

House Bill 2969

Sponsored by Representatives NERON, GRAYBER; Representative DEXTER, Senator WOODS (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Public Utility Commission to require person or municipality that manages, operates, owns or control pipeline facilities for transmission or distribution of hazardous substance or material by pipeline to mail residences within 500 feet of pipeline annual notice with certain information and, in event of pipeline leak, to provide update on efforts to fix pipeline leak and mitigate spillage every 24 hours and, when pipeline leak is fixed, to update on cleanup efforts every seven days.

A BILL FOR AN ACT

Relating to pipeline facilities; creating new provisions; and amending ORS 757.039.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 757.

SECTION 2. The Public Utility Commission shall require a person or municipality, or person's or municipality's agent, lessee or acting trustee or receiver, appointed by a court, that is engaged in the management, operation, ownership or control of pipeline facilities for the transmission or distribution of a hazardous substance or material by a pipeline to:

(1) Mail to all residences within 500 feet of the pipeline an annual notice that includes the following information:

(a) What to do if a person discovers a pipeline leak;

(b) What to do if there is an active fire impacting the pipeline;

(c) What to do in the event of an earthquake or natural disaster impacting the pipeline;
and

(d) Any federal, state or local information and resources related to pipeline safety.

(2) In the event of a pipeline leak, provide to the Oregon Department of Emergency Management and to any city or county having jurisdiction over the area where the pipeline leak is located:

(a) An update on the location, status and ongoing efforts to fix the pipeline leak and mitigate any spillage, at least every 24 hours until the pipeline leak is fixed.

(b) After the pipeline leak is fixed, an update on the status of cleanup efforts, at least every seven days until cleanup efforts are complete.

SECTION 3. ORS 757.039 is amended to read:

757.039. (1) As used in this section and section 2 of this 2023 Act, "hazardous substance or material" means:

(a) Fuel gas, whether in a gaseous, liquid or semisolid state;

(b) Petroleum or petroleum products; and

(c) Any other substance or material which may pose an unreasonable risk to life or property when transported by pipeline facilities.

(2) The Public Utility Commission has power, after a hearing had upon the commission's own

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 motion or upon complaint, to require by general or special orders embodying reasonable rules, every
 2 person or municipality, their agents, lessees or acting trustees or receivers, appointed by court, en-
 3 gaged in the management, operation, ownership or control of facilities for the transmission or dis-
 4 tribution of a hazardous substance or material by pipeline; or of facilities for the storage or
 5 treatment of a hazardous substance or material to be transmitted or distributed by pipeline or upon
 6 the public streets or highways; or of any other premises used, whether leased, owned or controlled
 7 by them, to construct, maintain and operate every pipeline, plant, system, equipment or apparatus
 8 used in the transmission, distribution, storage or treatment of a hazardous substance or material to
 9 be transmitted by pipeline or upon the public streets or highways in such manner as to protect and
 10 safeguard the health and safety of all employees, customers and the public, and to this end to adopt
 11 and prescribe the installation, use, maintenance and operation of appropriate safety or other devices,
 12 or appliances, to establish or adopt standards of construction or equipment, and to require the per-
 13 formance of any other act which seems to the commission necessary or proper for the protection
 14 of the health and safety of all employees, customers or the public.

15 (3) The commission is authorized to cooperate with, make certifications to and enter into
 16 agreements with the Secretary of Transportation of the United States of America and to assume
 17 responsibility for, and carry out on behalf of the Secretary of Transportation, safety jurisdiction
 18 relating to pipeline facilities and transportation of hazardous substances and materials in Oregon in
 19 any manner not otherwise subject to the jurisdiction of any other agency of this state.

20 (4) Notwithstanding any other provisions to the contrary, the commission shall make public such
 21 reports as are required to be made public under applicable federal law and regulations and provide
 22 such information as is required by the Secretary of Transportation.

23 (5) The jurisdiction of the commission over propane, butane or mixtures of these gases shall be
 24 limited to systems transporting such gases to 10 or more customers, or to systems any portion of
 25 which is located in a public place.

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