PROMOTING AND IMPROVING SAFETY AND EFFICIENT PIPELINE INFRASTRUCTURE

(119–8)

HEARING

BEFORE THE

SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

OF THE

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

HOUSE OF REPRESENTATIVES

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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FEBRUARY 21, 2025

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Railroads, Pipelines, and Hazardous Materials
FROM: Staff, Subcommittee on Railroads, Pipelines, and Hazardous Materials
RE: Subcommittee Hearing on "*Promoting and Improving Safety and Efficient Pipeline Infrastructure*"

I. PURPOSE

The Subcommittee on Railroads, Pipelines, and Hazardous Materials of the Committee on Transportation and Infrastructure will meet on Tuesday, February 25, 2025, at 10:00 a.m. ET in 2167 of the Rayburn House Office Building to receive testimony at a hearing entitled, "*Promoting and Improving Safety and Efficient Pipeline Infrastructure*." The United States Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) is the Federal agency responsible for regulating the safety of natural gas and hazardous liquids pipelines. In 2023, the House Committee on Transportation and Infrastructure passed H.R. 6494, the Promoting Innovation in Pipeline Efficiency and Safety Act of 2023 (PIPES Act of 2023) that would reauthorize and make improvements to PHMSA's pipeline safety programs and processes to better ensure the safe transportation of natural gas and hazardous liquid energy sources.[1]

This hearing will examine stakeholder perspectives on legislation to improve natural gas and hazardous liquid pipeline infrastructure safety. Members will receive testimony from Andrew Black, President and Chief Executive Officer (CEO), Liquid Energy Pipeline Association; Eric V. Taylor, Director, Engineering Services, Berkshire Hathaway Energy Eastern Gas Transmission and Storage (BHE GT&S) on behalf of the Interstate Natural Gas Association of America; Emanuel A. Paris IV, Vice President of Alex E. Paris Contracting Co., Inc. on behalf of the Distribution Contractors Association and the Pennsylvania Utility Contractors Association; and Bill Caram, Executive Director, Pipeline Safety Trust.

II. BACKGROUND

ABOUT PHMSA

PHMSA was created under the Norman Y. Mineta Research and Special Programs Improvement Act of 2004 (P.L. 108–426) (2004 Act). Prior to the implementation of the 2004 Act, the DOT Research and Special Programs Administration

[1] PIPES Act of 2023, H.R.6494, 118th Cong. (2024), [hereinafter PIPES Act of 2023].

(RSPA) managed the DOT's pipeline and hazardous materials safety programs.[2] PHMSA's mission is to protect people and the environment by advancing the safe transportation of natural gas and hazardous liquids through roughly 3.4 million miles of pipelines, which account for the transportation of 65 percent of the energy commodities consumed in the United States.[3] The 2004 Act established that PHMSA "shall consider the assignment and maintenance of safety as the highest priority . . . ."[4] PHMSA is also charged with the safe and secure movement of over one million daily shipments of hazardous materials by all modes of transportation.[5]

PHMSA sets Federal minimum safety standards for pipeline safety functions, including developing, issuing, and enforcing regulations for the safe transportation of natural gas (including liquefied natural gas) and hazardous liquids by pipeline through the Office of Pipeline Safety (OPS).[6] The Agency's regulatory programs are focused on the design, construction, operation, and maintenance or abandonment of pipeline facilities, and in the construction, operation, and maintenance of LNG facilities.[7] PHMSA has safety jurisdiction over transportation-related pipeline facilities; not drilling, siting, or production facilities.[8] Overall, OPS directly employs 232 Federal inspector and enforcement staff, and partners with 450 state inspectors.[9]

PIPELINE SAFETY FRAMEWORK

Safety regulations differ depending on the nature of the pipeline and the commodity that is moving through it. PHMSA's regulations govern pipelines and facilities that transport natural gas separately from those that transport hazardous liquids.[10] Additionally, the pipelines and facilities used to transport natural gas and hazardous liquids vary in operating pressures, diameter size, intended purpose, and proximity to populated areas.[11] This infrastructure includes:

- *Distribution Pipelines*: These pipelines transport natural gas to commercial and residential end-users. Gas distribution pipelines tend to be smaller in diameter and operate at lower pressures.[12] PHMSA estimates there are 2.35 million miles of gas distribution lines, many of which are intrastate pipelines.[13] There are no hazardous liquid distribution pipelines.[14]
- *Transmission Pipelines*: These pipelines transport energy products from treatment and processing facilities to bulk customers, storage facilities, and local distribution networks.[15] The products transported can include natural gas and hazardous liquids.[16] PHMSA estimates there are 300,464 miles of interstate gas transmission lines.[17]

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[2] Norman Y. Mineta Research and Special Programs Improvement Act of 2004, Pub. L. No. 108–426, 118 Stat. 2423 [hereinafter the 2004 Act].

[3] PHMSA, *Pipeline Safety Program Budget and Grants Presentation* (Jan. 25, 2023) (on file with Comm.).

[4] The 2004 Act, *supra* note 2.

[5] *See* Infrastructure Investment and Jobs Act, Pub. L. No. 117–58, 135 Stat. 429, [hereinafter IIJA]; *id*.

[6] PHMSA, *Office of Pipeline Safety, available at* https://www.phmsa.dot.gov/about-phmsa/offices/office-pipeline-safety (last updated Dec. 13, 2018).

[7] PHMSA, *Pipeline Safety Regulations, available at* https://primis.phmsa.dot.gov/comm/SafetyStandards.htm?nocache=8847.

[8] *See* PHMSA, *PHMSA Regulations, available at* https://www.phmsa.dot.gov/regulations (last updated May 5, 2021); *see also* FED. ENERGY REGULATORY COMM'N, *Natural Gas Pipelines, available at* https://www.ferc.gov/industries-data/natural-gas/overview/natural-gas-pipelines (last updated Feb. 10, 2021); *see also* Library of Cong., *Oil and Gas Industry: A Research Guide, available at* https://guides.loc.gov/oil-and-gas-industry/laws/agencies.

[9] PHMSA, *Federal Effort*, [hereinafter Federal Effort], *available at* https://www.phmsa.dot.gov/pipeline/effort-allocation/federal-effort#:~:text=OPS%27s%20216%20federal%20inspection%20and,8%2C541%20hazardous%20liquid%20breakout%20tanks (last updated Feb. 14, 2025).

[10] 49 C.F.R. §§ 192, 195.

[11] *Id.*

[12] PHMSA, *Fact Sheet: Distribution Pipelines, available at* https://primis.phmsa.dot.gov/comm/FactSheets/FSDistributionPipelines.htm (last updated Feb. 26, 2018).

[13] PHMSA, *Annual Report Mileage for Gas Distribution Systems, available at* https://www.phmsa.dot.gov/data-and-statistics/pipeline/annual-report-mileage-gas-distribution-systems [hereinafter Annual Mileage Report].

[14] GOV'T ACCOUNTABILITY OFF. (GAO), GAO–12–388, PIPELINE SAFETY: COLLECTING DATA AND SHARING INFORMATION ON FEDERALLY UNREGULATED GATHERING PIPELINES COULD HELP ENHANCE SAFETY, at 3, *available at* https://www.gao.gov/assets/gao-12-388.pdf.

[15] PHMSA, *Fact Sheet: Transmission Pipelines, available at* https://primis.phmsa.dot.gov/comm/FactSheets/FSTransmissionPipelines.htm.

[16] PHMSA, *Pipeline Miles and Facilities 2010+, available at* https://portal.phmsa.dot.gov/analytics/saw.dll?Portalpages&PortalPath=%2Fshared%2FPDM%20Public%20Website%2F__portal%2FPublic%20Reports&Page=Infrastructure (last updated Jan. 28, 2022).

[17] Annual Mileage Report, *supra* note 13.

- *Gathering Lines*: These lines transport natural gas from a production site to a central collection point. PHMSA currently regulates 111,547 miles of gas gathering lines.[18] Historically, gathering lines were built in lower populated areas, had smaller diameters than transmission lines, and operated at pressures and flow lower than transmission lines.[19] However, as new gas development occurs around the country, producers are installing new gathering systems in higher populated areas and building larger diameter and higher-pressure gathering lines.[20]
- *Hazardous Liquid Pipelines*: These pipelines transport liquid petroleum and other types of liquid energy products from sources of origin to refineries and chemical plants, and in some cases to storage or distribution facilities.[21] According to PHMSA, hazardous liquids traverse the United States through approximately 228,000 miles of hazardous liquid pipelines.[22] Hazardous liquids include crude oil, refined petroleum products, and anhydrous ammonia.[23]
- *Liquefied Natural Gas (LNG) Facilities*: These facilities are used for converting, transporting, or storing LNG. Historically, PHMSA has regulated peak shaving facilities and satellite facilities where LNG has been used to manage capacity during times of peak demand. PHMSA also regulates import and export terminals.[24] To address growth in LNG exports, the PIPES Act of 2016 and the PIPES Act of 2020 mandated that PHMSA update its safety regulations for LNG facilities; however, rulemaking remains in its early development phase.[25]

PHMSA'S PIPELINE SAFETY OVERSIGHT

When violations of PHMSA's regulations occur, the Agency has several enforcement mechanisms it can use. These include the issuance of a warning letter, a notice of probable violation, or a corrective action order.[26] PHMSA may also issue fines for non-compliance.[27] In 2024, PHMSA initiated 197 cases and closed 187 enforcement cases.[28]

STATES' PIPELINE SAFETY OVERSIGHT

PHMSA supports states' oversight work by authorizing states to assume certain aspects of pipeline safety enforcement for intrastate gas pipelines, hazardous liquid pipelines, and underground natural gas storage through certifications and agreements with PHMSA under 49 U.S.C. §§ 60105 and 60106(a). PHMSA also authorizes states with certifications to participate in the oversight of interstate pipeline transportation through agreements under 49 U.S.C. § 60106(b). To conduct inspections and enforcement, each state must annually certify its pipeline safety program by demonstrating to the Secretary of Transportation that it: has adopted, or is taking steps to adopt, the Federal standards; is enforcing each standard through inspections; and is encouraging and promoting the establishment of damage prevention programs.[29] States with certified pipeline safety programs may impose additional standards for intrastate pipelines and facilities so long as they are compatible with the minimum Federal standards issued by PHMSA.[30]

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[18] *Id.*
[19] PHMSA, *Fact Sheet: Gathering Pipelines, available at* https://primis.phmsa.dot.gov/comm/factsheets/fsgatheringpipelines.htm.
[20] PHMSA, Notice of Proposed Rulemaking, Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines, PHMSA–2011–0023 (Apr. 8, 2016), *available at* https://www.federalregister.gov/documents/2016/05/13/2016-11240/pipeline-safety-safety-of-gas-transmission-and-gathering-pipelines.
[21] Pipeline Safety Trust, *Hazardous Liquid Pipelines—Basics and Issues, available at* https://pstrust.org/wp-content/uploads/2015/09/2015-PST-Briefing-Paper-03-HazLiquidBasics.pdf, (last updated Sept. 2015).
[22] Annual Mileage Report, *supra* note 13.
[23] 49 C.F.R. § 195.2. (noting PHMSA currently regulates carbon dioxide in the supercritical state in 49 C.F.R. § 195. Carbon dioxide in this state is primarily used for enhanced oil recovery).
[24] *See* PHMSA, *LNG Facility Siting, available at* https://www.phmsa.dot.gov/pipeline/liquified-natural-gas/lng-facility-siting.
[25] PHMSA, *PIPES ACT 2020 Web Chart, available at* https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2025-01/January%202025%20PIPES%20Act%20Chart.pdf.
[26] 49 C.F.R. § 190.205.
[27] *See* PHMSA, *Civil Penalty Summary, available at* https://www.phmsa.dot.gov/regulatory-compliance/pipeline/enforcement/civil-penalty-summary.
[28] PHMSA, *Enforcement Activity, available at* https://primis.phmsa.dot.gov/enforcement-data.
[29] 49 U.S.C. § 60105.
[30] PHMSA, *State Programs Overview, available at* https://www.phmsa.dot.gov/working-phmsa/state-programs/state-programs-overview.

III. KEY PROVISIONS OF COMMITTEE'S PIPELINE SAFETY REAUTHORIZATION FROM 118TH CONGRESS: H.R. 6494, THE PIPES ACT OF 2023:

The current authorization for PHMSA pipeline safety activities and programs expired on September 30, 2023, and has been operating under continuing authorities. On December 16, 2023, the House Committee on Transportation and Infrastructure favorably reported H.R. 6494, the PIPES Act of 2023 that passed by voice vote.[31] No further action was taken by the House during the 118th Congress.

The bill would support the reliability and safety of American energy infrastructure and PHMSA's pipeline safety mission through rulemaking direction, studies, and programs that increase pipeline safety, transparency, and stakeholder engagement. These provisions will improve the performance and safety record of the United States natural gas and hazardous liquid pipeline network.

SAFETY IMPROVEMENTS AND SUPPORTING PHMSA'S MISSION

The PIPES Act of 2023 supports PHMSA's mission. Section 24 of the bill directs PHMSA to establish a voluntary information sharing system (VIS) that encourages pipeline operators and stakeholders to share pipeline safety data through a confidential platform to be analyzed and reported, so that pipeline safety lessons learned can be shared with stakeholders.[32]

While serious pipeline incidents have declined by 34 percent over the previous 20 years, there remain a number of preventable incidents the bill seeks to address.[33] According to PHMSA data, excavation damage in the past 20 years accounted for over 1,300 incidents, 60 fatalities, and $659.8 million in property damage to pipelines, representing 11 percent of all pipeline incidents.[34] Section 18 of the PIPES Act of 2023 updates the assessment criteria for State Damage Prevention programs and requires adoption of leading practices for state one-call programs, including requiring states to limit exemptions to one-call program participation and increasing the use of commercially-available technology to locate underground facilities.[35] Also, according to PHMSA data, pipeline material, weld, or equipment failures in the past 20 years accounted for 5,184 incidents, 32 fatalities, and $3.8 billion in property damage, representing 41 percent of all pipeline incidents.[36] The bill ensures PHMSA and state pipeline safety programs have necessary resources to conduct pipeline safety oversight, including $56 million over four years for increases to state pipeline safety program budgets and calls for hiring up to 30 additional employees with advanced engineering, scientific, or other technical expertise at PHMSA.[37]

INCREASED TRANSPARENCY

The PIPES Act of 2023 requires PHMSA to review industry safety standards every four years and incorporate into existing regulations as needed, and improves public access to such standards.[38] Section 7 of the bill directs PHMSA to report on its inspection and enforcement priorities, as well as report on the number of inspections completed and violations found.[39] Section 8 of the bill requires PHMSA to provide notification to Congress when it does not follow the recommendations of the external technical safety standards advisory committees.[40] Section 10 creates an Office of Public Engagement and assigns specific duties to engage with the public, government officials, public safety organizations, and pipeline operators, and assist with inquiries regarding pipeline safety best practices and regulations. Further, Section 29 directs PHMSA to assess how pipeline operators engage and share information with the public and state or local emergency response organizations, and issue updated guidance if necessary.[41]

EMERGING FUELS AND TECHNOLOGIES

Section 20 of the Pipes Act of 2023 requires the Government Accountability Office (GAO) to study existing natural gas pipeline systems that blend hydrogen at a vol-

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[31] PIPES Act of 2023, *supra* note 1.
[32] PIPES Act of 2023, *supra* note 1, at § 24.
[33] Federal Effort, *supra* note 9.
[34] PHMSA, *Pipeline Incident 20 Year Trends*, (last updated Dec. 11, 2023), *available at* https://www.phmsa.dot.gov/data-and-statistics/pipeline/pipeline-incident-20-year-trends [hereinafter Pipeline Incident].
[35] PIPES Act of 2023, *supra* note 1, at § 18.
[36] Pipeline Incident, *supra* note 34.
[37] PIPES Act of 2023, *supra* note 1, at § 2.
[38] *Id.* at § 6.
[39] *Id.* at § 7.
[40] *Id.* at § 8.
[41] *Id.* at § 29.

ume greater than five percent. The report may inform future rulemaking if necessary.[42] Additionally, Section 14 of the bill requires PHMSA to study the potential and existing use of pipelines constructed with composite materials to transport hydrogen and hydrogen blended with natural gas, and issue a rulemaking allowing for the use of such materials following the completion of the study.[43] Lastly, the bill directs PHSMA to update its regulations that govern the transportation of gaseous carbon dioxide, including the requirement that operators utilize dispersion modeling in high consequence areas.[44]

IV. WITNESSES

- Andrew Black, President and CEO, Liquid Energy Pipeline Association
- Eric V. Taylor, P.E., Director, Engineering Services, BHE GT&S, *on behalf of the* Interstate Natural Gas Association of America
- Emanuel A. Paris IV, Vice President, Alex E. Paris Contracting Co., Inc., *on behalf of the* Distribution Contractors Association and the Pennsylvania Utility Contractors Association
- Bill Caram, Executive Director, Pipeline Safety Trust

[42] PIPES Act of 2023, *supra* note 1, at § 20.
[43] *Id.* at § 14.
[44] *Id.* at § 25.

