

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3534  
OFFERED BY MR. SCHAUER OF MICHIGAN**

Page 223, after line 13, insert the following (and conform the table of contents accordingly):

1 **SEC. 731. 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

1 such title, to the Secretary and the National Response  
2 Center at the earliest practicable moment following dis-  
3 covery of a release of gas or hazardous liquid and not later  
4 than one hour following the time of such discovery.

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

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

“60138. Telephonic notice of certain incidents.”.

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

13 (1) in the first sentence—

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

16 (B) by inserting “, or has obstructed or  
17 prevented the Secretary from carrying out an  
18 inspection or investigation under this chapter,”  
19 after “under this chapter”; and

20 (C) by striking “\$100,000” and inserting  
21 “\$250,000”; and

22 (2) in the last sentence by striking  
23 “\$1,000,000” and inserting “\$2,500,000”.

24 (c) TRANSPARENCY OF ACCIDENTS AND INCI-  
25 DENTS.—Not later than October 1, 2010, the Secretary

1 of Transportation shall maintain on the Department of  
2 Transportation's Internet Web site a database of all re-  
3 portable incidents involving gas or hazardous liquid pipe-  
4 lines and allow the public to search the database for inci-  
5 dents by owner or operator of a pipeline facility.

