

**Department of Transportation  
Pipeline and Hazardous Materials Safety Administration**

**Technical Hazardous Liquid Pipeline Safety Standards  
Committee Charter**

- 1) **Committee's Official Designation.** The Technical Hazardous Liquid Pipeline Safety Standards Committee (THLPSSC), informally known as the Hazardous Liquid Pipeline Advisory Committee (LPAC).
- 2) **Authority.** Section 60115 of Title 49, United States Code, requires the establishment and prescribes the duties of THLPSSC. This Committee is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2.
- 3) **Objectives and Scope of Activities.**
  - a) The Designated Federal Officer (DFO) shall submit to the Committee for its consideration any notice of proposed hazardous liquid pipeline safety standards published in the Federal Register (including both new standards and amendments to existing standards). Within 90 days after receipt by the Committee of any such proposal, the Committee shall prepare a report on the technical feasibility, reasonableness, cost-effectiveness, and practicability of the proposal.
  - b) Each report by the Committee, including any minority views, shall, if timely made, form a part of the proceedings for the promulgation of the standard and be incorporated in the preamble published with the final rule in the Federal Register. The Administrator of the Pipeline and Hazardous Materials Safety Administration (PHMSA) may prescribe a final standard at any time after 90 days following a proposal's submission to the Committee, whether or not the Committee has reported on such proposal. The Administrator shall not be bound by conclusions of the Committee, but in the event that the conclusions of the majority of the current members of the Committee are rejected, the reasons for rejection shall also be incorporated in the preamble of the final rule (49 U.S.C. § 60115).
  - c) If the proposed safety standard is submitted as a Direct Final Rule and is approved by the Committee, minority views will not be treated as adverse comments unless they are submitted to the docket.
  - d) The Committee may propose safety standards for hazardous liquid pipeline facilities to the DFO for consideration. The Committee may review and report on other matters related to the Department of Transportation's pipeline safety rulemaking function as presented by the DFO. The Committee may also be requested by the DFO to make recommendations concerning policy development.
- 4) **Description of Duties.** The Committee shall serve as a peer review committee for carrying out 49 U.S.C. Chapter 601.

- 5) **Agency to Whom the Committee Reports.** The THLPSSC is a committee of the U.S. Department of Transportation and provides advice to the Secretary.
- 6) **Support.** The PHMSA is the Committee's sponsor.
- 7) **Estimated Annual Operating Costs and Staff Years.** Estimated annual operating cost is approximately \$40,000, including salary and benefits for about 0.125 FTE staff support.
- 8) **Designated Federal Officer.** The Associate Administrator for Pipeline Safety is designated as the DFO of the Committee and shall be the DOT official authorized to call all of the Committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meeting when he or she determines adjournment to be in the public interest, chair meetings when directed to do so by the Secretary, and otherwise monitor the Committee's meetings and progress.
- 9) **Estimated Number and Frequency of Meetings.** The Committee meets approximately four times each calendar year.
- 10) **Duration of the Committee.** Continuing.
- 11) **Termination.** This Charter will terminate 2 years after its effective date unless renewed in accordance with FACA and other applicable requirements.
- 12) **Membership and Designation.** The Committee membership is established by 49 U.S.C. § 60115.
  - a) The Committee shall be composed of 15 members, each of whom shall be appointed by the Secretary, after consultation with public and private agencies concerned with the technical aspect of the transportation of hazardous liquids or the operation of pipeline facilities. Members shall be appointed on the basis of their experience in the safety regulation of the transportation of hazardous liquids and of these pipeline facilities, or their technical qualifications by training, experience, or knowledge in one or more fields of engineering applicable to transporting hazardous liquids or operating a hazardous liquid pipeline facility, to evaluate hazardous liquid pipeline safety standards or risk management principles.
  - b) Five members shall be selected from Federal or State government agencies. Two of the five shall be State officials selected after consultation with representatives of national organizations of State commissioners or utility regulators.
  - c) Five members shall be selected from the hazardous liquid industry, after consultation with industry representatives. At least three of the five shall be currently engaged in the active operation of hazardous liquid pipelines. At least one of the five shall have education, background, or experience in risk assessment and cost-benefit analysis.

- d) Five members shall be selected from the general public, including two members who have education, background, or experience in environmental protection or public safety. At least one of the five members shall have education, background or experience in risk assessment and cost-benefit analysis. No public member may have a significant interest in the pipeline, petroleum, or gas industry. At least one of the members shall have no financial interests in the pipeline, petroleum, or natural gas industries.
  - e) Members appointed solely for their individual views or expertise shall serve as Special Government Employees.
  - f) Within the statutory limitations, the membership shall be fairly balanced in terms of the points of view represented; the advice and recommendations of the Committee shall be the result of its independent judgment (FACA, §§ 5(b)(2) and (3)).
  - g) Members are appointed for a term of 3 years, except that a member may serve until his or her successor is appointed. Members may be reappointed.
  - h) All members serve at the pleasure of the Secretary.
- 13) **Subcommittees.** The DOT has the authority to create subcommittees. Subcommittees shall submit their findings or reports back to the parent committee for review and consideration, never directly to PHMSA or the Secretary. Each subcommittee operates under the provisions of FACA, the Government in the Sunshine Act, governing Federal statutes and regulations, and governing DOT policies and procedures.
- 14) **Recordkeeping.** The records, reports, minutes, and other documents of the Committee shall be available for public inspection and copying at the Office of Pipeline Safety, 1200 New Jersey Avenue, SE., Washington, D.C. 20590, subject to the Freedom of Information Act, 5 U.S.C. § 552. In addition, the records listed above can be found on the electronic docket at: <http://www.regulations.gov>.
- Additionally, the records of the Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule 6.2, or other approved agency records disposition schedule.
- 15) **Filing Date.** The effective date is October 24, 2018, and the charter will expire 2 years from that date on October 24, 2020, unless renewed.