PROMOTING AND IMPROVING SAFETY AND EFFICIENT PIPELINE INFRASTRUCTURE

TUESDAY, FEBRUARY 25, 2025

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:11 a.m. in Room 2167, Rayburn House Office Building, Hon. Daniel Webster (Chairman of the subcommittee) presiding.

Mr. WEBSTER OF FLORIDA. The Subcommittee on Railroads, Pipelines, and Hazardous Materials will come to order.

I ask unanimous consent that the chairman be authorized to declare a recess at any time during the subcommittee's hearing.

Without objection, show that adopted.

I also ask unanimous consent that the Members not on the subcommittee be permitted to sit on the subcommittee on today's hearing and ask questions.

Without objection, show that ordered.

As a reminder, if Members wish to insert a document into the record, please email those documents to DocumentsTI@mail.house.gov.

I now recognize myself for 5 minutes for the purpose of an opening statement.

OPENING STATEMENT OF HON. DANIEL WEBSTER OF FLORIDA, CHAIRMAN, SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

Mr. WEBSTER OF FLORIDA. When it comes to energy resources, the United States has been twice blessed. First, we have been blessed with a natural endowment of natural resources of various types and compositions. Second, we have been blessed with the ingenuity and entrepreneurship and that spirit that goes with that to develop technologies and capabilities to safely and effectively access, develop, and transport these previously unavailable resources to markets and consumers.

The economic and security benefits of this bounty have been substantial. Overall, the domestic oil and gas sector supports more than 10 million jobs and generates nearly $1.8 trillion in economic activity. The average industry wage is 65 percent greater than the United States average wage in other employment sectors. These jobs are spread across multiple industries, including manufacturing, construction, transportation, and warehousing.

Our committee has an interest in ensuring this energy bounty is safely transported across the energy supply chain. Today's hearing will examine the need to reauthorize the Pipeline and Hazardous Materials Safety Administration, or PHMSA, including providing it with new direction and authority over emerging energy resources.

Last Congress, the committee passed H.R. 6494, the Promising Innovation in Pipeline Efficiency and Safety Act of 2023, or PIPES. It was reported out of the committee on a bipartisan basis. In drafting this bill, the committee solicited input from a wide range of parties and received 90 priorities from Members and over 100 requests from pipeline safety stakeholders.

In our country, roughly 3.3 million miles of onshore pipelines safely and efficiently carry natural gas, crude, hydrogen, hazardous liquids, and other energy sources vital to our Nation's energy independence. It is of the utmost importance for Congress to ensure that PHMSA is focused on its core mission of advancing the safe transportation of these resources.

I would like to welcome our witnesses today: Mr. Andrew Black, president and CEO of the Liquid Energy Pipeline Association; Eric Taylor, director of engineering services, BHE GT&S; Emanuel Paris, vice president of Alex E. Paris Contracting Company; and Mr. Bill Caram, executive director of the Pipeline Safety Trust.

I look forward to hearing your testimony.

[Mr. Webster of Florida's prepared statement follows:]

Prepared Statement of Hon. Daniel Webster, a Representative in Congress from the State of Florida, and Chairman, Subcommittee on Railroads, Pipelines, and Hazardous Materials

When it comes to energy resources, the United States has been twice blessed. First, we are blessed with a natural endowment of mineral resources of various types and composition. Second, we are blessed with the ingenuity and entrepreneurial spirit of American business that developed the technology and capabilities to safely and efficiently access, develop, and transport these previously unavailable resources to markets and consumers.

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Mr. WEBSTER OF FLORIDA. I will yield back now and recognize Ranking Member Titus for an opening statement.

OPENING STATEMENT OF HON. DINA TITUS OF NEVADA, RANKING MEMBER, SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

Ms. TITUS. Well, thank you, Mr. Chairman, and thank you to the witnesses for being here today.

As you all know, there are 3.4 million miles of hazardous liquid and gas pipelines in the United States that help deliver energy to all communities in all our districts. Over 11,000 of those are in Nevada, so ensuring the safety of these pipelines is a matter I take very seriously.

In 2004, just to do a little history, Congress enacted legislation to create the Pipeline and Hazardous Materials Safety Administration, or PHMSA. PHMSA's dedicated staff in the Office of Pipeline Safety ensures that the United States pipeline transportation network operates safely, reliably, and in an environmentally sound manner.

States have also taken steps to improve pipeline safety. In 2021, Nevada became the first State to require annual leak surveys of all intrastate natural gas pipelines. This was annual instead of every 5 years, I think it was. By identifying leaks early on, the regulations are helping prevent explosions at businesses and in residential areas all across Nevada. Late last year also, you saw regulators in Colorado finalize rules requiring operators of natural gas pipelines to disclose more data on leaks.

Data from PHMSA shows that serious pipeline incidents have really improved. They have decreased by 34 percent over the last 20 years, and that's great. But despite this progress, there is still work to be done.

In January of last year, 2024, two houses, for example, less than a mile apart in Jackson, Mississippi, exploded just 3 days from each other because of Atmos Energy pipeline leaks. The first home explosion resulted in one fatality and one injury. The resulting fire from the second explosion spread to a neighboring home. These incidents happened after Atmos had identified leaks in their pipelines in the area, but had failed to correct and repair them.

Then, in December of last year, a natural gas explosion in Avondale, Louisiana, killed one person and injured five. And again, this pipe was operated by Atmos Energy.

Congress has repeatedly made it clear that pipeline safety is a bipartisan issue, and I appreciate that, and that's why I am concerned with President Trump's efforts to slash the Federal workforce that will ensure this safety.

Last Congress, as the chairman said, this committee approved a bipartisan pipeline safety bill that would authorize PHMSA to hire 30 additional staff members to implement pipeline safety policies and fulfill Congress' mandates. This was supported by Democrats and Republicans, as well as industry and safety advocates, because we all know that increased capacity will make pipelines safer for operators, for communities near pipelines, and for our environment in general. This legislation, however, never did receive a vote on the House floor.

The bipartisan PIPES Act of 2023 also included critical provisions to address PHMSA's safety workforce shortages, improve PHMSA's public outreach and engagement efforts, and strengthen

penalties for pipeline damage and disruption. The bill also had provisions to help PHMSA prepare to regulate the next generation of pipelines in keeping up with technology.

Congress invested in pipeline projects to transport gaseous carbon dioxide and hydrogen through the Bipartisan Infrastructure Law and the Inflation Reduction Act. I want to be sure that the Federal safety regulators have the tools they need to mitigate the new risks that are associated with these projects.

In closing, I look forward to working with the chairman and other members of this committee to build on the bipartisan work on pipeline safety that started long ago and intensified last session so that we can get legislation across the finish line during this Congress.

So, thank you all for being here today, and I look forward to hearing your perspectives.

I yield back.

[Ms. Titus' prepared statement follows:]

Prepared Statement of Hon. Dina Titus, a Representative in Congress from the State of Nevada, and Ranking Member, Subcommittee on Railroads, Pipelines, and Hazardous Materials

Thank you, Chairman Webster, for holding this hearing today.

There are 3.4 million miles of hazardous liquid and gas pipelines in the United States that help deliver energy to our communities, and over 11,000 of those are in Nevada. Ensuring the safe operations of these pipelines is a matter I take very seriously.

In 2004, Congress enacted legislation to create the Pipeline and Hazardous Materials Safety Administration. PHMSA's dedicated staff in the Office of Pipeline Safety ensure that the United States' pipeline transportation network operates safely, reliably and in an environmentally sound manner.

States have also taken steps to improve pipeline safety. In 2021, Nevada became the first state to require annual leak surveys of all intrastate natural gas pipelines. By identifying leaks early on, these regulations are helping prevent explosions at businesses and in residential areas across Nevada. Late last year, regulators in Colorado also finalized rules requiring operators of natural gas pipelines to disclose more data on leaks.

Data from PHMSA shows that serious pipeline incidents have decreased by 34 percent over the last twenty years. Despite this progress, our work is far from over.

In January 2024, two homes less than a mile from each other in Jackson, Mississippi, exploded three days apart from Atmos Energy pipeline leaks. The first home explosion resulted in one fatality and one injury. The resulting fire from the second explosion spread to a neighboring home. These incidents happened after Atmos had identified leaks in their pipelines in the area but failed to repair them.

In December of last year, a natural gas explosion in Avondale, Louisiana, killed one person and injured five. This pipe was also operated by Atmos Energy.

Congress has repeatedly made clear that pipeline safety is a bipartisan issue. This is why I am so concerned about President Trump's efforts to slash the federal workforce.

Last Congress, this Committee approved a bipartisan pipeline safety bill that would authorize PHSMA to hire 30 additional staff to implement pipeline safety policies and fulfill congressional mandates. This was supported by Democrats and Republicans, as well as industry and safety advocates, because increased capacity will make pipelines safer for operators, communities near pipelines, and our environment. This legislation, however, did not receive a vote on the House floor.

The bipartisan PIPES Act of 2023 also included critical provisions to address PHMSA's safety workforce shortages, improve PHMSA's public outreach and engagement efforts, and strengthen penalties for pipeline damage or disruption. The bill also had provisions to help PHMSA prepare to regulate the next generation of pipelines.

Congress invested in pipeline projects to transport gaseous carbon dioxide and hydrogen through the Bipartisan Infrastructure Law and the Inflation Reduction Act.

I want to be sure that federal safety regulators have the tools they need to mitigate new risks associated with these projects.

In closing, I look forward to working with Chairman Webster and the other members of this Committee to build upon the bipartisan work on pipeline safety to get legislation across the finish line this Congress.

Thank you to the witnesses for being with us today. I look forward to hearing each of your perspectives on this critical issue.

With that, I yield back.

Mr. WEBSTER OF FLORIDA. Thank you very much. I now recognize the ranking member of the full committee.

Mr. Larsen, you are recognized for 5 minutes.

OPENING STATEMENT OF HON. RICK LARSEN OF WASHINGTON, RANKING MEMBER, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. LARSEN OF WASHINGTON. Thank you, Chair Webster and Ranking Member Titus, for holding this hearing.

The recent rise in pipeline incidents and deaths should be a warning call to this committee. Now, last year in the Northwest, we marked the 25th anniversary of the Olympic pipeline explosion in Bellingham, Washington, an explosion that claimed the lives of two 10-year-old boys and an 18-year-old young man. The explosion released 237,000 gallons of gasoline into Whatcom Creek that flowed through Whatcom Falls Park in Bellingham.

And so since then, for my entire tenure in Congress, I have fought to reduce the risk of pipeline incidents, promote transparency of pipeline safety information for local communities, and increase accountability for pipeline operators. And progress has been made, but certainly more needs to be done through legislation and rulemaking.

PHMSA advanced two important rulemakings in December of last year, one on methane leak detection and the other on gaseous carbon dioxide pipeline requirements. The leak detection rule helps reduce pollution by limiting unintentional methane leaks and intentional venting. I want to be clear that President Trump signed this requirement into law in his first term.

As well, the 2011 Pipeline Safety Act, passed 13 years ago, first required a carbon dioxide rulemaking. This requirement was made more urgent after a carbon dioxide pipeline ruptured in Mississippi in 2020. These rulemakings will increase safety, they are required by law, and the new administration should now quickly advance them after pulling them back.They can do work already without us having to do more work.

But now I want to turn to deadly accidents. According to PHMSA, in the past 5 years, there have been 3,070 pipeline incidents, killing 58 people, injuring 167 more people, and causing more than $2.3 billion in property damage. The primary reason these incidents occurred was due to material, weld, or equipment failures: all factors primarily within the control of pipeline operators.

The NTSB, in addition to doing its great work investigating aviation accidents that we have seen over the last 34, 35 days, has nine open pipeline safety investigations, including one that launched this past weekend after a Kansas Gas pipeline leak and explosion in Hutchinson, Kansas.

More people are dying, as well: 2024 and 2023 saw the deadliest pipeline incidents in more than a decade. In March of 2023, a UGI pipeline explosion at a chocolate factory in West Reading, Pennsylvania, killed 7 people, injured 11 people, displaced 3 families from a neighboring apartment building, and forced many more people from the area to evacuate. The chocolate factory was not rebuilt, and production has shifted to other facilities, leaving the town of West Reading, population 4,530, without a significant employer that had been in the community for 65 years.

And more problems are occurring. There were more incidents in 2024 than there were in 2023, including one in my district in late December of 2023. The now BP-owned Olympic pipeline saw another gas spill in my district. This time more than 20,000 gallons of diesel spilled near an elementary school in Conway, Washington. Emergency response took more than a year, and it still hasn't been completely cleaned up.

But more can be done, and we should work quickly to pass a pipeline safety bill similar to the one we passed last Congress. This committee unanimously approved a bipartisan pipeline safety bill that improved transparency by creating an Office of Public Engagement, an idea championed by Representative Strickland. This legislation also required PHMSA to review operator emergency response plans.

And more funding will help. PHMSA and State pipeline safety programs need resources and staff to inspect pipelines, conduct investigations when incidents occur, and take appropriate enforcement actions so bad actors are held accountable. Our bill increased the authorizations for both PHMSA and State pipeline safety authorities. We also included $56 million for State pipeline safety programs over 4 years.

But I am troubled by the President's recent efforts to remove people from the jobs that play a critical role to hold pipeline operators accountable for their actions that might harm people. Just as an example, PHMSA assessed a $2 million civil penalty on Denbury Gulf Coast Pipelines and its contractor, Republic Testing Laboratories, for obstructing PHMSA safety inspectors from observing pipeline repairs and verbally and physically assaulting PHMSA safety inspectors. Employees of these two companies physically prevented a PHMSA safety inspector from questioning a welder, held up a screen to prevent a PHMSA safety inspector from observing a weld, and prevented a PHMSA safety inspector from photographing test equipment. These repairs were being conducted to replace the carbon dioxide pipeline that ruptured in Satartia, Mississippi, that sent 45 people to the hospital in 2020.

Danbury's behavior towards PHMSA's safety inspectors, the administration's efforts to cut staff from the Office of Pipeline Safety and to cut funding for grants that Congress itself—we all—mandated, including PHMSA's technical assistance grants, put communities at risk nationwide. Let's put safety in America first.

Now, Congress has recognized that improving safety requires strong regulation and funding support. The BIL created the first-ever Natural Gas Distribution Infrastructure Safety and Modernization grant program, and last May, PHMSA announced $196 million for 60 publicly owned utilities to repair or replace natural

gas pipelines. This investment will reduce incidents and improve safety. We should keep it going.

Pipelines play a critical role in the daily lives of Americans. We are here today to make sure the national pipeline network safely delivers energy across the country.

I look forward to today's discussion and thank each of the witnesses today for your testimony.

I yield.

[Mr. Larsen of Washington's prepared statement follows:]

Prepared Statement of Hon. Rick Larsen, a Representative in Congress from the State of Washington, and Ranking Member, Committee on Transportation and Infrastructure

Thank you, Chairman Webster and Ranking Member Titus, for holding this hearing.

The recent rise in pipeline incidents and deaths should be a warning call to this Committee.

Last year, in the Northwest, we marked the 25th anniversary of the Olympic pipeline explosion in Bellingham, WA that claimed the lives of two 10-year-old boys and an 18-year-old young man.

The explosion released 237,000 gallons of gasoline into a creek that flowed through Whatcom Falls Park in Bellingham.

For my entire tenure in Congress, I have fought to reduce the risk of pipeline incidents, promote transparency of pipeline safety information for local communities and increase accountability for pipeline operators.

Progress has been made, but more needs to be done through legislation and rulemaking.

PHMSA advanced two important rulemakings in December 2024: one on methane leak detection and the other on gaseous carbon dioxide pipeline requirements.

The leak detection rule helps reduce pollution by limiting unintentional methane leaks and intentional venting. I want to be clear that President Trump signed this requirement into law in his first term.

A carbon dioxide rulemaking was first required in the 2011 Pipeline Safety Act—13 years ago. This requirement was made more urgent after a carbon dioxide pipeline ruptured in Mississippi in 2020.

