

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 931 Session of 2017

INTRODUCED BY DINNIMAN, COSTA, RAFFERTY, FOLMER, MENSCH, KILLION AND MCGARRIGLE, NOVEMBER 1, 2017

SENATOR TOMLINSON, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, AS AMENDED, APRIL 24, 2018

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania
2 Consolidated Statutes, in service and facilities, providing
3 for pipeline safety valves.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Chapter 15 of Title 66 of the Pennsylvania
7 Consolidated Statutes is amended by adding a subchapter to read:

8 SUBCHAPTER C

9 PIPELINE SAFETY VALVES

10 Sec.

11 1541. Definitions.

12 1542. Automatic or remote controlled shutoff valves for gas
13 transmission pipelines.

14 1543. Automatic or remote controlled shutoff valves for
15 hazardous liquids transmission pipelines.

16 1544. Penalties.

17 § 1541. Definitions.

18 The following words and phrases when used in this subchapter

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Gas." As defined in 49 CFR 192.3 (relating to definitions).

4 ~~"Gas high consequence area." A "high consequence area" as~~ <--  
5 ~~defined in 49 CFR 192.903 (relating to what definitions apply to~~  
6 ~~this subpart?).~~

7 "Hazardous liquid." As defined in 49 CFR 195.2 (relating to  
8 definitions).

9 "Hazardous liquid high consequence area." Any of the  
10 following:

11 (1) A commercially navigable waterway where a  
12 substantial likelihood of commercial navigation exists.

13 (2) A high population area defined and delineated by the  
14 United States Census Bureau, as containing 50,000 or more  
15 people and has a population density of at least 1,000 people  
16 per square mile.

17 (3) An other populated area defined and delineated by  
18 the United States Census Bureau, as containing a concentrated  
19 population, including, but not limited to, an incorporated or  
20 unincorporated city, town, village or other designated  
21 residential or commercial area.

22 (4) An unusually sensitive area as defined in 49 CFR  
23 195.6 (relating to Unusually Sensitive Areas (USAs)),  
24 including a Class 1b aquifer, a lithology of which includes  
25 limestone, dolomite and locally evaporitic units that contain  
26 documented karst features or solution channels regardless of  
27 size.

28 "Shutoff valve." A mechanical device used to control the  
29 flow of gas or liquid that may be used solely for fully open or  
30 closed applications, to control the direction of flow or to

1 throttle flow or regulate pressure. The term includes a plug  
2 valve, ball valve, globe valve and gate valve.

3 "Transmission." The transportation, other than gathering, of  
4 gas through a transmission line as that term is defined in 49  
5 CFR 192.3 (relating to definitions) or of hazardous liquids  
6 through a pipeline as that term is defined in 49 CFR 195.2  
7 (relating to definitions).

8 § 1542. Automatic or remote controlled shutoff valves for gas  
9 transmission pipelines.

10 (a) General rule.--All facilities of a public utility  
11 engaged in the transmission of gas placed into service after the  
12 effective date of this section shall have automatic or remote  
13 controlled shutoff valves installed as provided in this section.

14 (b) Installation.--In addition to any other valves installed  
15 by the public utility, the public utility shall install at least  
16 one automatic or remote controlled shutoff valve at each of the <--  
17 following locations and at such other locations as the  
18 commission may direct by regulation:

19 (1) within 100 feet of each municipal boundary crossed  
20 by the facility; and

21 (2) within 100 feet of the facility's entry and exit of  
22 a gas high consequence area. LOCATION REQUIRED UNDER 49 CFR <--  
23 192.179 (RELATING TO TRANSMISSION LINE VALVES).

24 (c) Testing frequency.--The public utility shall test each  
25 automatic and remote controlled shutoff valve on an annual  
26 basis. Records of the testing shall be provided annually to each  
27 municipality in which the automatic or remote controlled shutoff  
28 valve is tested.

29 (d) Replacement.--If an automatic or remote controlled  
30 shutoff valve does not operate properly when tested, the public

1 ~~utility shall:~~ <--  
2 ~~(1) repair or replace the valve within 72 hours; or~~  
3 ~~(2) if the valve cannot be repaired or replaced within~~  
4 ~~72 hours, place the facility out of service until the valve~~  
5 ~~is repaired or replaced. UTILITY SHALL REPAIR OR REPLACE THE~~ <--  
6 ~~VALVE AS SOON AS REASONABLY PRACTICABLE.~~

7 § 1543. Automatic or remote controlled shutoff valves for  
8 hazardous liquids transmission pipelines.

9 (a) General rule.--All facilities of a public utility  
10 engaged in the transmission of hazardous liquids placed into  
11 service after the effective date of this section shall have  
12 automatic or remote controlled shutoff valves installed as  
13 provided in this section.

14 (b) Installation.--In addition to any other valves installed  
15 by the public utility, the public utility shall install at least  
16 one automatic or remote controlled shutoff valve at each of the <--  
17 following locations and at such other locations as the  
18 commission may direct by regulation:

19 ~~(1) within 100 feet of each municipal boundary crossed~~  
20 ~~by the facility; and~~

21 ~~(2) within 100 feet of the facility's entry and exit of~~  
22 ~~a hazardous liquid high consequence area. LOCATION REQUIRED~~ <--  
23 ~~UNDER 49 CFR 192.179 (RELATING TO TRANSMISSION LINE VALVES).~~

24 (c) Testing frequency.--The public utility shall test each  
25 automatic and remote controlled shutoff valve on an annual  
26 basis. Records of the testing shall be provided annually to each  
27 municipality in which the automatic or remote controlled shutoff  
28 valve is tested.

29 (d) Replacement.--If an automatic or remote controlled  
30 shutoff valve does not operate properly when tested, the public

1 ~~utility shall:~~ <--

2 ~~(1) repair or replace the valve within 72 hours; or~~

3 ~~(2) if the valve cannot be repaired or replaced within~~

4 ~~72 hours, place the facility out of service until the valve~~

5 ~~is repaired or replaced.~~ UTILITY SHALL REPAIR OR REPLACE THE <--

6 ~~VALVE AS SOON AS REASONABLY PRACTICABLE.~~

7 § 1544. Penalties.

8 The commission may, after notice and opportunity to be heard,

9 impose civil penalties under section 3301 (relating to civil

10 penalties for violations) and other appropriate remedies for

11 violations of this subchapter and the regulations and orders of

12 the commission.

13 Section 2. This act shall take effect in 60 days.