(ii) identify any scenarios where operators may use leak detection practices that depend on human senses; and

“(iii) include a schedule for repairing or replacing each leaking pipe, except a pipe with a leak so small that it poses no potential hazard, with appropriate deadlines.

“(B) ADVANCED LEAK DETECTION TECHNOLOGIES AND PRACTICES DESCRIBED.—The advanced leak detection technologies and practices referred to in subparagraph (A)(i) include—

“(i) for new and existing gas distribution pipeline facilities, technologies and practices to detect pipeline leaks—

“(I) (aa) through continuous monitoring on or along the pipeline; and

“(bb) in the case of an existing facility, that do not impose any design or installation requirements on existing facilities that would be inapplicable under section 60104(b); or

“(II) through periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology;

“(ii) for new and existing gas transmission pipeline facilities, technologies and practices to detect pipeline leaks through—

“(I) equipment that—

“(aa) is capable of continuous monitoring; and

“(bb) in the case of an existing facility, does not impose any design or installation requirements on existing facilities that would be inapplicable under section 60104(b); or

“(II) periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology; and

“(iii) for regulated gathering lines in Class 2 locations, Class 3 locations, or Class 4 locations, technologies and practices to detect pipeline leaks through—

“(I) equipment that—

“(aa) is capable of continuous monitoring; and

“(bb) in the case of an existing facility, does not impose any design or installation requirements on existing facilities that would be inapplicable under section 60104(b); or

“(II) periodic surveys with handheld equipment, equipment mounted on mobile platforms, or other means using commercially available technology.

“(4) SAVINGS CLAUSES.—

“(A) SURVEYS AND TIMELINES.—In promulgating regulations under this subsection, the Secretary —

“(i) shall not reduce the frequency of surveys required under any other provision of this chapter or stipulated by regulation as of the date of enactment of this subsection; and

“(ii) shall not extend the duration of any timelines for the repair or remediation of leaks that are stipulated by regulation as of the date of enactment of this subsection.

“(B) APPLICATION.—The limitations in this paragraph do not restrict the Secretary’s ability to modify any regulations through proceedings separate from or subsequent to the final regulations required under paragraph (1).

“(C) EXISTING AUTHORITY.—Nothing in this subsection shall alter the authority of the Secretary to regulate gathering lines as defined under section 60101.”.