These rulemakings will increase safety, are required by law and the new Administration should quickly advance them after pulling them back. They can do work already without us having to do more work.

But now I want to turn to deadly accidents.

According to the Pipeline and Hazardous Materials Safety Administration (PHMSA), in the past 5 years there have been 3,070 pipeline incidents claiming 58 lives, injuring 167 more and causing more than $2.3 billion in property damage.

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The chocolate factory was not rebuilt, and production has shifted to other facilities—leaving the town of West Reading, population 4,530, without a significant employer that had been in the community for 65 years.

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More can be done; we should work quickly to pass a pipeline safety bill similar to the one we passed last Congress.

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These repairs were being conducted to replace the carbon dioxide pipeline that ruptured in Satartia, Mississippi that sent 45 people to the hospital in 2020.

Denbury's behavior towards PHMSA safety inspectors, the Trump Administration's efforts to cut staff from the Office of Pipeline Safety, and cut funding for grants Congress mandated, including PHMSA's technical assistance grants, put communities at risk nationwide.

Congress recognized that improving safety requires strong regulation and funding support. The Bipartisan Infrastructure Law created the first ever Natural Gas Distribution Infrastructure Safety and Modernization grant program.

Last May, PHMSA announced $196 million for 60 publicly-owned utilities to repair or replace natural gas pipelines. This investment will reduce incidents and improve safety. We should keep it going.

Pipelines play a critical role in the daily lives of Americans.

We are here today to make sure the national pipeline network safely delivers energy across the country.

I look forward to today's discussion and thank each of the witnesses for your testimony.

Mr. WEBSTER OF FLORIDA. Thank you very much. Again, I would like to welcome our witnesses and thank them for being here today.

Briefly, I would like to explain our lighting system. Green means go, yellow means you are getting ready to stop, and red means stop. Pretty simple.

The witnesses' full statements will be included in the record.

Without objection, show that ordered.

I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that might be submitted in writing.

Without objection, show that ordered.

I ask for unanimous consent that the record remain open for 15 days for additional comments and information submitted by Members or witnesses to be included in today's hearing.

Without objection, show that ordered.

As your written testimony will be made part of the record, we ask you to limit your remarks to 5 minutes.

Mr. Black, you are recognized for 5 minutes.

TESTIMONY OF ANDREW J. BLACK, PRESIDENT AND CHIEF EXECUTIVE OFFICER, LIQUID ENERGY PIPELINE ASSOCIATION; ERIC V. TAYLOR, P.E., DIRECTOR, ENGINEERING SERVICES, BHE GT&S, ON BEHALF OF THE INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA; EMANUEL A. PARIS IV, VICE PRESIDENT, ALEX E. PARIS CONTRACTING CO., INC., ON BEHALF OF THE DISTRIBUTION CONTRACTORS ASSOCIATION AND THE PENNSYLVANIA UTILITY CONTRACTORS ASSOCIATION; AND BILL CARAM, EXECUTIVE DIRECTOR, PIPELINE SAFETY TRUST

TESTIMONY OF ANDREW J. BLACK, PRESIDENT AND CHIEF EXECUTIVE OFFICER, LIQUID ENERGY PIPELINE ASSOCIATION

Mr. BLACK. Thank you, Mr. Chairman, Ranking Members. I am Andy Black, president and CEO of the Liquid Energy Pipeline Association.

LEPA represents pipeline owners and operators transporting transportation fuels like gasoline, diesel, and jet; transportation feedstocks like crude oil; home heating fuels like propane and heating oil; industrial feedstocks like ethane and butane; and low-carbon solutions like liquid petroleum gas, renewable diesel, and carbon dioxide. We have over 50 member companies delivering over 20 billion barrels annually across the nearly 230,000-mile network of pipelines.

Thank you for holding this hearing today and highlighting the vital role this committee has promoting the infrastructure that leads to American prosperity. This committee has an important role in ensuring our pipeline network is safe through pipeline safety reauthorization, allowing us to confidently expand our pipeline infrastructure.

As the committee considers the role of pipeline infrastructure and what changes to make to Federal pipeline safety laws, it is important to remember that pipelines are the safest way to deliver energy. More than 99.999 percent of crude oil and petroleum products delivered by pipeline reaches its destination safely. A report prepared by PHMSA for Congress analyzing 10 years of incident data found pipelines were 13 times safer than both trains and trucks, with pipelines experiencing only 1 incident for every 720 million gallons delivered. An Obama administration analysis found rejecting a major pipeline and shipping the same crude oil by rail would increase the risk of oil release by over 800 times and of barrels released by 2.6 times.

Current PHMSA pipeline incident statistics also show pipeline safety is improving. According to publicly available PHMSA data, total liquid pipeline incidents are down 12 percent over the last 5 years. Liquid pipelines incidents impacting people or the environment are also down 12 percent over the last 5 years. Declining pipeline incidents over the last 5 years supports the committee's measured approach to reauthorizing pipeline safety laws, without major changes or new mandates.

LEPA does believe Congress can do more to help modernize pipeline safety programs because key parts of PHMSA safety regulations are over 20 years old and do not reflect the latest advances in safety technology or know-how.

LEPA recognizes that America is blessed with an abundance of energy. Pipelines are the vital link from where that energy is produced to where it is refined into usable products and on to consumers and businesses in their home regions. Smart pipeline policies will promote the pipeline infrastructure needed to deliver American energy dominance.

Lastly, LEPA believes Congress can help PHMSA increase the effectiveness and transparency of its pipeline safety programs and requirements. LEPA welcomed and supported the pipeline safety reauthorization bill this committee approved in December of 2023.

My written testimony details the many provisions LEPA supported, including these six: number one, reforming PHMSA's special permit program; number two, strengthening penalties for pipeline safety violations that impair operations of facilities or damage construction sites; number three, requiring PHMSA issue an already congressionally mandated rulemaking on idled pipelines; number four, authorizing a voluntary information-sharing to convene stakeholders to collaborate on safety initiatives; number five, requiring risk-based inspections of in-service breakout tanks to reduce unnecessary greenhouse gas and air pollutant emissions, reduce worker safety threats, and reduce hazardous waste when shown to achieve an equivalent level of safety; and number six, improving pipeline expertise of PHMSA personnel with hiring authority for engineering, scientific, or other technical expertise.

One final note on leveraging new technologies. In the 2020 PIPES Act, Congress recognized pipeline safety could benefit from harnessing the latest high-tech inspection technologies and analytics. However, PHMSA bureaucratic redtape in the last administration effectively strangled this program before it could ever start. An opportunity now exists, and LEPA supports restoring the will of Congress and reauthorizing this program without additional bureaucratic redtape or conditions.

Thank you again for the committee's support of pipeline energy infrastructure and the opportunity to testify before you today on the benefits of pipelines, including their safety. Thank you.

[Mr. Black's prepared statement follows:]

Prepared Statement of Andrew J. Black, President and Chief Executive Officer, Liquid Energy Pipeline Association

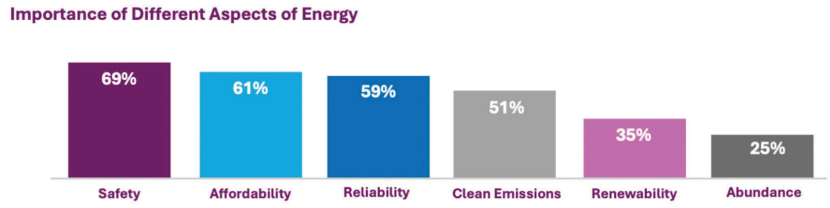
Thank you, Chair, Ranking Member, and members of the subcommittee. My name is Andy Black and I am President and CEO of the Liquid Energy Pipeline Association. LEPA represents pipeline owners and operators delivering transportation fuels like gasoline, diesel, and jet fuel, transportation feedstocks like crude oil, home heating fuels like propane and home heating oil, industrial feedstocks like ethane and butane, and low carbon solutions like renewable diesel, liquified petroleum gas and carbon dioxide. We have over 50 member companies delivering over 20 billion barrels annually across a nearly a 230,000-mile network of pipelines.

Thank you for holding this hearing today and highlighting the vital role this Committee has promoting the infrastructure that leads to American prosperity. In recent years, American families and workers have suffered from higher prices on everything from food to housing to energy. America is blessed with abundant energy supplies. Expanding American energy production will send new supply to market and pressure prices downward. Building energy infrastructure like pipelines will help us deliver more energy to the American people. The Transportation & Infrastructure Committee has an important role ensuring our pipeline network is safe, such as

through pipeline safety reauthorization, allowing us confidently to expand our energy infrastructure.

Pipelines deliver the energy products American families use every day. Liquid energy pipelines deliver transportation fuels like gasoline, diesel, and jet fuel that families, commuters, businesses and travelers use to drive and fly where they need to go. Pipelines deliver transportation fuel feedstocks like crude oil and industrial feedstocks like ethane, propane and butane to make everything from plastics to pharmaceuticals, cosmetics, paints and fabrics. Rural home heating and agricultural fuels like propane delivered regionally by pipeline before traveling locally by truck heat rural homes and farms, dry crops after harvest, and keep livestock barns warm throughout the winter.

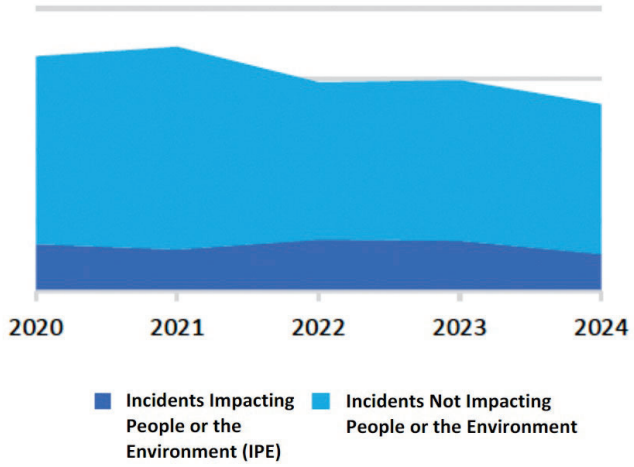
When thinking about energy, the American people tell us what they care most about is safety, followed by affordability and reliability. Each year, LEPA commissions a nationwide poll of public sentiment on energy and pipelines. The American public's preference for safe energy supports this Committee's work to reauthorize federal pipeline safety law.



As the Committee considers the role of pipeline infrastructure and what changes to make to federal pipeline safety laws, it is important to remember pipelines are the safest way to deliver energy. More than 99.999% of crude oil and petroleum products delivered by pipeline reaches its destination safely.

A 2018 report prepared for Congress by PHMSA analyzing 10 years of incident data found pipelines were 13 times safer than both trains and trucks with pipelines experiencing 1 incident for every 720 million gallons delivered and rail incidents occurring every 50 million gallons delivered. An Obama administration analysis found rejecting a major pipeline and shipping the same crude oil by rail would increase the risk of oil release by over 800 times and barrels released by 2.6 times.

Current PHMSA pipeline incident statistics also show pipeline safety is improving. Federal law and regulations require operators to report pipeline incident data to PHMSA. Full year data for 2024 is now available, which allows us to examine current trends in pipeline safety.



According to publicly available PHMSA data, total liquids pipeline incidents are down 12% over the last 5 years. Liquids pipeline incidents Impacting People or the Environment (IPE) are also down 12% over the last 5 years. This last metric, incidents Impacting People or the Environment, was developed jointly by PHMSA, the Pipeline Safety Trust and industry under the recommendation of the National Transportation Safety Board. NTSB asked the pipeline community to identify the most meaningful metric for measuring pipeline safety. PHMSA certainly tracks many metrics but we agree that Incidents Impacting People or the Environment are the most meaningful and are gratified they are down 12% over the last 5 years.

Declining pipeline incidents over the last 5 years supports the Committee's measured approach to reauthorizing pipeline safety laws without major changes or new mandates. LEPA does believe Congress can do more to help modernize pipeline safety programs. Hi-tech inspection and analytical tools, like an MRI or ultrasound in the doctor's office, are available for pipeline safety. However, key parts of PHMSA safety regulations are over 20 years old and do not reflect the latest advances in safety technology or know-how.

LEPA also recognizes that America is blessed with an abundance of energy. Pipelines are the vital link from where that energy is produced, to where it is refined into usable products, and on to consumers and businesses in their home regions. Smart pipeline policies will promote the pipeline energy infrastructure needed to deliver American energy dominance. Lastly, LEPA believes Congress can help PHMSA increase the effectiveness and transparency of its pipeline safety programs and requirements.

LEPA welcomed and supported the pipeline safety reauthorization bill the Committee approved in December 2023. Provisions LEPA supported included:

- Reforming PHMSA Special Permit program to impose permit review shot clock and limit unrelated permit requirements (Sec. 17)
- Strengthening penalties for pipeline safety violations that impair operation of facilities or damage construction sites (Sec. 21)
- Requiring PHMSA issue Congressionally mandated rulemaking on idled pipelines (Sec. 12)
- Providing defendants the opportunity for a formal PHMSA hearing, and protect security or commercially sensitive information presented as evidence in PHMSA hearings open to the public (Sec. 26)
- Authorizing a Voluntary Information Sharing program to convene stakeholders to collaborate on safety initiatives (Sec. 24)
- Requiring risk-based inspections of in-service breakout tanks to reduce unnecessary greenhouse gas and air pollutant emissions, worker safety threats, and hazardous waste when shown to achieve an equivalent level of safety (Sec. 28)
- Improving pipeline expertise of PHMSA personnel with hiring authority for engineering, scientific or other technical expertise (Sec. 4)
- Increasing transparency of PHMSA inspection program with reporting on inspection priorities, dates and locations (Sec. 7)
- Require PHMSA review of consensus safety improvement standards (Sec. 6)

- Targeted update of federal CO2 pipeline requirements to extend regulatory coverage to gaseous CO2, require CO2-specific incident dispersion modeling (topography, weather, operating conditions, trace compounds), require PHMSA complete rulemaking within 1 yr. (Sec. 25)

One final note on leveraging new technologies. In the 2020 PIPES Act, Congress recognized pipeline safety could benefit from harnessing the latest hi-tech inspection technologies and analytics. Congress authorized PHMSA to conduct a pipeline safety technology demonstration pilot program under certain conditions.

However, in implementing the technology demonstration program, PHMSA under the previous administration added a host of additional administrative, regulatory and legal conditions to the program beyond what Congress itself mandated. As a result, PHMSA received no applications to conduct technology pilots and the program sunsetted. Pipeline operators cited the additional conditions PHMSA imposed in its implementation guidance as making the program infeasible. PHMSA bureaucratic red tape effectively strangled this program in its crib. An opportunity now exists and LEPA supports restoring the will of Congress and reauthorizing this program without additional bureaucratic red tape or conditions.

Thank you again for the Committee's support of pipeline energy infrastructure and the opportunity to testify before you today on the benefits of pipelines, including their safety.

Mr. WEBSTER OF FLORIDA. Thank you very much.

Mr. Taylor, you are recognized for 5 minutes.

TESTIMONY OF ERIC V. TAYLOR, P.E., DIRECTOR, ENGINEERING SERVICES, BHE GT&S, ON BEHALF OF THE INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA

Mr. TAYLOR. Chairman Webster, Ranking Member Titus, and members of the subcommittee, good morning. My name is Eric Taylor, and I serve as the director of engineering services for BHE GT&S. Thank you for the opportunity to testify on behalf of the Interstate Natural Gas Association of America, otherwise known as INGAA, on promoting and improving safety and pipeline infrastructure. We appreciate the subcommittee's leadership and ongoing efforts to develop a measure that would reauthorize the Office of Pipeline Safety within PHMSA.

INGAA is a trade association specifically representing the interstate natural gas pipeline and storage industry. INGAA's member companies transport most of the natural gas consumed in the United States through a network of approximately 200,000 miles of interstate transmission pipelines and are primarily focused on serving customers like local distribution companies, electricity generators, industrial manufacturers, and LNG export facilities.

I focused the last 10 years of my career on pipeline safety, and most recently have been engaged in the last 2 major PHMSA rulemakings: the Leak Detection and Repair, LDAR, and Class Location proposed rules. I was very involved in the Gas Pipeline Advisory Committee, GPAC, meetings in November 2023 and March 2024.

We applaud the committee for employing a bipartisan strategy in the 118th Congress to reauthorize PHMSA pipeline safety programs for 4 years. As you begin your deliberations to draft and ideally enact a pipeline safety reauthorization measure, there are several points I would like to make on behalf of the natural gas transmission pipeline industry.

