

111TH CONGRESS  
2D SESSION

# H. R. 6008

To amend title 49, United States Code, to ensure telephonic notice of certain incidents, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. SCHAUER (for himself, Ms. CORRINE BROWN of Florida, Mr. EHLERS, Mr. WALZ, Mr. UPTON, Mr. PETERS, Mrs. MILLER of Michigan, Mr. SMITH of Washington, Mr. KILDEE, Mr. CONYERS, Ms. KAPTUR, Mrs. HALVORSON, and Mr. LIPINSKI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 49, United States Code, to ensure telephonic notice of certain incidents, 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 “Corporate Liability  
5 and Emergency Accident Notification Act” or “CLEAN  
6 Act”.

1 **SEC. 2. NOTIFICATION OF INCIDENTS.**

2 (a) TELEPHONIC NOTICE OF CERTAIN INCIDENTS.—

3 (1) IN GENERAL.—Chapter 601 of title 49,  
4 United States Code, is amended by adding at the  
5 end the following:

6 **“§ 60138. Telephonic notice of certain incidents**

7 “(a) IN GENERAL.—An owner or operator of a pipe-  
8 line facility shall provide immediate telephonic notice of—

9 “(1) a release of hazardous liquid or another  
10 substance regulated under part 195 of title 49, Code  
11 of Federal Regulations, resulting in an event for  
12 which notice is required under section 195.50 of  
13 such title; or

14 “(2) a release of gas resulting in an incident,  
15 as defined in section 191.3 of such title.

16 “(b) IMMEDIATE TELEPHONIC NOTICE DEFINED.—

17 In subsection (a), the term ‘immediate telephonic notice’  
18 means telephonic notice, as described in section 191.5 of  
19 such title, to the Secretary and the National Response  
20 Center at the earliest practicable moment following dis-  
21 covery of a release of gas or hazardous liquid and not later  
22 than one hour following the time of such discovery.

23 “(c) REFERENCES.—Any reference to a regulation in  
24 this section means the regulation as in effect on the date  
25 of enactment of this section.”.

1           (2) CLERICAL AMENDMENT.—The analysis for  
2           such chapter is amended by adding at the end the  
3           following:

“60138. Telephonic notice of certain incidents.”.

4           (b) CIVIL PENALTIES.—Section 60122(a)(1) of such  
5           title is amended—

6           (1) in the first sentence—

7           (A) by striking “, or 60118(a)” and insert-  
8           ing “60118(a), or 60138”;

9           (B) by inserting “, or has obstructed or  
10           prevented the Secretary from carrying out an  
11           inspection or investigation under this chapter,”  
12           after “under this chapter”; and

13           (C) by striking “\$100,000” and inserting  
14           “\$250,000”; and

15           (2) in the last sentence by striking  
16           “\$1,000,000” and inserting “\$2,500,000”.

17           (c) TRANSPARENCY OF ACCIDENTS AND INCI-  
18           DENTS.—Not later than October 1, 2010, the Secretary  
19           of Transportation shall maintain on the Department of  
20           Transportation’s Internet Web site a database of all re-  
21           portable incidents involving gas or hazardous liquid pipe-  
22           lines and allow the public to search the database for inci-  
23           dents by owner or operator of a pipeline facility.

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