

113TH CONGRESS
1ST SESSION

S. 763

To authorize States to enforce pipeline safety requirements related to wellbores at interstate storage facilities.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2013

Mr. ROBERTS (for himself and Mr. MORAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To authorize States to enforce pipeline safety requirements related to wellbores at interstate storage facilities.

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 “Underground Gas
5 Storage Facility Safety Act of 2013”.

6 **SEC. 2. DEFINITIONS.**

7 Section 60101(a) of title 49, United States Code, is
8 amended—

1 (1) by redesignating paragraphs (20), (21),
2 (22), (23), (24), and (25) as paragraphs (23), (24),
3 (25), (20), (21), and (22), respectively;

4 (2) in paragraph (21), as redesignated, by
5 striking “and” at the end;

6 (3) in paragraph (22), as redesignated, by
7 striking the period at the end and inserting a semi-
8 colon; and

9 (4) by adding at the end the following:

10 “(26) ‘underground gas storage wellbore’ means
11 the piping and hole drilled connecting the surface of
12 the earth with the underground gas storage res-
13 ervoir; and

14 “(27) ‘underground hazardous liquid storage
15 wellbore’ means the piping and hole drilled con-
16 necting the surface of the earth with the under-
17 ground hazardous liquid storage reservoir.”.

18 **SEC. 3. STATE ENFORCEMENT OF PIPELINE SAFETY RE-**
19 **QUIREMENTS.**

20 Section 60104(c) of title 49, United States Code, is
21 amended—

22 (1) by striking “A State authority that” and in-
23 serting the following:

24 “(1) A State authority that”;

1 (2) by striking “A State authority may not”
2 and inserting the following:

3 “(2) A State authority may not”;

4 (3) by striking “Notwithstanding the preceding
5 sentence, a State authority may enforce a require-
6 ment” and inserting the following:

7 “(3) Notwithstanding the limitation set forth in
8 paragraph (2), a State authority may—

9 “(A) enforce a requirement”;

10 (4) by striking “chapter 61.” and inserting
11 “chapter 61; and”; and

12 (5) by adding at the end the following:

13 “(B) enforce a State requirement for the
14 safe construction and operation of underground
15 gas storage wellbores and underground haz-
16 ardous liquid storage wellbores if—

17 “(i) the State requirement has been
18 approved by the Federal Energy Regu-
19 latory Commission (referred to in this sub-
20 paragraph as the ‘Commission’); or

21 “(ii) the Commission fails to make a
22 decision with respect to the State require-
23 ment during the 30-day period beginning

1 on the date on which the State submits the
2 State requirement to the Commission.”.

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