First, the United States Department of Transportation, PHMSA, other regulators, and industry experts have for decades agreed that pipelines are the safest mode of natural gas transportation. INGAA

supports having a strong safety regulator and the robust, durable, and consistent regulations led by PHMSA to ensure accountability of operators. We take our commitment to safety seriously, and appreciate PHMSA's role in ensuring the industry maintains its safety focus, and the public is confident in the safety and reliability of natural gas pipelines.

Second, INGAA's top regulatory priority with PHMSA is completion of the Class Location Rule, which presents opportunities to improve safety, protect the environment, and possibly increase capacity of existing pipelines that have had their capacity reduced due to a downrate from a class location change. Class location change regulations have not been substantially updated in more than 50 years. Revising them has been an INGAA goal for more than two decades. More details were provided in my written testimony, but INGAA strongly supports the committee's prior mandate for PHMSA to complete this rulemaking within 90 days after the enactment date.

Third, in the 2011 reauthorization, Congress required PHMSA to issue regulations for conducting tests to confirm the material strength of previously untested natural gas transmission pipelines. PHMSA completed this congressional mandate in the fall of 2019. And while INGAA supported PHMSA promulgating this regulation, the agency made admitted drafting errors. Unless rectified, INGAA members may be forced to retest previously tested pipelines with no added safety benefit, causing disruption to communities, unnecessarily venting gas, and costing operators billions of dollars. INGAA commends this committee for addressing this issue in the PIPES Act of 2023.

Fourth, the GPAC is an advisory committee to the Department, and plays an important role to enhance gas pipeline safety regulations. Historically, GPAC met regularly to consider important rules and discuss important safety advancements, but since January 2021, has only convened three times, despite its charter stating GPAC meet approximately four times per year. Further, there are times where PHMSA has disagreed with the unanimous GPAC decisions to final rules without providing a technical basis for why. While INGAA does not challenge PHMSA's independence to render decisions, we believe Congress can strengthen transparency by receiving PHMSA reports on rationale and conclusions when issuing final rules. INGAA appreciates the committee previously addressing both issues.

Lastly, our industry recognizes the importance of data-sharing and proactively attempts to participate in industry organizations to share lessons learned. INGAA supports the bipartisan inclusion of language in your bill last Congress for voluntary information-sharing.

In conclusion, your efforts are vital to ensure PHMSA has the resources and direction to continually improve safety for our industry. I truly appreciate the opportunity to testify in front of the subcommittee today, and I look forward to your questions.

[Mr. Taylor's prepared statement follows:]

Prepared Statement of Eric V. Taylor, P.E., Director, Engineering Services, BHE GT&S, on behalf of the Interstate Natural Gas Association of America

Chairman Webster, Ranking Member Titus, and Members of the Subcommittee:

Good morning. My name is Eric Taylor, and I serve as the Director of Engineering Services for BHE GT&S.

Thank you for the opportunity to testify on behalf of the Interstate Natural Gas Association of America (INGAA) on promoting and improving safety and pipeline infrastructure. We appreciate the Subcommittee's leadership and ongoing efforts to develop a measure that would reauthorize the Office of Pipeline Safety within the Pipeline and Hazardous Materials Safety Administration (PHMSA).

BACKGROUND

BHE GT&S is an interstate natural gas transmission and storage company headquartered in Glen Allen, Virginia, with operations in 10 states between New York and Florida. BHE GT&S is an indirect wholly owned subsidiary of Berkshire Hathaway Energy. BHE GT&S operates 5,400 miles of natural gas transmission pipelines with more than 985,000 horsepower, 100 miles of natural gas liquids pipelines, and 756 billion cubic feet (Bcf) of total natural gas storage—with 420 Bcf of working gas capacity—along with a gathering and processing company. We also provide liquified natural gas (LNG) for U.S. customers through Pivotal LNG and operate Cove Point, LNG—an import, export and liquefaction facility in Lusby, Maryland. In 2024, BHE GT&S delivered over 2.2 trillion cubic feet of natural gas to its customers.

BHE GT&S provides service to many large customers such as major utilities, power plants and industrial manufacturers, through numerous links to major pipelines. BHE GT&S is committed to providing customers with innovative and sustainable solutions that help its customers transport natural gas safely, reliably and efficiently in their markets.

BHE GT&S is a member of INGAA, the Southern Gas Association (SGA), and the Pipeline Research Council International (PRCI). As a member of these organizations, BHE GT&S shares and learns from some of the brightest and most innovative minds within our industry. PRCI, for example, provides an excellent opportunity to collectively fund research to improve the understanding of failure mechanisms and identify methods to more accurately characterize and address pipeline safety. PRCI also provides research to meet the needs of future fuels to support operators' efforts to safely transport those fuels and associated products.

INGAA is a trade association specifically representing the interstate natural gas pipeline and storage industry. INGAA's member companies transport most of the natural gas consumed in the United States through a network of approximately 200,000 miles of interstate transmission pipelines. These large capacity, critical infrastructure systems are analogous to the Interstate Highway System and span multiple states and regions. INGAA members are primarily focused on serving customers like local distribution companies, electricity generators, industrial manufacturers and LNG export facilities.

I work out of the BHE GT&S Bridgeport, West Virginia office. I began my career as an engineer in the gas control group and conducted system modeling to evaluate the most efficient methods to transport natural gas through our pipeline system. This modeling ultimately reduced fuel consumption and related emissions. I gained a great understanding of how our pipeline system operates throughout the year, how we rely on our storage capabilities to meet peak demand, and how critical our pipeline system is to ensure consistent deliverability of electricity near our pipeline system as electric generation facilities consume large quantities of gas to balance the grid during the hottest days.

I have focused the last 10 years of my career on pipeline safety, which includes ensuring BHE GT&S meets PHMSA compliance. Throughout my career, I have helped improve pipeline safety by studying the root causes of failures and near miss incidents, by implementing lessons learned from those incidents to help reduce the likelihood of a similar event, and by evaluating new technologies to support the reduction of methane emissions. BHE GT&S supports and participates in various industry groups to better understand and mitigate threats to our natural gas and liquid pipeline systems and LNG facilities. I am currently an executive board member of PRCI and will present at multiple SGA events this year. Previously, I chaired the INGAA pipeline safety committee in 2023 and 2024.

I have been engaged in the last two major PHMSA rule makings—the Leak Detection and Repair (LDAR) and the Class Location proposed rules. I assisted in the development of INGAA and joint trade comments on PHMSA's LDAR Notice of Proposed Rulemaking (NPRM). And I was very involved in the Gas Pipeline Advisory

Committee (GPAC) meetings in November 2023 and March 2024, where I helped educate industry GPAC members on proposed regulations and made multiple public comments on the LDAR and Class Location proposed rules. After the GPAC meetings, I worked with joint industry groups to formulate comments on both proposed rules.

For more than a decade, the shale revolution has gifted our country with abundant natural gas supplies, which has elevated the need for additional infrastructure to transport natural gas across the country. Pipelines reliably deliver North America's abundant natural gas reserves to fuel our homes and businesses and are the safest mode of natural gas transportation. The North American Electric Reliability Corporation indicated in its recent summer assessment that "natural gas supply and infrastructure is vitally important to electric grid reliability, particularly as variable energy resources satisfy more of our energy needs."

The INGAA membership is committed to transporting natural gas in a safe, reliable and environmentally responsible manner. Our industry has a long history of supporting Congress' enactment of bipartisan pipeline safety reauthorization measures, which help advance the safe operation and maintenance of critical energy infrastructure.

We applaud the Committee for employing such a strategy in the 118th Congress when it approved via voice vote H.R. 6494, the Pipeline Efficiency and Safety (PIPES) Act of 2023, which would have reauthorized for four years the Pipeline and Hazardous Materials Safety Administration's (PHMSA) pipeline safety programs. Additionally, H.R. 6494, which contained the priorities of the interstate natural gas pipeline sector, would have provided an efficient and effective framework to advance the safety of energy infrastructure across the United States. As you begin your deliberations to draft, and ideally, enact a pipeline safety reauthorization measure, there are several points I would like to make on behalf of the natural gas transmission pipeline industry.

1. INGAA supports having a strong safety regulator

The U.S. Department of Transportation, PHMSA, other regulators and industry experts have for decades agreed that pipelines are the safest mode of natural gas transportation. According to PHMSA, these linear infrastructure networks transport large quantities of natural gas and petroleum products, with over 99.999% of all pipeline deliveries being made safely each year. Accidents are rare, and INGAA's members are committed to ca goal of zero pipeline incidents.

INGAA supports having a strong safety regulator and the robust, durable and consistent regulations led by PHMSA to ensure accountability of operators. We take our commitment to safety seriously and appreciate PHMSA's role in ensuring that the industry maintains its safety focus and that the public is confident in the safety and reliability of natural gas pipelines.

INGAA's members purchase top-quality materials, address potential safety or security issues during the pipeline planning and siting processes, and conduct consistent quality and safety checks throughout the construction process. Pipeline companies strive for zero accidents and incidents by evaluating, inspecting and maintaining pipelines. Our members evaluate and learn from information and data shared at joint industry meetings and as part of PHMSA and NTSB investigations to prevent similar events from occurring on individual systems.

As part of ongoing safety programs, pipeline companies conduct integrity management and continuous improvement programs in the areas of evaluation, inspection and maintenance. A critical component of integrity management programs is the use of inline inspection tools, which are often referred to as smart pigs. Operators run these tools to detect potentially harmful defects in pipelines. Over the last 30 years, modern methods of pipe inspection have improved greatly and become more effective, efficient and environmentally sound compared to other assessment methods, with the added benefit of nominally interrupting pipeline operations.

For example, BHE GT&S was an early user of inline inspection tools to identify anomalies. We recognize this is the most efficient and accurate method to identify, evaluate and track possible system anomalies and collaborate with service providers to expand the use of inline inspection technology on our pipelines that are more difficult to assess. BHE GT&S also was an early user of inline inspection technologies and processes for storage wells to help ensure storage integrity. BHE GT&S reviews in detail near misses, accidents and incidents to identify causal factors, learn from them and implement measures to prevent reoccurrence. BHE GT&S uses information and data shared at joint industry meetings and as part of PHMSA and NTSB investigations to evaluate our pipeline system, procedures, training and design and implement improvements to prevent a similar event from occurring on our system.

We also work with external agencies to conduct emergency simulations to evaluate how we can work together to minimize any potential impact to the public.

INGAA's commitment to safety has been an essential priority for years. After the unfortunate and tragic incident in San Bruno, California, in 2010, INGAA's member companies have proactively worked to improve the industry's safety performance. This effort resulted in the formation of the Integrity Management, Continuous Improvement, or IMCI, program. The program is anchored by a goal of zero pipeline incidents, and since its inception, the pipeline industry has made rapid advances in safety technology and practices in pursuit of achieving this goal. The program was recently updated to include input from PHMSA, the National Transportation Safety Board, the National Association of Regulatory Utility Commissioners, the National Association of Pipeline Safety Representatives, and the Pipeline Safety Trust. The program follows five guiding principles:

1. Our goal is zero incidents;
2. We are committed to a strong safety culture;
3. We will be relentless in our pursuit of improving by learning;
4. We are committed to implementing and continuously improving pipeline safety management systems; and
5. We will regularly engage our stakeholders.

INGAA's work on the updated IMCI program—IMCI 2.0—and the related results were shared with key stakeholders.

2. PHMSA should promulgate the Class Location Rule

INGAA's top regulatory priority with PHMSA is completion of the Class Location rule, which presents opportunities to improve safety, protect the environment, and possibly increase capacity of existing infrastructure that has been downrated due to a class change. Class location change regulations have not been substantially updated in more than 50 years. Revising them has been an INGAA goal for more than two decades. We were pleased when PHMSA issued a Notice of Proposed Rulemaking (NPRM) on the Class Location Rule in October 2020. Operators appreciated that Congress included a provision in the enacted 2020 Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act requiring the agency to convene a meeting of the Gas Pipeline Advisory Committee (GPAC) comprised of industry, government and public stakeholders to provide policy recommendations and review the NPRM by the end of 2021.

This proposed rulemaking would address scenarios where population changes around pipelines necessitate changes to existing pipeline infrastructure. When a class location change occurs, current regulations may require operators to replace existing pipe. This can be required even when an engineering assessment using modern inspection tools ensures the pipeline segment can continue to safely operate at the same historical maximum allowable operating pressure. Advancements in inline inspection tools and other safety technologies help enhance company decisions to make repairs and, in most cases, eliminate the need for disruptive pipe replacements.

Existing regulations require unnecessary pipe replacements due to class changes. When PHMSA requires operators to replace pipes, operators must ensure gas is absent from the pipeline segments to be replaced, which results in service disruptions and released emissions. When operators are forced to replace pipe that can continue to operate safely at its historical maximum allowable operation pressure, the public and landowners also are affected because of the excavation and land impact associated with replacing pipe. INGAA estimates that existing requirements to unnecessarily replace perfectly safe pipe cost its members $200–$300 million per year. These funds could be better allocated to address other aspects of our safety systems.

INGAA also estimates that class change pipe replacements under the current regulations result in up to 800 million standard cubic feet of natural gas blowdowns to the atmosphere annually which equals the amount of gas that could meet the needs of more than 10,000 homes. The optimal way for the pipeline industry to reduce methane emissions is to decrease the number of blowdowns or voluntary gas releases. Finalizing the rulemaking would lower methane emissions by eliminating preventable releases.

In place of a class location pipeline replacement change, INGAA members have submitted special permit applications to demonstrate their pipelines can continue to operate safely at their same historical maximum allowable operating pressures. However, these applications take a long time to approve, are inconsistent in their requirements, and are burdensome to the pipeline sector and PHMSA. Problems include the regularity of the changing process and the fact that it can take up to three years to approve a single permit. Finalizing the class location rule can improve safety by requiring the appropriate assessments for a miles long pipeline segment, from

launcher to receiver, as opposed to the replacement of a small section of pipe that could range 100 to 1000 feet, meeting current class location replacement requirements to maintain the existing maximum allowable operating pressure. It can also provide regulatory certainty and consistency for industry stakeholders and the regulator because it would allow modern technological tools to inspect pipeline infrastructure in lieu of outdated methods.

PHMSA held a class location GPAC meeting last March. At the GPAC meeting, interstate natural gas pipeline industry members recommended an improved method of using a risk-based application to determine class. This new method expanded the scope of the final rule beyond that of the proposed rule to address broader class location concerns and ensure risk is properly identified on pipeline systems. As a result of this proposal, the Committee overwhelmingly voted to hold a second advisory committee meeting in March 2025.

INGAA is hopeful that PHMSA will publish a final rule before year-end 2026 to improve safety and meet the collective goal of the industry and the public to lower GHG emissions. INGAA strongly supports the Committee's mandate for PHMSA to complete this rulemaking within 90 days after the enactment date of H.R. 6494.

3. Gas Transmission Rule Part 1 (RIN 1) record keeping issue

In Section 23 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, Congress required PHMSA to " . . . issue regulations for conducting tests to confirm the material strength of previously untested natural gas transmission pipelines . . . " PHMSA completed this congressional mandate October 1, 2019, issuing the gas transmission rule part 1 (RIN 1). This rule governs testing and record keeping requirements for the maximum allowable operating pressure (MAOP), which determines the amount of natural gas that can move safely through a pipeline. Since the 1950s and even earlier before testing and record keeping requirements were required by federal code in 1970, operators have regularly conducted these tests to ensure a pipeline is safe prior to entering service.

While INGAA supported PHMSA promulgating its RIN 1 regulation, the agency made drafting errors related to the MAOP record keeping requirements that would result in the natural gas pipeline transmission industry needlessly retesting about 50,000 miles of previously pre-1970 tested pipelines if modern-day record keeping standards are not met. Changes to the regulation to state that only previously untested pipelines are required to be tested are critical. In 2022, PHMSA published a regulatory interpretation letter on this subject, illustrating the problematic regulatory text and could be enforced by state regulators. In response, PHMSA created a formal working group and met several times in 2024 with INGAA and the Pipeline Safety Trust, a public safety stakeholder, to craft a regulatory solution.

Without a durable regulatory fix, INGAA members would be forced to retest previously tested pipelines with no added safety benefit and causing disruptions to communities and unnecessarily venting of gas. This would cost operators billions of dollars which could be better deployed advancing actual safety measures. The interstate gas pipeline sector continues to advocate for this regulation to be clarified and resolved through legally durable regulatory changes in 2025 to provide pipeline operators certainty on required pipeline work to satisfy the July 2028 regulatory requirement.

