

118TH CONGRESS
1ST SESSION

H. R. 1441

To require the Bureau of Safety and Environmental Enforcement to further develop, finalize, and implement updated regulations for offshore oil and gas pipelines to address long-standing limitations regarding its ability to ensure active pipeline integrity and address safety and environmental risks associated with decommissioning, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2023

Ms. BROWNLEY introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To require the Bureau of Safety and Environmental Enforcement to further develop, finalize, and implement updated regulations for offshore oil and gas pipelines to address long-standing limitations regarding its ability to ensure active pipeline integrity and address safety and environmental risks associated with decommissioning, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Offshore Pipeline Safe-
5 ty Act”.

1 **SEC. 2. FINALIZATION OF REGULATIONS RELATED TO OFF-**
2 **SHORE PIPELINES.**

3 Not later than 18 months after the date of enactment
4 of this Act, the Secretary of the Interior, acting through
5 the Director of the Bureau of Safety and Environmental
6 Enforcement, shall issue final regulations relating to Oil
7 and Gas and Sulphur Operations in the Outer Continental
8 Shelf—Pipelines and Pipeline Rights-of-Way (72 Fed.
9 Reg. 56,442 (Oct. 3, 2007)). Such regulations shall re-
10 quire owners of oil and gas pipelines subject to such regu-
11 lations—

12 (1) to provide for internal and external inspec-
13 tions of pipelines by a third-party no less frequently
14 than every two years, unless the Director of the Bu-
15 reau determines that any such inspection is not re-
16 quired; and

17 (2) to equip such pipelines with a leak detection
18 system or device that provides continuous volumetric
19 comparison between the pipeline’s product input and
20 output and includes alarms and adequate sensitivity
21 to detect variations between input and discharge vol-
22 umes to enable any leaks from the pipeline to be de-
23 tected as quickly as possible.

1 **SEC. 3. ADDRESSING ENVIRONMENTAL RISKS OF DECOM-**
2 **MISSIONING PIPELINES.**

3 (a) STUDY ON ENVIRONMENTAL RISKS OF DECOM-
4 MISSIONING PIPELINES VERSUS REMOVING PIPELINES.—

5 (1) STUDY.—The Directors of the Bureau of
6 Safety and Environmental Enforcement and the Bu-
7 reau of Ocean Energy Management shall jointly con-
8 duct a study to evaluate the environmental benefits
9 and risks associated with decommissioning oil and
10 gas pipelines in place on the sea floor compared to
11 removing such pipelines. Such study shall include—

12 (A) an evaluation of pipelines that have
13 been decommissioned in place, identifying de-
14 commissioned pipelines at high-risk of causing
15 safety and environmental harm, causing ob-
16 structions, or otherwise unduly interfering with
17 present or future uses of the outer continental
18 shelf; and

19 (B) recommendations on the best uses of
20 the revenues generated by the annual pipelines
21 fees as authorized by subsection (d).

22 (2) REPORT.—Not later than 18 months after
23 the date of enactment of this Act, the Directors shall
24 transmit a report to the Committee on Natural Re-
25 sources of the House of Representatives and the
26 Committee on Energy and Natural Resources of the

1 Senate, detailing the findings and determinations of
2 the study, including any recommendations for legis-
3 lation.

4 (b) REQUIRED CONSIDERATIONS IN REVIEWING DE-
5 COMMISSIONING APPLICATIONS.—In determining whether
6 to permit an owner to decommission an oil or gas pipeline,
7 the Bureau of Safety and Environmental Enforcement,
8 shall fully consider whether the offshore oil and gas pipe-
9 line constitutes a hazard to navigation and commercial
10 and recreational fishing operations, unduly interferes with
11 other uses of the outer continental shelf, or has adverse
12 environmental effects.

13 (c) ONGOING MONITORING OF DECOMMISSIONED
14 PIPELINES.—The Bureau of Safety and Environmental
15 Enforcement shall continually monitor the condition and
16 location of all oil and gas pipelines that have been decom-
17 missioned and remain in place, and shall maintain all rel-
18 evant records of such monitoring.

19 (d) ANNUAL PIPELINE OWNERS FEE.—Not later
20 than 180 after the date of enactment of this Act, the Bu-
21 reau of Safety and Environmental Enforcement shall issue
22 regulations to assess an annual fee on owners of offshore
23 oil and gas pipelines for the purpose of providing the Bu-
24 reau with funds to decommission or remove such pipelines

1 in the event an owner files for bankruptcy. Such fee shall
2 be no less than—

3 (1) \$10,000 per mile for such pipelines in water
4 with a depth of 500 feet or greater; and

5 (2) \$1,000 per mile for pipelines in water depth
6 of under 500 feet.

7 **SEC. 4. REQUIREMENT RELATING TO EXPOSED SEGMENTS**
8 **OF OFFSHORE PIPELINES.**

9 If the Bureau of Safety and Environmental Enforce-
10 ment identifies any exposed segment of any active or de-
11 commissioned pipeline, the Bureau shall either remove the
12 pipeline from the ocean or ensure it is properly decommis-
13 sioned and does not pose a threat. If a segment of any
14 active pipeline is exposed or shifts, the Bureau shall re-
15 secure such segment to the sea floor.

16 **SEC. 5. COMPLETION OF STUDY RELATING TO ENVIRON-**
17 **MENT RISKS OF CHEMICAL PRODUCTS USED**
18 **IN OIL AND GAS OPERATIONS.**

19 (a) COMPLETION OF STUDY.—The Bureau of Safety
20 and Environmental Enforcement shall complete a study
21 addressing the risks to the environment of chemical prod-
22 ucts used in oil and gas operations including umbilical
23 lines. In conducting the study, the Bureau shall seek input
24 from chemical suppliers and the oil and gas industry.

1 (b) REPORT.—Not later than two years after the date
2 of enactment of this Act, the Bureau shall transmit a re-
3 port of the findings and determinations in such study to
4 Congress, including any recommendations for legislation.

5 **SEC. 6. EFFECTIVE DATE.**

6 No provision of this Act shall take effect without con-
7 sidering whether such action will result in a reduction of
8 reef fish habitat.

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