



Bipartisan Support Boosts Vital Pipeline Safety Bill

BY KATE SHIRLEY

In these days of polarized ideology and hardened political lines, compromise in the U.S. Congress seems about as likely as a pig in flight. Yet, this past July, the U.S. House Energy and Power Subcommittee defied the odds by approving the Pipeline Infrastructure and Community Act of 2011, a bill designed to increase regulation on underground pipelines that carry hazardous liquid and natural gas. If passed into law, this bill would provide a much-needed update to federal pipeline safety standards that expired in 2010. The bipartisan bill is sponsored by U.S. Representatives Fred Upton (R-MI) and John Dingell (D-MI), who crossed the political aisle in support of this important legislation.

In the United States, pipeline safety is regulated by the Pipeline and Hazardous Materials Safety Administration (PHMSA), which sets standards on the construction, operation, and spill response for hazardous liquid and natural gas pipelines. Nearly 90% of all intra and interstate pipeline safety and inspection programs are overseen by individual states, and the PHMSA provides the federal funding to support these programs. The last pipeline safety law passed by Congress was the Pipeline Inspection, Protection, Enforcement and Safety (PIPES) Act of 2006, which contained authorization levels that expired last year. However, safety and inspection programs remained active despite the expiration of the PIPES Act since PHMSA relies on user fees for the majority of its funding. The proposed law would reauthorize pipeline safety programs through 2014.

Testifying before the Subcommittee on behalf of the Interstate Natural Gas Association of America (INGAA) was Dan Martin, Senior Vice President of Safety for the El Paso Pipeline Group. In his oral testimony in support of the bill, he stated, “We at INGAA recognize that continuous improvement in the safety of our pipelines is an imperative. Our goal is zero pipeline incidents. This is an ambitious goal, to be sure, but it is only by setting ambitious goals that the highest levels of performance can be reached.”

The bill sets forth many provisions to augment existing safety systems and add new ones. Key provisions of the bill include dramatically increased penalties for pipeline operators that are in violation of safety measures, and a mandate that the PHMSA make maps of high consequence

areas available to the public. It seeks to prevent damage to pipelines by funding a one-call notification “call before you dig” program and requiring this system be used in situations that previously were exempt, most notably in mechanized excavations. The bill will improve current leak detection systems and will require PHMSA to review the safety of all gathering lines, many of which are currently unregulated. It also provides for the hiring of 39 additional PHMSA employees to improve and enforce safety protocols, and authorizes a gas and hazardous liquid budget of \$111.1 million for fiscal year 2011, a number which will steadily increase to \$122.8 million by fiscal year 2014.

In the past few years, the need for updated safety standards has been underscored by incidents that have garnered national headlines, most recently, the oil spill that resulted from a ruptured pipeline near Laurel, Montana. This one accident resulted in an estimated 750 to 1,000 barrels of oil pouring into the Yellowstone River, devastating animal and plant life in the area. The sponsors of this bill, Representatives Upton and Dingell, came together in response to another ruptured pipeline incident in which nearly one million gallons of crude oil spilled from a pipeline into Michigan’s Kalamazoo River. This accident was the worst oil spill in the history of the Great Lakes region, and further emphasized the need for the two sides to come together.

“Pipeline safety is not a partisan issue, but rather is something that impacts all Americans,” said Representative Dingell. “We have an obligation to protect the American people and the environment from harm while maintaining a system which transports our energy resources efficiently. I believe this bill helps us accomplish both of these important goals.”

Funding pipeline safety measures and continually improving their implementation is a critical issue, especially these days, as the pipeline networks that carry vital fuels to our homes and communities grow increasingly complex. Regulation is necessary to facilitate the safe and efficient delivery of these essential products. Hopefully, when this bill makes it to Congress, the two sides can once again unite and pass this important legislation.