INGAA commends the Committee statutorily address this issue by including a provision in the PIPES Act of 2023 to temporarily prohibit PHMSA from requiring operators to retest previously tested pipelines with documented records showing a sufficient minimum pressure until a working group report and rulemaking proceeding is completed.

4. Enforcement reform

PHMSA has five regional offices where its inspectors audit pipeline operators and issue enforcement actions based on their findings. In recent years, PHMSA has promulgated several significant rules affecting the gas transmission sector and resulting in substantial changes to the code. During the prior administration, PHMSA began inspecting and enforcing these new regulations. Under existing PHMSA enforcement processes, each regional office acts mostly autonomously with little oversight from the agency headquarters. This process produces multiple problematic enforcement cases that have substantial impacts. A single improperly written enforcement action has the potential to compel operators to make costly changes completely outside of the rulemaking process. An incorrect interpretation of the code requirement can be referenced in subsequent enforcement cases as justification for the enforcement case to proceed, and an operator could be incorrectly identified as being out of compliance with the regulation.

The agency's inspectors are uninvolved in the rulemaking process and often are unaware of the background to understand regulatory intent. Inspections that are typically scheduled to last a week or two regularly drag out for months. Furthermore, many inspectors employ creative interpretations of regulations to penalize operators when the action identified has no measurable safety impact. Several pipeline operators have challenged these enforcement actions via litigation, which is costly and time consuming for both the industry and PHMSA.

INGAA requests PHMSA reform its enforcement processes. Specifically, interstate operators continue to advocate for requiring the agency's senior career leadership in the offices of field operations and policy and programs to review all draft enforcement actions to ensure consistent application and interpretation of the regulation, the application of the regulation meets the original intent of the regulation, set time limited audits, and mandate that all enforcement actions be directly tied to risk-based safety threats.

5. Improve PHMSA application approval process

PHMSA is required to review applications from pipeline operators in several key areas. These requests stem from aspects of federal regulations where the code allows operators to utilize different methodology than what is prescribed, broader notification requirements and allowing exceptions to the code in certain circumstances.

For all these different scenarios, PHMSA has increasingly delayed responses, periodically disregarded statutory deadlines to provide adequate responses or modified requirements for similar activities over the years. In some instances, applications can take years for PHMSA to respond. Pipeline operators file these requests typically due to major reliability, financial or safety implications, and often conduct engineering-critical assessments to calculate the remaining strength of a pipeline based on known inputs such as threats, loadings, operational circumstances, mechanical and fracture material properties, and degradation processes, giving operators the information needed to understand the health of their assets. Delayed responses to these applications can have substantial impacts on pipeline operators.

INGAA encourages PHMSA to create uniform processes for all applications with quicker approval times by year-end 2025.

6. Gas Pipeline Advisory Committee (GPAC) reform

GPAC is an advisory committee to the Department of Transportation and PHMSA on matters of natural gas pipeline safety and regulatory oversight. GPAC is comprised of 15 members, with equal representation from the natural gas industry, federal and state agencies, and the public (such as safety advocates and emergency managers). GPAC's stated role is to review PHMSA's proposed regulatory initiatives to ensure the technical feasibility, reasonableness, cost-effectiveness and practicability of each proposal. PHMSA is not bound by GPAC recommendations but must include rationale related to disagreements with GPAC's recommendations in the preamble text of final rules. These processes are required by statute.

GPAC plays an important role in completing INGAA's objective to enhance gas pipeline safety regulations. The time needed to complete a rulemaking is partially affected by the quantity and quality of dialogue with impacted stakeholders, which is especially important when rulemakings are complex and technical, including initiatives relating to pipeline safety regulation. New rules should leverage stakeholder knowledge and expertise to facilitate the deployment of new technologies and practices that are more effective and efficient and less disruptive than legacy methods that may be reflected in existing regulations.

Historically, GPAC met regularly to consider important rules and discuss important safety advancements. Since January 2021, GPAC has only convened three times. The 2022–2024 GPAC Charter states that GPAC meets approximately 4 times each year. It also states that GPAC members are to be appointed based on their experience in the safety regulation of the transportation of gas and pipeline facilities or must be technically qualified to evaluate gas pipeline safety standards or risk-management principles by their training, experience or knowledge in one or more fields of engineering that are applicable to the transportation of gas or operation of a gas pipeline facility. With the known benefits of GPAC, INGAA believes that Congress should consider requiring PHMSA to hold at least two GPAC meetings annually and ensure GPAC members are experienced in safety regulations of gas pipelines and pipeline facilities or be technically qualified, meeting the 2022–2024 charter requirement.

PHMSA has disagreed with unanimous GPAC recommendations to several important final rules without providing a technical basis on why it disagreed with the recommendations. While INGAA does not challenge PHMSA's independence to render decisions, we believe Congress can strengthen transparency by receiving reports

from PHMSA on their rationale and conclusions when issuing final rules. INGAA appreciated this Committee's inclusion of a provision accomplishing this goal in H.R. 6494.

7. Voluntary information sharing system

Industry recognizes the importance of data sharing and proactively attempts to participate in industry organizations to share lessons learned; however, there are many roadblocks to effectively sharing lessons learned across the broader industry. INGAA supports the bipartisan bill passed by this Committee in the 118th Congress for the voluntary information sharing system. Industry requires the proper protections to share a detailed analyses of the cause or causes of a pipeline failure, abnormal operating conditions or near miss incident that could then be understood by other operators to effectively develop a remedial action plan to address causal factors.

CONCLUSION

To fulfill America's energy, economic, security and environmental goals and continue to improve pipeline safety, INGAA stands ready to work in a bipartisan manner. We are prepared to enact durable pipeline safety reforms that enable safe operations of our infrastructure to maintain the reliable delivery of natural gas.

In conclusion, your efforts are vital to ensure PHMSA has the resources and direction to continually improve safety in our industry. I truly appreciate the opportunity to testify in front of the Subcommittee today and look forward to your questions.

Mr. WEBSTER OF FLORIDA. Thank you very much.

Mr. Paris, you are recognized for 5 minutes.

TESTIMONY OF EMANUEL A. PARIS IV, VICE PRESIDENT, ALEX E. PARIS CONTRACTING CO., INC., ON BEHALF OF THE DISTRIBUTION CONTRACTORS ASSOCIATION AND THE PENNSYLVANIA UTILITY CONTRACTORS ASSOCIATION

Mr. PARIS. Chairman Webster, Ranking Member Titus, Ranking Member Larsen, and members of the subcommittee, thank you for the opportunity to appear before you this morning to discuss effective ways to improve pipeline safety and efficient pipeline infrastructure.

I am Emanuel Paris, vice president of Alex E. Paris Contracting Company. We are located out of Atlasburg, Pennsylvania, and our company was established in 1928. We perform a variety of construction services, including installation of large and small diameter piping, cross-country pipeline, utility construction, and a variety of civil and commercial projects. I am here today representing the Distribution Contractors Association and the Pennsylvania Utility Contractors Association.

DCA is a national association representing the entities who provide construction services needed for installation, replacement, and rehabilitation of natural gas distribution systems as well as transmission pipelines and communities across our country. PUCA is one of the largest statewide utility construction associations in the country, serving excavation contractors in multiple underground facility markets. Because the vast majority of pipeline construction is contracted out to members of our industry, we appreciate this opportunity.

While there are many facets to pipeline safety, our industry remains especially concerned with the enduring problem of damage to underground facilities during excavation. For the most part, contractors, operators, and leaders in damage prevention like the Common Ground Alliance have long supported the concept of sharing

responsibility and damage prevention. Ensuring for accurate and timely locating and marking of underground facilities is fundamental to this process, and they are gaining attention.

According to the Common Ground Alliance's 2023 Damage Information Reporting Tool, excavators face about 50/50 odds of being able to legally start work on time due to utilities not providing timely locates. This obviously undermines the 811 process. According to CGA, failure to locate underground facilities accurately and on time was the root cause of 34 percent of facility damages in 2023. Records of underground utilities can be outdated, inaccurate, or incomplete, and are sometimes unavailable to damage prevention stakeholders like designers, locators, and excavators such as ourselves.

This committee's pipeline safety reauthorization bill considered in the last Congress addressed these challenges by proposing improvements to State damage prevention programs.

Specifically, we believe State pipeline safety authorities should support and encourage adoption of leading practices to improve their programs. We believe State damage prevention authorities should be setting policies to reduce exemptions in the damage prevention process; require marking of all underground lines and laterals, including sewer lines and laterals; encourage robust training for locate professionals; and to promote and encourage the use of state-of-the-art technologies to locate underground facilities.

Exemptions to the One Call or 811 process have been a thorn in the side of damage prevention since One Call laws were established. Exemptions for specific stakeholders or certain types of infrastructure do nothing but compromise the damage prevention process. While it was generally agreed to that exemptions to One Call participation are bad for damage prevention, it is important to clarify that participation means that all excavators notify their 811 center prior to excavation, and that all underground facility owners belong to their respective 811 center and respond to locate requests.

I want to move to the need for improved mapping of underground facilities, and specifically the need to move toward geographic information systems, or GIS mapping. GIS can create, analyze, and map different layers of data by creating maps and scenes related to underground facilities, and allows for layering of data tied to geographic points, rather than restricting the user to limited features on a static map. The goal of moving toward superior GIS mapping is shared by industries outside of the excavation construction industry. Support of these damage prevention provisions, especially related to GIS mapping, was shared by other national associations and organizations representing all of us.

The Infrastructure Investment and Jobs Act of 2021 provided an unprecedented $550 billion in new investments in American infrastructure, and a significant portion of those dollars will go toward improvements to underground systems. That means that there will be an unprecedented amount of underground utility work coming forward.

Our members also support provisions that would hold those who physically attack pipeline infrastructure more accountable. While most agree on the right to peaceful activism, including peaceful

protests to pipeline construction projects, stiffer penalties are needed to hold those who engage in criminal activities during protests more accountable. It is important to include pipeline facilities under construction within the scope of this provision, and the excavation community would argue that while interfering or tampering with the operation of pipeline would clearly compromise pipeline safety, vandalism and destruction of nearby equipment used to build a pipeline can be just as dangerous.

The excavation construction industry looks forward to working with all of you on advancing pipeline safety reauthorization legislation to include language to improve State pipeline safety programs through promotion of several leading practices. I would like to thank you again for the opportunity to speak with you today, and I look forward to answering any questions that you have.

[Mr. Paris' prepared statement follows:]

Prepared Statement of Emanuel A. Paris IV, Vice President, Alex E. Paris Contracting Co., Inc., on behalf of the Distribution Contractors Association and the Pennsylvania Utility Contractors Association

INTRODUCTION

Chairman Webster, Ranking Member Titus, and members of the subcommittee, thank you for the opportunity to appear before you and testify this morning. I am Emanuel Paris, vice president of Alex E. Paris Contracting Company, located in Atlasburg, Pennsylvania. Our company was established in 1928, performing a variety of construction projects including both large and small diameter pipeline installation, cross country pipeline, utility line construction and a variety of civil and commercial projects.

I'm here today representing the Distribution Contractors Association (DCA) and the Pennsylvania Utility Contractors Association (PUCA). DCA is a national association representing contractors, suppliers and manufacturers who provide distribution construction services including installation, replacement and rehabilitation of natural gas distribution systems as well as gas transmission pipelines in communities across the country. PUCA is one of the largest state-wide utility construction associations in the country, serving excavation contractors in a range of underground facility markets.

The excavation construction industry has a vested interest in legislation that would reauthorize the Pipeline and Hazardous Materials Safety Administration (PHMSA) and the nation's pipeline safety program. In the 118th Congress, two bills were introduced and passed through their respective committees in the House, but failed to advance to a floor vote in the House. Our hope is to help advance a new pipeline safety bill in the 119th Congress that includes bipartisan language intended to improve state pipeline safety programs and ensure the safety of both pipeline operators and contractors when protesting activities are conducted near pipeline infrastructure and related equipment located on pipeline projects.

AVOIDING PIPELINE DAMAGE DURING EXCAVATION

While there are many facets to pipeline safety, our industry is especially concerned with the enduring problem of damage to underground facilities during excavation activity. Organizations like ours and leading damage prevention organizations like the Common Ground Alliance (CGA) have long supported the concept of sharing responsibility in damage prevention. A fundamental responsibility included in this process is ensuring for accurate and timely locating and marking of subsurface facilities prior to excavation. We believe the next pipeline safety reauthorization bill should include language that would take steps toward improved pipeline mapping, underground facility locating, and ensuring all relevant stakeholders are required to participate in the 811 process and meet their respective responsibilities.

Problems associated with unmarked or mismarked facilities, or facilities not marked on time in accordance with state law, are gaining attention. According to the Common Ground Alliance's *2023 Damage Information Reporting Tool (DIRT) Report*, excavators face essentially 50–50 odds of being able to legally start work on

time due to utilities not providing timely locates—undermining confidence in the 811 system.

Moreover, according to CGA, failure to locate underground facilities accurately and on time was the root cause attributed to 34% of damages to underground utilities in 2023. Records of underground utilities are often inaccurate or incomplete and are largely unavailable to damage prevention stakeholders like designers, locators, and excavators. Improving damage prevention mapping technology and accessibility to damage prevention stakeholders has strong potential to reduce damages and increase the efficiency of the excavation process.

Excavation contractors put safety first, and preventing damages to underground facilities during excavation activity is fundamental in their work. To that end, we support policy that reflects shared responsibility among all stakeholders and promotes four principal "pillars" of the damage prevention process:

1) full participation in the 811 process, including membership of all owners/operators of underground facilities to the state 811 center;
2) accurate and timely locating of underground facilities;
3) visually identifying ("potholing") of underground facilities; and
4) full and balanced enforcement of state damage prevention law.

While these fundamental responsibilities in damage prevention are evident, strong enforcement must be administered in a balanced and equitable manner. Locating and accurate marking responsibilities subject to facility operators should be held in the same regard as one-call notification and safe digging practices subject to excavators.

This committee's pipeline safety reauthorization bill considered in the last congress addressed challenges to the damage prevention process by proposing improvements to state damage prevention programs.

Specifically, we believe state pipeline safety authorities should support and encourage adoption of leading practices to improve their damage prevention programs. These leading practices include:

- Examining and limiting exemptions to the damage prevention process, including municipal exemptions;
- Requiring a "positive response" from the facility owner prior to excavation to ensure that underground facilities are marked, or that the excavation area is clear of any underground facilities;
- Requiring marking of all lines and laterals, including sewer lines and laterals;
- Encouraging training for locate professionals; and
- Encouraging the use of state-of-the-art technologies to locate underground facilities, especially geographic information systems (GIS), which offer the most detailed and prolific pipeline mapping available.

For the most part, stakeholders involved the excavation industry agree that these leading practices will undoubtably improve the damage prevention process in many states across the nation.

While ensuring for safe excavation is paramount, breakdowns in the damage prevention process also result in significant financial loss. According to a 2021 study sponsored by the Infrastructure Protection Coalition (IPC) entitled "811 Emergency," failures in the 811 system are costing $61 billion a year in waste and excess costs and creating unnecessary hazards for public safety, particularly in states where the implementation and accountability are most lax.

The IPC report includes an in-depth examination of its operations in every state, and shows that these costs and the increased risk to public safety could be substantially reduced if states adopted more effective practices and procedures already in use in other parts of the country. The provisions described above are consistent with the findings of the IPC report.

GIS MAPPING

Optimal damage prevention begins early in the planning and design stages of a pipeline project. Understanding the risk and developing designs that mitigate risk is best achieved using industry-driven standards and utility engineering best practices. Providing excavators with well-contrived designs that avoid or mitigate utility conflicts along with standardized digital data on utility infrastructure enables better construction planning and execution by leveraging virtual design and construction technologies that eliminate potential for damages. Moreover, these methods expedite construction, providing tremendous cost savings on projects. A fundamental need is to electronically document utilities properly and in a standardized fashion at the time of installation.

The last pipeline safety reauthorization bill enacted into law, commonly referred to as the "PIPES Act of 2020," included language that would require operators of gas distribution pipelines to identify and manage traceable, reliable, and complete records, *including* maps and other drawings. Accurate mapping of underground utility infrastructure facilitates locating, and use of geographic information systems (GIS) is the most effective way to identify and document a wide range of data about the underground infrastructure in a given area.

