



Summary of Pipeline and Hazardous Materials Safety Administration Provisions

We use oil and natural gas to heat and cool our homes and businesses, produce electricity, transport commercial products, travel to work or recreation, and provide the feedstock for many other commodities. While these things are essential, they also introduce inherent risks to the public, the environment, and property when they are transported.

The safe transportation of hazardous materials is the number one priority of the Pipeline and Hazardous Materials Safety Administration (PHMSA). PHMSA works diligently to protect the American people and the environment from the risks of hazardous materials transportation by developing regulations, taking rigorous enforcement actions, collaborating with stakeholders, and educating emergency responders and the public. The **GROW AMERICA Act** will improve PHMSA's ability to oversee the safe and efficient transportation of hazardous materials.

Key Provisions

Increases Authority to Stop Unsafe Conditions: The **GROW AMERICA Act** will increase DOT's authority to stop unsafe conditions or practices that may cause an emergency situation involving a threat to life, personal injury, or harm to property or the environment. The **Act** will provide clear authority for PHMSA to issue Orders to industry in response to emergency situations without prior notice or the need for a special permit as currently required, similar to the authority of the Federal Railroad Administration and the Federal Motor Carrier Safety Administration. (Section 6002)

Establishes New Fees for Special Permit and Approvals Program: The **GROW AMERICA Act** establishes a designated fund and authorizes the Secretary to collect a reasonable fee for the administration of the special permits and approvals program. Consistent with the 2015 Budget request, this fee will offset some of PHMSA's costs associated with the special permit and approvals process. (Section 6004)

Improves National Emergency and Disaster Response: A common problem that impedes the flow of hazardous materials during national emergencies is differing opinions between federal, state, and local officials regarding the types of hazardous materials authorized in affected areas. As a result, many essential shipments of hazardous materials are delayed or even rejected. The **GROW AMERICA Act** will remedy this problem by clarifying DOT's authority to facilitate the movement of essential hazardous material during a national emergency or disaster. (Section 6005)

Establishes Hazard Abatement Authority: The **GROW AMERICA Act** will combat a growing problem of unscrupulous shippers abandoning hazardous materials in transit by providing DOT with the authority to hold a non-compliant shipper accountable for the remediation or disposal costs for the non-compliant shipment. (Section 6008)

Expands Inspection of Non-Domestic Entities: There remain instances when a person outside the U.S. seeks to manufacture, requalify, or inspect a DOT specification packaging or special permit cylinders or certify compliance with the regulations. The **GROW AMERICA Act** grants broader inspection and investigation authority over non-domestic entities, extending authority to those



GROW AMERICA Act

seeking approval from PHMSA to perform these functions outside the U.S. Once approved, the applicant must allow hazmat investigators to inspect the applicant's process and procedures, while bearing the cost of the initial and subsequent inspections. This shift in procedure will place the cost of the inspection on the user and not U.S. taxpayers. (Section 6009)

Enhance Communities and Improve Safety

Enhances Registration Requirements: The **GROW AMERICA Act** expands the hazmat registration requirements to any entity that performs a regulated activity requiring training. This expanded registration requirement will provide more effective oversight. (Section 6003)

Improves the Effectiveness of the Hazardous Materials Emergency Grant Program: The **GROW AMERICA Act** will reform the grant program by making several changes to ensure greater accountability on behalf of grantees and maximize the impact of grant funds. (Section 6010)

Increases Penalties for Violations: The **GROW AMERICA Act** strengthens our ability to ensure compliance by increasing the maximum amount that we can assess for a civil penalty, as well as provide us with the ability to address situations where a higher penalty is warranted. The **Act** will increase the maximum civil penalty amount from \$75,000 to \$250,000; or for a violation that results in death, serious illness, or severe injury to any person or substantial destruction of property, from \$175,000 to \$500,000. (Section 6011)