

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Title 56 a chapter numbered 21.1, consisting of*
3 *sections numbered 56-555.1 and 56-555.2, relating to the authority of the State Corporation*
4 *Commission to undertake safety activities concerning interstate gas pipeline facilities.*

5 [H 1261]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**
8 **1. That the Code of Virginia is amended by adding in Title 56 a chapter numbered 21.1, consisting**
9 **of sections numbered 56-555.1 and 56-555.2, as follows:**

10 CHAPTER 21.1.

11 INTERSTATE NATURAL GAS PIPELINE SAFETY.

12 § 56-555.1. *Definitions.*13 *As used in this chapter, unless the context requires a different meaning:*14 *"Administration" means the U.S. Department of Transportation's Pipeline and Hazardous Materials*
15 *Administration.*16 *"Federal Act" means the federal Natural Gas Pipeline Safety Act of 1968, P.L. 90-481, as amended,*
17 *including natural gas pipeline safety regulations set forth in 49 CFR Parts 191, 192, 193, and 199 and*
18 *federal rules adopted pursuant thereto.*19 *"Gas" means natural gas, flammable gas, or toxic or corrosive gas.*20 *"Gas pipeline facility" includes a pipeline, a right of way, a facility, a building, or equipment used in*
21 *transporting gas or treating gas during its transportation.*22 *"Interstate gas pipeline facility" means a gas pipeline facility that is used to transport gas and is*
23 *subject to jurisdiction of the Secretary under the federal Natural Gas Act, 15 U.S.C. § 717 et seq.*24 *"Secretary" means the U.S. Secretary of Transportation.*25 **§ 56-555.2. Commission authority to conduct safety activities regarding interstate gas pipeline**
26 **facilities.**27 *A. The Commission shall seek designation by the Secretary as an interstate agent for the purposes of*
28 *acquiring authority to participate in the implementation of the interstate pipeline safety program*
29 *conducted pursuant to the Federal Act. The Commission is authorized to enter into an interstate agent*
30 *agreement with the Secretary that establishes the powers and duties of the Commission with regard to*
31 *ensuring compliance with the Federal Act by interstate gas pipeline facilities located within the*
32 *Commonwealth.*33 *B. Upon obtaining designation by the Secretary pursuant to subsection A, the Commission shall act*
34 *as agent for the Secretary to implement the Federal Act with respect to interstate gas pipeline facilities*
35 *located within the Commonwealth in accordance with the terms of such interstate agent agreement.*36 *C. To the extent authorized by the Federal Act and any interstate agent agreement, the Commission*
37 *shall establish and conduct an inspection program for interstate gas pipeline facilities that is consistent*
38 *with the inspection program for intrastate gas pipeline facilities established pursuant to § 56-257.2. With*
39 *respect to any delegated inspection authority, the Commission's obligations shall include:*40 *1. Inspecting interstate gas pipeline facilities periodically as specified in the inspection program,*
41 *provided that the number of planned inspections conducted on each interstate gas pipeline facility*
42 *operator shall be reasonable under the circumstances and prioritized by risk to the public or to the*
43 *environment;*44 *2. Collecting inspection fees, to be used by the Commission for administering the regulatory program*
45 *authorized by this chapter. Such fees shall be computed on the basis of the number of inspection*
46 *man-days devoted to each pipeline operator to determine the operator's compliance with any provision*
47 *of, or order or agreement issued under, the Federal Act and shall not exceed the costs of inspection and*
48 *investigation under this chapter. The costs shall not include expenses reimbursed by the federal*
49 *government;*50 *3. Ordering and overseeing the testing of interstate gas pipeline facilities as authorized by the*
51 *Federal Act; and*52 *4. Filing reports with the Administration as required to maintain the delegated inspection authority.*53 *D. The authority granted to the Commission under this chapter to conduct inspections of interstate*
54 *gas pipeline facilities and their operators in the Commonwealth shall not extend to any official,*
55 *employee, or agent of any political subdivision in the Commonwealth. No political subdivision shall*
56 *have the authority to seek reimbursement for the cost of monitoring the inspections conducted by the*

57 *Commission under this chapter. Nothing in this subsection shall be deemed to impair or limit the police*
58 *powers of such political subdivisions otherwise provided by law.*
59 *E. The authority of the Commission to act as an agent for the Secretary with respect to interstate*
60 *gas pipeline facilities shall become effective the first day of July next after the date the Commission*
61 *receives a formal delegation of authority from the Secretary.*