GIS can create, manage, visualize, analyze, and map different layers of data by creating maps and scenes related to underground facilities. GIS connects data to a map, integrating location data with a range of limiting information regarding the subsurface facilities in that area, and it allows for layering of data tied to geographic points. Rather than restricting the user to limited features on a static map, GIS mapping allows for viewing customizable combinations of data layers in a single dynamic tool.

Ensuring the use of readily available GIS mapping technologies would be the most efficient way to identify and document the exact location of underground pipelines (as well as other subsurface infrastructure). This precise mapping system is an increasingly utilized to ensure for the accurate locating and marking of underground facilities.

The goal of moving toward superior GIS mapping of underground facilities is shared by industries outside of excavation construction industry. Several letters in support of GIS mapping put together by DCA and PUCA in the last congress were signed on and supported by other national associations and organizations representing engineers, equipment manufacturers and distributors, technology experts and labor unions. Providing incentives for state pipeline safety programs to encourage and even require use of GIS mapping is clearly supported by a growing number of stakeholders.

Attached for your consideration is an overview of the state of damage prevention and initiatives to improve underground facility mapping, including expanding access to GIS mapping technologies.

The Infrastructure Investment and Jobs Act of 2021 provided an unprecedented $550 billion in *new* investments in American infrastructure, and a significant portion of those dollars will go toward improvements to underground systems. This means an unprecedented amount of excavation activity coming our way. The provisions described above would take needed steps to encourage states to reduce exemptions to the 811 process, require locating employ state-of-the-art technologies, such as GIS mapping along with published standards for documenting utility infrastructure, which will only improve the damage prevention process.

Increased Penalties for Physical Attacks on Pipeline Infrastructure

Our members also support language that would hold those who engage in physical attacks on pipeline infrastructure accountable. Specifically, the House bills considered in the last congress would have established a criminal penalty of up to 10 years in prison for those who cause a defect to or disruption of a pipeline system. Importantly, the provision would include pipeline facilities under construction.

While most agree on the right to peaceful activism, including peaceful protests to existing and pending pipeline construction projects, we strongly support legislative language that would hold those who engage in criminal activities during protests more accountable.

Past proposals related to this problem would have revised existing criminal penalties for damaging or destroying a pipeline facility by specifying that vandalism, tampering or disrupting the operation of a pipeline facility would be punishable by criminal fines and imprisonment. Importantly, leading proposals included pipeline facilities under construction within their scope. While interfering or tampering with the operation of a pipeline would clearly compromise pipeline safety, vandalism and destruction of nearby equipment used to build a pipeline can be just as dangerous.

Several states have enacted laws intended to deter pipeline vandalism. Tampering with or vandalizing this critical infrastructure or nearby equipment used to build it can create serious safety risks to the public, pipeline employees and even the perpetrators. Additionally, acts of vandalism could result in devastating environmental impacts. Therefore, we encourage the committee to adopt language that would enact criminal penalties for criminal protesting activities, and these penalties would be subject to vandalism and destruction of both pipeline infrastructure as well as the equipment and materials needed to build it.

The excavation construction industry looks forward to working with all you on advancing pipeline safety reauthorization legislation to includes language to improve

state pipeline safety programs through promotion of several leading practices to help avoid damages to underground facilities during excavation activities.

I'd like to again thank the subcommittee for the opportunity to speak with you today, and I look forward to answering any questions you have on these important issues.

ATTACHMENT

OVERVIEW: THE STATE OF DAMAGE PREVENTION

Background: The Common Ground Alliance (CGA) is dedicated to preventing damage to underground utility infrastructure and protecting those who live and work near these important assets through the shared responsibility of our stakeholders. CGA is a member-driven association of nearly 4,000 damage prevention professionals committed to saving lives and preventing damage to North American underground infrastructure by promoting effective damage prevention practices of today and tomorrow. CGA is the preeminent source of damage prevention data and information to reduce damages to underground facilities in North America through shared responsibility among all stakeholders.

According to CGA's Damage Information Reporting Tool (DIRT) Report, the annual rate of damages to buried infrastructure in the U.S. has remained stagnant for most of the last decade and costs the U.S. a staggering $30 billion every year. Each of the hundreds of thousands of dig-ins to underground utilities that occur annually has the potential to cripple communities and businesses by cutting them off from critical services, causing injury or even loss of life.

Looking Ahead: The damage prevention industry is facing increasingly complex challenges, and we must encourage innovation and incentivize the development of damage prevention solutions for the future. To do this, CGA has elevated the work of its traditional programs (Best Practices, DIRT and 811 awareness and use) and launched three new efforts to expedite the industries' achievement of the next significant reduction in damages:

- *The Next Practices Initiative*—Launched in 2020, the Next Practices Initiative's goal is to encourage innovation and new practices to address the most critical challenges facing the damage prevention industry. The Next Practices Advisory Committee uses industry data, quantitative surveys, and stakeholder input to clearly identify and focus the industry on the advancement of the most effective solutions to address critical damage prevention challenges.
- *The Damage Prevention Institute (DPI)*—Launched in January 2023, the DPI mission builds on the industry-leading insights of CGA's Next Practices Initiative by utilizing a stakeholder-centered approach to develop performance metrics that reflect a commitment to Best Practices and dedication to improving the reliability of the U.S. damage prevention system for everyone involved.
- *The 50 in 5 Industry Challenge*—Announced in 2023, this effort challenges stakeholders to reduce damages to critical underground utilities by 50% in five years by bringing damage prevention advocates together around a targeted set of strategic, data-driven priorities. This call to action encourages the damage prevention industry to concentrate on three focus areas that prioritize critical issues identified by CGA's Next Practices Initiative and the top damage root causes that contribute to more than 76% of damages to buried infrastructure (according to CGA's most recent DIRT Report):
  - Effective and Consistent Use of 811
  - Key Excavator Practices (potholing, maintaining clearance, etc.)
  - Accurate, Timely Utility Locating

CGA recently introduced the CGA Index, a metric for evaluating year-over-year damage trends, to measure industry progress in reducing damage. The status of the CGA Index will be updated annually in conjunction with the release of the DIRT report.

CHALLENGE: THE MAPPING GAP

In 2023, failure to locate accurately and on time was the root cause attributed to 34% of damages to underground utilities. CGA's Locator White Paper and the work of the Next Practices Initiative reveal that improving the accuracy of facility maps and implementing electronic white-lining would help locators complete their work more quickly and accurately.

Records of underground utilities are often inaccurate or incomplete and are largely unavailable to damage prevention stakeholders like designers, locators, and excavators. Bringing damage prevention mapping technology and accessibility to damage prevention stakeholders has the potential to reduce damages and increase the efficiency of the safe excavation process.

Additionally, excavators continue to emphasize the importance of greater access to mapping records. The results of a 2024 national survey of excavators conducted by CGA revealed that 89% of professional excavators believe that having access to utility maps would reduce excavation damage.

OPPORTUNITY: IMPROVED FACILITY MAPPING RECORDS

Although there is still a gap in mapping record accuracy and availability, many stakeholders are implementing programs and initiatives to improve mapping records. Featured in CGA's Leadership in Mapping video series, Jerry Schmitz, VP of Safety & Online Quality for Southwest Gas, describes his company's commitment to using maps as the foundation for its asset management and damage prevention efforts. Consumer's Energy has recently implemented a program to map its own natural gas distribution pipelines in addition to sewer facilities in close proximity to those assets.

In California, Senate Bill 865 (SB 865), introduced and passed in 2020, takes the improvement of mapping records further by requiring that new installations be mapped using GIS. The legislation aims to enhance safe excavation practices in the state by requiring all new subsurface installations to be mapped using a GIS starting from January 1, 2023, except for specific oil and gas flowlines within oil fields.

Increased availability and accessibility of GPS-enabled locating devices is also providing the industry with greater opportunities to effectively map facilities. UtiliSource, a Missouri-based utility design, engineering and project management company, rolled out a program to record the location of all third-party locates throughout a fiber installation project. They will then be able to utilize this mapping record as they continue to do work in the same area improving future project efficiency.

Gopher State One Call's GPS-enabled locator program in Minnesota partners with locating technology providers to equip damage prevention stakeholders across the state with utility line locators integrated with RTK GNSS accuracy and GPS collection capabilities. This program has been particularly beneficial to small municipalities, for whom updating legacy paper maps can be prohibitively time-consuming and expensive.

OPPORTUNITY: EXPANDING ACCESS TO UTILITY MAPPING INFORMATION

Important Concepts and Terminology

It is not necessary to consolidate utility mapping data in a single location to enable visualization of mapping data to support damage prevention processes.

The term "distributed GIS" refers to geographic information systems that do not have all of the system components in the same physical location. In the context of this document, "distributed GIS" refers specifically to the rendering (or display) of geospatial data for an end user *without that user having access to the underlying data*.

Current GIS technology allows geospatial data owners to publish their data through a "Web Mapping Service", or "WMS". Publishing a WMS is a means of displaying view-only map data over the internet. Publishing a WMS empowers a data owner to completely control their own data, including where the data is stored, how the data is rendered/displayed for end users, and who may view the data. A WMS can be configured to prohibit copying or downloading GIS data underlying an internet-based map.

Creating GIS Mashups

In a distributed GIS, the term "mashup" refers to a web-based mapping application that combines mapping content from disparate sources (such as web mapping services). Mashups separate the underlying geospatial data from the presentation of the data.

GIS mashups that incorporate mapping content from multiple utilities—who maintain full control over their own data—present many opportunities to support the damage prevention process. For example, an 811 center could create a mashup of member utility data. The 811 center could then provide a display of the mapping data for dig tickets. The display would be limited to the extent of the excavation area and would only be available for the life of the ticket. An example of a mashup created by an 811 center is presented in CGA's Next Practices Case Study—Minnesota Utilities Mapping Project. The case study clearly demonstrates the concepts described in this document. Additionally, Texas 811 has created a mashup to provide map renderings of select facility participants' abandoned lines. CGA is following several mapping pilot projects and industry efforts to document practical options, effective protocols, and successful practices.

Efforts such as these have the potential to increase locating efficiency, decrease over-notification practices utilized by both contractors and facility owner/operators, and help decrease overall 811 request volume so locators' workloads are more manageable. Additionally, increasing access to facility map information during the planning and design phase of large projects will improve overall project and process efficiency.

Documenting Industry Best Practices for Distributed GIS for Damage Prevention

Effectively using distributed GIS for damage prevention will require identifying Best Practices to address issues that arise with increased sharing of mapping records such as the following:

- Geospatial data accuracy
- Map feature attribute data
- Geospatial data projections and coordinate systems
- Adoption of protocols for publishing web mapping services to support damage prevention processes while also protecting data owners' information security

As the only trade association that brings together stakeholders from all facets of the damage prevention industry, CGA is uniquely situated to facilitate an industry-wide dialogue to identify and document Best Practices that are creating an environment in which distributed GIS can serve the damage prevention process. This includes consideration of the items outlined above, which would provide the guardrails needed to provide greater access to facility mapping information prior to and during excavation projects.

Taking Demonstration to Deployment

An effective option to provide greater access to facility map visualization for planned excavation would require selecting a finite area where map information would be provided to end users. Currently, the most widely adopted process for providing facility location information is when excavators make a locate request through the 811 process—this occurs over 41 million times per year. Through this process, 811 centers use facility owner/operator map information to identify utilities that may be affected during an excavation project. Those utilities are then notified to locate and mark their facilities during a specified period of time prior to the excavation project. This well-understood process can be applied more broadly to provide affected stakeholders with facility visualization prior to and during an excavation project. This would not replace locating and marking but would greatly enhance the entire 811 damage prevention process.

This document is not intended to outline all of the issues that must be addressed, but to serve as a starting point to establish a process that has the potential to significantly enhance the current 811 process and focus the industry on taking damage prevention to the next level in order to keep our communities safe and connected to the utilities we depend on every day.

Mr. WEBSTER OF FLORIDA. Thank you very much.

Mr. Caram, you are recognized for 5 minutes.

TESTIMONY OF BILL CARAM, EXECUTIVE DIRECTOR, PIPELINE SAFETY TRUST

Mr. CARAM. Thank you. Good morning, Chair Webster, Ranking Member Titus, Ranking Member Larsen, and members of the subcommittee. Thank you for inviting me to speak today on the vital subject of pipeline safety. My name is Bill Caram, and I am the executive director of the Pipeline Safety Trust.

The Pipeline Safety Trust was founded after the 1999 Olympic pipeline tragedy in Bellingham, Washington, an entirely preventable failure, spilled gasoline into a beautiful salmon stream in the heart of our community which ignited and killed three boys. The U.S. Justice Department was so appalled at the operations of the pipeline company and the lax oversight from the Federal Government that they asked the courts to set aside money from the settlement to create the Pipeline Safety Trust as a national watchdog on the pipeline industry and its regulators.

I look forward to the day when I can tell you that there have been no fatalities since the last time I testified, but today is not that day. The last 2 years have been the deadliest 2-year period for pipelines in nearly 15 years, since the 2-year period that included the devastating PG&E pipeline explosion in San Bruno, California, widely considered a low point for pipeline safety. I warn you that my message is largely the same as my previous opportunities to testify before this subcommittee, and that is because the state of pipeline safety is largely the same. We continue to languish with consistent poor performance, with a significant incident almost every day, and 30 people killed over the last 2 years.

In December, the NTSB held a board meeting to discuss the 2023 UGI Utilities pipeline failure in West Reading, Pennsylvania, that killed 7 people and injured 11. The failed piece of pipeline infrastructure was made from Aldyl A plastic. PHMSA has known these Aldyl A components are prone to failure for decades.

The NTSB is also investigating an Enbridge pipeline failure that occurred in November in South Jordan, Utah, that killed a 15-year-old child. The preliminary report finds that the failed pipeline was also Aldyl A.

Atmos Energy, a large gas distribution pipeline operator in the Southeast, has had a string of deadly failures with troublingly common patterns. An NTSB investigation of a 2018 home explosion that took the life of a 12-year-old girl while she practiced her cheerleading routine, found that the failed pipeline was part of an undermaintained system full of leaks that had led to fires in neighboring homes in the preceding days. Neighbors had complained repeatedly about the smell of gas. Atmos didn't find any leaks they deemed to be hazardous before the home exploded.

Then, just last year in Jackson, Mississippi, a pipeline-fueled home explosion killed the 82-year-old wife of a community pastor. An NTSB preliminary report found that the failed pipeline was part of an undermaintained system full of leaks that led to another home explosion in the following days. Neighbors had complained repeatedly about the smell of gas. Atmos didn't find any leaks they deemed to be hazardous before the home exploded.

Again, if I am repeating myself, it is because operators are repeating their mistakes that kill people.

While everyone on today's panel supports the goal of zero incidents, unfortunately, we have a long way to go. I commend this subcommittee for working together on pipeline safety legislation over the last 2 years, and the bill this subcommittee passed has some good provisions. Increasing civil penalties is a step in the right direction. When we try to chart penalties levied on operators against their quarterly earnings, we often can't even visualize the

penalty at such a tiny percentage of earnings. So giving PHMSA more enforcement authority, albeit small in this case, is moving in the right direction.

Additionally, increasing authorized resources to PHMSA and State programs is another move in the right direction. Not only has the agency been chronically underfunded, but the additional miles of jurisdictional pipe and the potential build-out of carbon dioxide and hydrogen pipelines demand an increase in resources from Congress. Thank you for answering that call.

However, given the continued lack of progress on pipeline safety, we need more. There are many provisions in this bill that won't contribute to safety progress. Additionally, there are commonsense, practical safety initiatives that would make a real impact on safety, such as fire shutoff valves. These devices can mitigate the damage caused by a house fire that could be made worse by the presence of gas service. The valve automatically closes when exposed to heat, preventing natural gas from adding literal fuel to the fire. These devices are inexpensive, require no ongoing maintenance, and can be easily installed on service lines.

As you discuss how to move forward on authorizing PHMSA's pipeline safety program and make improvements to the law, I implore you to think of the empty seats at dinner tables across the country because of pipeline failures. I have been with families who have lost loved ones recently. I have been with families who lost loved ones over 25 years ago. And I can tell you, the pain never goes away. Please give PHMSA the authority and the resources it needs to meet its responsibility to the American people. Thank you.

[Mr. Caram's prepared statement follows:]

Prepared Statement of Bill Caram, Executive Director, Pipeline Safety Trust

Good morning, Committee Chair Graves, Subcommittee Chair Webster, Committee Ranking Member Larsen, Subcommittee Ranking Member Titus, and members of the Subcommittee. Thank you for inviting me to speak today on the vital subject of pipeline safety. My name is Bill Caram, and I am the Executive Director of the Pipeline Safety Trust.

