

116TH CONGRESS  
1ST SESSION

# H. R. 795

To require the Secretary of Transportation to conduct a study on the economic and environmental risks to the Great Lakes of spills or leaks of oil, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2019

Mrs. DINGELL 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 require the Secretary of Transportation to conduct a study on the economic and environmental risks to the Great Lakes of spills or leaks of oil, 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 “Preserve Our Lakes  
5 and Keep Our Environment Safe Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1           (1) the Great Lakes are an invaluable national  
2           resource, containing one-fifth of the world's fresh  
3           surface water and 95 percent of the United States  
4           freshwater supply;

5           (2) over 40,000,000 people depend on the Great  
6           Lakes for fresh drinking water;

7           (3) the Great Lakes provide 56,000,000,000  
8           gallons of water per day for municipal, agricultural  
9           and industrial use;

10          (4) there are more than 3,500 species of plants  
11          and animals within the Great Lakes ecosystem;

12          (5) hundreds of thousands of jobs, tied to the  
13          \$7,000,000,000 recreational fishing and  
14          \$16,000,000,000 recreational boating industries, di-  
15          rectly depend on the Great Lakes;

16          (6) currently, several million gallons per day of  
17          hazardous liquids are transported by pipeline across  
18          various points along the Great Lakes;

19          (7) modeling studies by the University of Michi-  
20          gan in 2014 and 2016 have concluded that an oil  
21          spill originating from a pipeline under the Straits of  
22          Mackinac would present particularly severe con-  
23          sequences, potentially impacting over 700 miles of  
24          Great Lakes shoreline;

1           (8) a joint NOAA-U.S. Coast Guard guidebook  
2           on oil spill response planning in marine environ-  
3           ments states that, during the first 24 to 48 hours  
4           of open water exposure, most oil spills become dif-  
5           ficult to recover, burn, or chemically disperse;

6           (9) swift currents beneath the straits and wa-  
7           terways which connect the Great Lakes could rapidly  
8           disperse oil spill contaminants following a pipeline  
9           breach;

10          (10) certain pipelines on the Great Lakes are  
11          located in close proximity to municipal drinking  
12          water collection intakes for millions of people; and

13          (11) the United States should seek to protect  
14          the Great Lakes, as a unique national asset, from  
15          unreasonable risk of environmental and economic  
16          harm.

17 **SEC. 3. STUDY ON ECONOMIC AND ENVIRONMENTAL RISKS**  
18 **TO THE GREAT LAKES.**

19          (a) STUDY.—Notwithstanding a pipeline integrity  
20          management program, integrity management assessment  
21          schedule, or considerations by the Secretary of Transpor-  
22          tation resulting in a corrective action order pursuant to  
23          section 60112 of title 49, United States Code, not later  
24          than 12 months after the date of enactment of this Act,  
25          the Secretary shall, in consultation with the United States

1 Coast Guard, the Environmental Protection Agency, the  
2 Federal Energy Regulatory Commission, and other agen-  
3 cies as appropriate, conduct a study to determine the eco-  
4 nomic and environmental risks to the Great Lakes of spills  
5 or leaks of oil or other hazardous liquids in the Straits  
6 of Mackinac from a rupture, breakage, or other failure of  
7 onshore, underwater pipeline facilities within the Straits.

8 (b) CONTENTS.—The study required under sub-  
9 section (a) shall—

10 (1) meet the content requirements of an envi-  
11 ronmental impact statement as described in part  
12 1502 of title 40, Code of Federal Regulations;

13 (2) describe the potential impacts of such spills  
14 or leaks to the public health or welfare, wildlife pop-  
15 ulations, ecosystems, shorelines, public and private  
16 property, economic activity, and water quality in the  
17 Great Lakes and connecting waterways;

18 (3) include an assessment of spill responses in  
19 a variety of likely and worst-case spill scenarios in  
20 those waters; and

21 (4) include the supplemental study conducted  
22 under subsection (c).

23 (c) SUPPLEMENTAL STUDY.—The Secretary of  
24 Transportation shall conduct, in collaboration with pipe-  
25 line facility operators and any necessary agencies, a sup-

1 plemental study to evaluate the condition and structural  
2 integrity of onshore, underwater pipeline facilities in the  
3 Straits of Mackinac, taking into consideration the age,  
4 construction materials, external and internal corrosion,  
5 weld integrity, pressure, underwater currents, possible ex-  
6 ternal damage caused by anchor strikes or dragging by  
7 recreational or cargo vessels, and the presence of in-line  
8 shutoff valves. Such supplemental study shall utilize both  
9 internal inspection technology and pipeline route surveys,  
10 depth of cover surveys, pressure tests, external corrosion  
11 direct assessment, or other technology that the operator  
12 demonstrates can further the understanding of the condi-  
13 tion of the pipeline facility.

14 (d) TERMINATION OF OPERATION.—Not later than  
15 12 months after the date of enactment of this Act, the  
16 Administrator of the Pipeline and Hazardous Materials  
17 Safety Administration shall terminate the operations of an  
18 onshore, underwater pipeline facility located in the Straits  
19 of Mackinac if the Administrator determines that, based  
20 on the studies conducted under subsections (a) and (c),  
21 such facility poses a sufficient risk of hazard to life, prop-  
22 erty, or the environment to necessitate the termination.

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