The Pipeline Safety Trust was created after the Olympic Pipe Line tragedy in Bellingham, Washington in 1999. That entirely preventable failure spilled nearly a quarter-million gallons of gasoline into a beautiful salmon stream in the heart of our community which eventually ignited and killed three boys. The U.S. Justice Department was so appalled at the operations of the pipeline company and equally appalled at the lax oversight from the federal government, that they asked the federal courts to set aside money from the settlement to create the Pipeline Safety Trust as an independent national watchdog organization over the pipeline industry and its regulators.

We work to ensure that no other community will endure the senseless grief that Bellingham experienced from a pipeline tragedy. Sadly, there have been many senseless pipeline tragedies and disasters since Bellingham. Sadly, there have been many since the last hearing before this subcommittee just nine months ago. I am here today, hoping that we can continue to work together to move towards our shared goal of zero incidents.

RECENT PIPELINE FAILURES

I look forward to the day when I can speak before you to let you know that there were no fatalities since the last time I testified, but today is not that day. The last two years have been the deadliest two-year period for pipelines in nearly 15 years, since the two-year period that included the devastating PG&E pipeline explosion in

San Bruno, CA that killed eight people and destroyed an entire neighborhood—a time that I think all on this panel would agree was a low point for pipeline safety. I warn you in advance that my message is largely the same as my previous opportunities to testify before this subcommittee. That's because the state of pipeline safety is largely the same. We continue to languish with consistent poor performance, with a significant incident almost every day and 30 people killed over the last two years.

In December, the NTSB held a Board meeting to discuss the 2023 UGI Utilities pipeline failure in West Reading, PA that resulted in an explosion that killed seven people and injured 11 [1]. Family members of some of the victims attended the meeting where the NTSB discussed the failed piece of pipeline infrastructure made from Aldyl A plastic. PHMSA has known these Aldyl A components are prone to failure for decades.

The NTSB is also investigating an Enbridge pipeline failure that occurred in November 2024 in South Jordan, UT that killed a 15-year-old child. The preliminary report finds that the failed pipeline was also Aldyl A [2].

Atmos Energy, a large gas distribution pipeline operator in the Southeast has had a string of deadly failures with troublingly common patterns. In 2018, a deadly home explosion in Dallas, TX took the life of a 12-year-old child while she practiced her cheerleading routine. An NTSB investigation found that the failed pipeline was part of an under-maintained system full of leaks that had led to other fires in neighboring homes in the preceding days. Neighbors had complained repeatedly about the smell of gas. Atmos didn't find any leaks they deemed to be hazardous before the home exploded [3].

Then, just last year, in Jackson, MS, a pipeline fueled home explosion killed the 81-year-old wife of a community pastor. An NTSB preliminary report found that the failed pipeline was part of an under-maintained system full of leaks that led to another home explosion in the following days. Neighbors had complained repeatedly about the smell of gas. Atmos didn't find any leaks they deemed to be hazardous before the home exploded [4]. Again, if I'm repeating myself, it's because operators are repeating their mistakes that kill people.

On the hazardous liquids side, we've seen two recent failures that have contaminated drinking water wells. An Energy Transfer pipeline in Pennsylvania was discovered to have been leaking jet fuel for at least 16 months, according to PHMSA, after many complaints about the taste and smell of residents' water. And In December, an Enterprise Products pipeline spilled 23,000 gallons of gasoline, contaminating nine drinking wells.

These are just several of the 534 significant pipeline incidents that have happened in the last two years.

5 Year Anniversary of the Denbury Carbon Dioxide Pipeline Failure in Satartia, MS

I want to take a moment to acknowledge the five-year anniversary of the harrowing carbon dioxide pipeline failure in Satartia, MS. As of this past Saturday, five years have passed since nearly 50 people went to the hospital experiencing seizures, loss of consciousness, foaming at the mouth, and many other terrifying effects of carbon dioxide exposure [5]. Denbury's failure in Satartia laid bare many glaring regulatory shortfalls that have been clearly identified, but five years later we haven't modernized the regulations. It took over 12 years for PHMSA to modernize regulations with lessons learned from PG&E's devastation in San Bruno. I hope it doesn't take nearly as long for PHMSA to modernize carbon dioxide pipeline safety regulations with lessons learned from Denbury's disaster in Satartia.

PIPES Act of 2023

While everyone on today's panel supports the goal of zero incidents, unfortunately, we have a long way to go. I commend this subcommittee for working on pipeline safety legislation over the last two years. The bill this subcommittee passed has some good provisions.

Increasing civil penalties is a step in the right direction. With few exceptions, civil penalties are not financially meaningful to operators. When we try to chart penalties levied on operators because of fatal pipeline failures against their quarterly

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[1] https://www.ntsb.gov/investigations/Pages/PLD23LR002.aspx
[2] https://www.ntsb.gov/investigations/Pages/PLD25FR001.aspx
[3] https://www.ntsb.gov/investigations/Pages/PLD18FR002.aspx
[4] https://www.ntsb.gov/investigations/Pages/PLD24FR003.aspx
[5] https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2022-05/Failure%20Investigation%20Report%20-%20Denbury%20Gulf%20Coast%20Pipeline.pdf

earnings, we often can't even visualize the penalty, it's such a tiny percentage of earnings. Giving PHMSA more enforcement authority, albeit small in this case, is moving in the right direction.

The Voluntary Information Sharing system, authorized by the PIPES Act of 2023 has the potential to make a difference on pipeline safety. Especially if coupled with widespread adoption of Pipeline Safety Management Systems.

Additionally, increasing authorized resources to PHMSA is another move in the right direction. Not only has the agency been chronically underfunded, but the additional miles of jurisdictional pipe such as gas gathering pipelines and the Congressionally incentivized potential buildout of carbon dioxide and hydrogen pipelines demand an increase in resources from Congress. Thank you for answering that call.

However, given the continued lack of progress on pipeline safety, we need more. There are many provisions in this bill that won't contribute to safety progress. Allowing for reduced storage tank inspection, for example, will help operators save money, but will not promote safety. Mitigating pipeline failures due to geohazards would be better served by mandating a rulemaking than a study. We have industry guidance and several studies that should be more than enough to inform a PHMSA rulemaking effort to close this gaping regulatory gap.

Pipeline Safety Management Systems have been developed over the last ten years. Lessons have been incorporated and updated. When implemented properly it leads to better safety outcomes. However widespread adoption still eludes the pipeline industry. Congress could make a meaningful difference in pipeline safety by directing PHMSA to take steps towards widespread industry adoption.

There are other commonsense, practical safety initiatives that could be incorporated that will make a real impact on safety. One such example is fire shutoff valves. These devices can mitigate the damage caused by a house fire that could be made worse by the presence of gas service. A valve is held open by a polymer with a low melting point, and when exposed to heat, the polymer melts and the valve automatically closes, preventing natural gas from adding literal fuel to the fire. These devices are inexpensive and can be easily installed on service lines.

CONCLUSION

As you discuss how to move forward on authorizing PHMSA's pipeline safety program and make improvements to the law, I implore you to think of the empty seats at dinner tables across the country because of pipeline failures. I've been with families who have lost their loved ones recently and some who lost their loved ones 25 years ago. I can tell you; the pain never goes away. Please give PHMSA the authority and the resources it needs to meet its responsibility to the American people.

Thank you.

APPENDIX

FACT SHEET: REQUIRING THE INSTALLATION OF FIRE SHUTOFF VALVES IN GAS DISTRIBUTION PIPELINES

The Problem: In the event of a fire in a structure that has natural gas service, gas distribution piping is often compromised and serves as fuel. This adds literal fuel to the fire and puts occupants and first responders at increased risk of injury and death. According to PHMSA, for this reason, it is necessary to quickly shut off the flow of gas to the structure.

Background: It may take considerable time to complete the shutoff of gas, including notification of first responders and the gas company, arrival of first responders and gas company at the scene, determining the appropriate method to shut off the gas, executing shut off, and release of the gas in the pipe between the shutoff location and the structure. Reviews of accident reports have shown that it is not unusual for this to take hours, prolonging the emergency. Use of automated shutoff valves can significantly reduce the time to shut off gas to the structure. One such device is a fire shutoff valve (FSV), also known as a thermal shutoff valve.

A typical FSV uses a spring-loaded plug held in place by a fusible link made of a low melting point alloy. When the fire shutoff valve is exposed to fire, the link melts and the spring closes the valve, shutting off the gas. FSVs are typically installed in the service line either before the regulator, before the meter, or after the meter.

FSVs are commercially available and have been used in gas service lines before the gas meter and in gas supplies to appliances. Currently, there are no federal regulations requiring their use in natural gas distribution systems. They are required

in Massachusetts[6] and have been used in Germany since the 1990s. The Pipeline Safety Trust supports the widespread use of these safety devices and advocates for federal regulations that would make their use mandatory.

Recommendation: Congress should require PHMSA to amend 49 CFR Part 192(H) to require operators to install fire shutoff valves on all gas distribution service lines.

SUGGESTED STATUTORY LANGUAGE

Sec. ____, REQUIRING FIRE SHUTOFF VALVES FOR GAS DISTRIBUTION SERVICE LINES.—

(a) In general—Section 60110 of title 49, United States Code, is amended by inserting at the end:

1. *Definitions. As used in this section:*
   Fire shut off valves are spring-loaded plugs held in place by a fusible link made of a low melting point alloy and attached to a gas source. When the fire shutoff valve is exposed to fire, the link melts and the spring closes the valve, shutting off the gas.
2. *Not later than _____, the Secretary of Transportation shall prescribe standards on the circumstances under which an operator of a natural gas distribution system must install fire shutoff valves in the system.*
3. *If the Secretary decides, under subsection (2) of this section that there are circumstances under which an operator will not be required to install a fire shutoff valve on a service line in a natural gas distribution system, the Secretary shall submit to Congress a report on the reasons for the decision not later than 30 days after the decision is made.*

Mr. WEBSTER OF FLORIDA. Thank you very much. Okay, so now it is time for us to ask questions. If you are ready, we are ready.

I guess my first question is, basically, Mr. Caram and others mentioned the fact that things just didn't get done. I am wondering, the last 4 years has had no Administrator, nobody in charge. How does that affect the overall enforcement, no matter what kind of law we passed? Anybody want to tackle that?

Mr. Black.

Mr. BLACK. Thank you, Mr. Chairman. LEPA applauds President Trump for nominating a PHMSA Administrator for Senate confirmation. It is important to have an Administrator to drive change within PHMSA, and PHMSA needs that change to improve the use of new technologies.

An Administrator can also help reassure the American public that comprehensive regulations govern pipeline safety, that PHMSA is on the case, and, like the modes of other transportation networks, can reassure the American public that this transportation system is safe.

Mr. WEBSTER OF FLORIDA. Anyone else?

Mr. Paris.

Mr. PARIS. So I think not having a confirmed Administrator shows that there are some—it gives an uncertain regulatory environment. And if there is a confirmed Administrator, it shows that the Government is serious about tackling these issues. So I think it is very important that we do so.

Mr. WEBSTER OF FLORIDA. Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Chairman. Yes, we would also support having that individual confirmed, but we also can support and make sure that we work with the current PHMSA administration and make sure that we continue to improve on safety, and we have been able to do so through the last administration.

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[6] General Laws of Massachusetts Part 1, Title XXII, Chapter 164, Section 75 A

Mr. WEBSTER OF FLORIDA. Mr. Caram.

Mr. CARAM. Yes, my hope and expectation is that pipeline safety is a bipartisan issue that rises above politics. And I think we have seen that through all recent administrations, including the last Trump administration under Skip Elliott's leadership. And seeing two members of that team returning, and Paul Roberti and Ben Kochman, leads me to hope and expect that safety-forward leadership will continue.

Mr. WEBSTER OF FLORIDA. Pipelines are the safest mode of transportation by far. We understand that. But are the safety rules, regulations, laws, and other things enough? Maybe just undirected by a—not having a leader? Or is there something else we should be doing? Anybody want to tackle that one?

Mr. BLACK. It's great that pipeline incidents are declining 12 percent overall and 12 percent on incidents impacting the pipeline environment, but our goal is zero incidents. Congress has a role in that through pipeline safety reauthorization. So does PHMSA. Technology is improving. Engineering analytics are improving. The way to improve pipeline safety further is to update PHMSA regulations to use this new technology and know-how through pipeline safety demonstration pilot programs and then updating of PHMSA's regulations.

Mr. WEBSTER OF FLORIDA. Anyone else?

Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Chairman. Yes, I will build off of what Mr. Black just said.

We also agree with continuing to leverage new technologies. We are part of several different associations, organizations, one of them being Pipeline Research Council International, where funds are collected and developed to improve technology and figure out ways to leverage that new technology and incorporate it.

So sometimes PHMSA is not as quick to adopt those new technologies, and so we would be looking for PHMSA to find avenues to be able to do that if it is recommended practices, if it is new technologies, but trying to leverage those as quickly as we can just to improve pipeline safety.

Mr. WEBSTER OF FLORIDA. Mr. Paris.

Mr. PARIS. I think first, a consideration is, what we are doing here today is getting all the stakeholders involved and talking about these things. I mean, it is important that we all understand. I don't understand what my colleagues here do every day, and I don't expect them to know what I do every day. So it is important for us to have these discussions.

Another point that they had made is this evolving technology. And for us, as excavators, the GIS mapping is what stands out to us the most. The technology is readily available, and we really feel that it would help our industry.

Mr. WEBSTER OF FLORIDA. Yes. Well, there is—I know there have been advancements just in the last 10 years as far as what is underneath the earth. And it is a beautiful thing that can be done, beautiful technology. It works. Is that lacking?

Mr. PARIS. In our industry we don't see it, yes. I mean, we are basically given a static, black-and-white map or a drawing that

shows where utilities are, and half the time, they are not correct. So we don't see the GIS mapping involved in our industry yet.

Mr. WEBSTER OF FLORIDA. Mr. Caram.

Mr. CARAM. Yes, I would just like to say that the goal is not to be the safest form of transportation of hazardous materials. The goal is zero incidents. And one way to make some meaningful movement towards that is the widespread adoption of safety management systems.

Mr. WEBSTER OF FLORIDA. Thank you very much.

Okay, Ms. Titus, you are recognized for questions.

Ms. TITUS. Thank you, Mr. Webster.

As I said, Nevada was the first State to have annual inspections and surveys of all the natural gas pipelines. Rather than every 5 years, we do it annually. It is a triple win. We find leaks earlier, which improves safety; we reduce greenhouse gases; and we create jobs. More people are surveying for these lines.

Mr. Caram, if we had a national standard, would you expect to see similar results in other States, and we could have these three goals accomplished nationwide?

Mr. CARAM. Yes, absolutely. I agree, a good leak detection and repair program with good standards on leak detection technology has multiple benefits, many of which you listed.

Primarily, for us, the biggest benefit is better safety outcomes. We continue to have too many home explosions and too many people dying from these leaks on pipelines. And leak detection standards and strong repair criteria will make a difference on that, and so we are strong supporters of it.

Many States—or some States have adopted those, like Nevada, and that is wonderful to see. Some operators do go above and beyond and have those strict standards for themselves. But what we really need is what Congress asked PHMSA to do in 2020, and that is set a national standard, where we know that all operators are held to this standard of finding leaks on a regular basis and repairing those leaks promptly.

Ms. TITUS. As I mentioned in my remarks earlier, there was knowledge of leaks in some of these accidents, but they just weren't fixed. How about the sanctions on companies that don't fix the leaks, even if they know about them? Would those be adequate in the last legislation that came out of this committee, or should we look at that?

Mr. CARAM. I am sorry, could you repeat the question one more time?

Ms. TITUS. Well, if you discover a leak but you don't fix it and it results in an accident, what are the consequences?

Mr. CARAM. Sure. Yes, we have seen the consequences over and over, unfortunately, of home explosions and fatalities. Of course, not every leak——

Ms. TITUS [interrupting]. I don't mean: What are the bad consequences for the environment? I mean: What are the consequences for the company that found the leak and didn't fix it?

Mr. CARAM. Well, that is left up to the enforcement, to the investigation, whether it is an NTSB investigation and they find the root cause analysis, or if it is PHMSA or the State program that investigates. If the regulator finds that they were out of compliance

and that they should have determined that it was a hazardous leak that they didn't repair, they could be held liable with enforcement.

But the regulations are not written very specifically as to how they should appropriately grade a leak and what they determine to be hazardous. And I think——

Ms. TITUS [interrupting]. So it is not a——

Mr. CARAM [continuing]. The draft PHMSA rule——

Ms. TITUS [interrupting]. It is not a scale of fines, or penalties, or anything like that? It is just kind of ad hoc?

Mr. CARAM. Yes, there is a standard as to fines that are charged when an operator is found out of compliance. It is just sometimes it is difficult to find an operator out of compliance when the regulations are not written very prescriptively as to how they should handle leaks.

Ms. TITUS. And do you think the legislation that came out of this committee last time deals with that sufficiently?

Mr. CARAM. Well, the PIPES Act of 2020 directed PHMSA to write rules on finding leaks and repairing any leak that could be deemed hazardous. And so we would expect PHMSA to interpret that rule to do exactly what we are talking about, be prescriptive about how to grade leaks and how to ensure that they are repaired promptly.

Ms. TITUS. Well, without this standard in place, since the legislation didn't pass—you mentioned some companies do it themselves. I mean, they are good companies, they want to be safe themselves. Could you all address what does a company do? Does it take it on itself to have these annual leak inspections, that sort of thing? Brag about yourselves, and tell us what you are doing, even without this standard in place.

Mr. Black or Mr. Taylor.

Mr. BLACK. Pipeline operators regulated by PHMSA have requirements for fixed intervals for inspecting their pipes through smart pigs that collect—that travel through the pipe, and they develop a risk-based schedule. If there are features that need to be researched more frequently through more smart pigs, they will.

We are using advanced analytics right now with better predictive models to understand, if we find a sign of corrosion or cracking or something, when is the best time to—when do you need to go out there and address that before—and what are the true threats? Certainly believe about the importance of doing smart pigs through pipelines and assessing features on the schedule that they need to be before an issue can become a problem.

Ms. TITUS. Mr. Taylor.

Mr. TAYLOR. Yes. For the natural gas industry and for the transmission side, we actually do more frequent patrols than what you are describing. So for Class 1 and 2 you will do once per year. But then in Class 3 and 4, our higher populated areas, it is more frequent than that. High-consequence areas you also have quarterly patrols. So you are again looking for those leaks that could be detrimental, could be hazardous, and making sure that you respond appropriately to address those.

So from a transmission side, we are out there more frequently than what you are describing.

Ms. TITUS. Okay. Mr. Caram.

Mr. CARAM. And I will just say that patrols are not the same as surveys and are not always done with leak detection technology. Many operators, of course, do, but they are not required in the regulations.

Ms. TITUS. Thank you.

Thank you, Mr. Webster.

Mr. WEBSTER OF FLORIDA. Mr. Larsen, do you have questions?

Mr. LARSEN OF WASHINGTON. I do.

Mr. WEBSTER OF FLORIDA. Some say yes, some say no.

Mr. LARSEN OF WASHINGTON. [Inaudible.]

Mr. WEBSTER OF FLORIDA. Sure, go ahead.

Mr. LARSEN OF WASHINGTON. Kind of going out of turn, and I appreciate that. For a variety of reasons, a lot going on today. But my first question is for Mr. Caram.

In the 2020 PIPES Act, Congress created a grant that the Pipeline Safety Trust receives to provide technical assistance to communities and individuals in support of pipeline safety. What does your organization do with those dollars?

Mr. CARAM. Yes, this has been really critical funding for our organization, and we are grateful to Congress for authorizing it and to PHMSA for awarding it. We have spent the money on a number of ways to improve—to offer technical assistance to communities, and we really see that as a way to improve public engagement among the public, the pipeline industry, and the regulators.

One of the ways to improve public engagement and to offer technical assistance is to educate the public. So we have used grant money on a number of things, including a primer on pipelines that we call The Briefing Papers. It is a 15-page document that—or 15-part document, it is much longer than 15 pages—that includes information such as the basics of how pipelines work, how they are regulated, how to find information about pipelines through the National Pipeline Mapping System and the PHMSA database, and a lot of information about emergency response and spill response planning.

We have also produced guides that are stakeholder-specific, like a landowners guide to pipelines and local government guide to pipelines.

We also use the grant money for some of our staff time. We get a lot of calls from members of the public, a lot of them that live along rights-of-way that find us online. And they are often angry, frustrated, haven't gotten a lot of answers from anyone. And we maintain a good working relationship with PHMSA, with a lot of the State regulators, with the pipeline trade associations, and with a lot of individual operators, so we are often able to talk to these folks, find out why they are so frustrated, and connect them with the right people.

Mr. LARSEN OF WASHINGTON. How many staff do you have?

Mr. CARAM. We have about 10 staff.

Mr. LARSEN OF WASHINGTON. Total? Yes.

Mr. CARAM. Yes, and——

Mr. LARSEN OF WASHINGTON [interrupting]. All in Bellingham?

Mr. CARAM. No, about half are in Bellingham and half are spread out. COVID showed us that we are able to work remotely.

Mr. LARSEN OF WASHINGTON. Yes. So it has been over 20 years since much of the pipeline industry began implementing integrity management. Has integrity management improved pipeline safety compared to a more prescriptive regulatory approach in the view of PST?

Mr. CARAM. Integrity management is a bit of a mixed bag. There are some areas you can look to that we have seen some improvement. I think the Distribution Integrity Management Program, also known as DIMP, while there is still lots of room for improvement, we can see some real progress there since DIMP has been implemented. Parts of transmission integrity management have proven to be effective. Using inline inspection tools to find corrosion has been successful.

But I will say the idea of integrity management puts the onus on the operator to identify all of the potential threats on their pipeline within these high-consequence areas and create a plan to mitigate against those threats and implement that plan. So we would expect that when we look at the significant incidents within those areas where they are required to have integrity management, that we would have lower rates of significant failures, significant incidents. And we actually see the opposite, that there are lower failures outside of those areas.

So I don't have a lot of answers as to why that is not working, but I know threat identification by operators is a problem, and we need to figure out what's not working and how to fix it.

Mr. LARSEN OF WASHINGTON. Thanks, thanks.

Mr. Taylor, the EPA identified natural gas systems as a main source of methane emissions, and the PIPES Act of 2020 mandated that PHMSA finalize a rule on methane leak detection and repair programs, both for safety and to cut pollution, methane pollution. Did PHMSA's final rule from December reflect INGAA's input?

Mr. TAYLOR. Yes, it followed the GPAC recommendation, so generally it followed what we were recommending. We would like the opportunity to have it noticed and commented again, just—again, there were a couple of small things we would like to improve on. But ultimately, yes, it followed the GPAC recommendations.

Mr. LARSEN OF WASHINGTON. It generally did, okay. I am just—it is just—I get when administrations come in and they want to do things differently. It just seems like both on the methane leak and the other one I mentioned, on the CO2 pipelines, that we told PHMSA to do this, it was—these were nearly done, there was generally a lot of consensus. Like, this wasn't the fight to be had, but now we've got to do this all over again. So it sounds like we have to do it all over again.

Mr. TAYLOR. Yes.

Mr. LARSEN OF WASHINGTON. Am I right?

Mr. TAYLOR. Yes.

Mr. LARSEN OF WASHINGTON. Great. Thank you very much.

I will yield back.

Mr. WEBSTER OF FLORIDA. The gentleman yields back. Mr. LaMalfa, you are recognized.

Mr. LAMALFA. Thank you, Mr. Chair.

Panelists, thanks for joining us here today as we review pipeline issues, and really remember what a great job they do for us in this

country of transporting so much energy product when you consider that there is over 1.5 million miles of pipelines and that they are the best alternative of moving energy and certainly the most efficient and the most ecologically sound.

I mean, when I hear people badmouthing pipelines, well, what's your alternative? Do you want to haul it all in trucks, or try and get ships close enough to port—ports that are still many miles from inland areas that need it? It is just a—it is kind of a—sometimes a fruitless argument here.

Of course, we need to improve pipeline safety, but I guess my questions would lead to the idea that, what are we doing to make that as expeditious as possible? So I want a couple thoughts from Mr. Black.

I have a figure here that says oil through pipelines is 13 times safer than alternate modes. And even an Obama-era administration had said that same conclusion. My home State of California, there is a lot being done in the name of the environment, and so I guess pipelines being so strong that way, it would seem we would have more going on with pipeline efforts in California. So do you think, Mr. Black, that California's reluctance or flat-out opposition for permitting new pipelines to move these products, is it based on a safety concern or is there something else happening there?

Mr. BLACK. Thank you, Congressman. As you mentioned, even the PHMSA report for Congress and the incident data shows that pipelines are the safest way to move the energy that Americans use. The study showed that it is 13 times more likely to have an incident on those other modes.

So the reason this fuel is moving on a pipeline or a train or a truck is because the Americans need it. So if the pipeline is stopped or is never able to enter the market, that fuel is moving on another mode which is less safe. So if we are making permitting decisions based just on safety, we should be adding pipelines.

Mr. LAMALFA. Where does the politics enter in, you think?

Yes, you don't want to touch that probably, as we know California is moving rapidly—or trying to rapidly move towards banning fuel-powered vehicles, and they have already been very anti-oil exploration on that order.

So what else? Let's see.

We do need permitting reform. What in the process—I know we had the PIPES Act in 2023 that took a leap at that, but what else could we be doing to reform PHMSA's process that is basically just holding up—you talk about technology a little bit on the panel. There are more things we could be doing to have a speedier process so we actually can implement this. And I am sure there are environmental concerns when you want to go out and dig up a pipeline and make repairs or improvements. What are some of the holdups, Mr. Black and Mr. Taylor?

Mr. BLACK. Well, PHMSA can reduce its bureaucratic redtape, and Congress can help you do that. There is a special permit program that Congress created because you can't do one-size-fits-all regulations for the entire pipeline network. Wide diameter, narrow diameter, high pressure, low pressure, large, small, different operating environments. But that special permit program which would allow a variance to the waivers in an equivalent way to improve

safety is basically broken because PHMSA has been taking too long and applying unnecessary conditions.

In your bill that you reported in the December of 2023, you have reforms to the special permit process. Similarly, Congress can tell PHMSA: You need to update your repair criteria, your schedules to reflect the latest know-how in technologies and analytics. Let's use this MRI ultrasound-type technology that is in smart pigs, and update regulations. Let's use the engineering assessments that give us a more precise reading on where is an issue, a problem——

Mr. LAMALFA [interrupting]. Thank you.

Mr. BLACK [continuing]. And when it needs to be——

Mr. LAMALFA [interrupting]. Thank you, let me jump to——

Mr. BLACK [continuing]. Congress can help push that.

Mr. LAMALFA. Let me jump to Mr. Taylor for a moment on that, too.

What are the roadblocks? How do we fix them?

Mr. TAYLOR. Yes. From the 118th Congress, the Class Location Rule, that would be very beneficial if we could get that completed. That would free up additional potential energy from, as I mentioned during my oral testimony, having—where we have maybe reduced our MAOP, maximum allowable operating pressure, due to a class change, so allowing that flexibility.

The Technical Standards Committee, having GPAC meet more frequently.

The incorporation by reference, having more frequent review of those documents that are incorporated would allow the newer technologies, newer thought processes to be implemented much quicker and be implemented.

And then lastly, that voluntary information-sharing just would allow lessons learned to be more widely distributed and make sure that we can account for those——

Mr. LAMALFA [interrupting]. Can these be done by executive action or do we need to pass legislation? What do you run into?

And then I will stop, Mr. Chairman.

Quickly.

Mr. BLACK. If I can help.

Mr. LAMALFA. Yes.

Mr. BLACK. The voluntary information-sharing needs action by Congress to create that safe space for collaboration, like the airline industry. We need Congress to act——

Mr. LAMALFA [interrupting]. Thank you.

Mr. BLACK [continuing]. And it is in your bill.

Mr. TAYLOR. Yes, sir.

Mr. LAMALFA. Thank you. Thank you. Okay, so I appreciate it. Indeed, in my home—for my California people that are watching, we are really seeing it isn't about the pipeline safety, it is about the politics of shutting down the use of this form of energy and not allowing pipelines or any other infrastructure.

Mr. Chairman, I yield back. Thank you.

Mr. WEBSTER OF FLORIDA. The gentleman yields back.

Mrs. Foushee.

Mrs. FOUSHEE. Thank you, Mr. Chairman and Ranking Member, for holding this hearing. And thank you to the witnesses for being here with us today.

Mr. Caram, on August 14, 2020, two teenagers discovered a puddle of gasoline in the Oehler Nature Preserve near Huntersville, North Carolina. More than 4 years later, with over 2 million gallons spilled, it remains one of, if not the largest, gasoline spill on land in the United States, and cleanup is still in progress.

Just last month, there was another leak on this same pipeline in Paulding County, Georgia, that temporarily shut down the pipeline. Most alarmingly, the fire department was not aware of the leak until reporters called to ask about it.

What measures are in place to ensure that first responders and the public are aware of pipeline incidents?

And furthermore, how should pipeline operators engage with the public in the aftermath of these incidents, especially ones with potential public health concerns?

Mr. CARAM. Yes, thank you for the question. So that particular incident on the Colonial pipeline in Huntersville and a recent one on an energy transfer pipeline in Pennsylvania with jet fuel illustrate something that's really lacking in pipeline technology, and that's on leak detection.

The best leak detection system on a liquid pipeline can detect down to a 1-percent loss of throughput, and on a large pipeline like Colonial, that is a lot of product, and that is what we saw in Huntersville. And so a leak detection system won't necessarily pick up these small leaks that happen over time, and it often is the public that sees those.

Specifically to your question, PHMSA requires operators to develop an emergency response plan, and that gets inspected. Part of that plan requires the operator to notify first responders and the public in the event of a failure. Sometimes when a failure does happen, we learn that the emergency response plan was not appropriate or sufficient. Other times, an operator doesn't follow the procedures in their emergency response plans, and we end up with situations like that.

Mrs. FOUSHEE. Mr. Taylor, I also serve on the Science, Space, and Technology Committee, and I am interested in how new technologies are monitoring for methane leaks from natural gas pipelines.

I know, for instance, that the Environmental Defense Fund recently launched a $90 million satellite to monitor both accidental and intentional methane gas releases. Did INGAA work with PHMSA on the final leak detection rules required by the 2020 PIPES Act, and do any of INGAA's companies use similar technology to monitor for leaks?

Mr. TAYLOR. So I know some INGAA companies are utilizing satellite technologies based off of the Leak Detection and Repair Rule as it was proposed and worked through the process. That wouldn't be sensitive enough for leak detection capabilities of what we were trying to achieve. So we are trying to utilize new technologies where we can, where there are more laser-based technologies that are applied to flights.

So it could be fixed-wing aircraft, it could be helicopters, but those are some additional technologies that are able to detect a more sensitive leak, so meaning sensitive—detecting a much small-

er leak along the pipeline right-of-way. But satellites today are not able to achieve that sensitivity.

So it would be a very large leak. So like you mentioned, maybe it is a—where you intended to vent a lot of gas for whatever reason. If you were doing work, or if there was an emergency event, maybe it can detect those types of things, but it is not going to see those very small leaks.

Mrs. FOUSHEE. Mr. Black, according to the Department of Transportation's Inventory of Artificial Intelligence Use Cases, PHMSA has explored the potential of AI to augment its rulemaking process. PHMSA has also funded research projects to develop AI-enabled pipeline inspection tools, a pipeline safety data management framework, emergency response training, and a pipeline corrosion management tool. Can you speak to the potential for AI to improve the pipeline safety practices of operators and emergency responders?

Mr. BLACK. Thank you, Congresswoman, you are definitely on to something.

We think AI and machine learning has great opportunities for improvements in pipeline safety. Pipeline technology right now produces terabytes of data from the smart pigs that travel inside a pig, and it would be great to have the opportunities to continue the use of machine learning to tease out of the data issues before they are a problem.

In your bipartisan bill last time, you have a voluntary information-sharing program. That will create a safe space for operators and regulators and stakeholders in the industry to talk more about how to use that data, and it will help.

Mrs. FOUSHEE. Thank you.

Mr. Chairman, I yield back.

Mr. WEBSTER OF FLORIDA. The gentlelady yields back. Mr. Stauber, you are recognized.

Mr. STAUBER. Thank you very much.

Mr. Black, I appreciate that comment. In order for us to win the AI war, we need energy via the pipelines.

Mr. Taylor, what is the natural gas pipeline sector's perspective on the value of PHMSA's advisory committee?

Mr. TAYLOR. Can you ask the question one more time?

Mr. STAUBER. What is your perspective on the advisory committees?

Mr. TAYLOR. Okay, I am sorry. Yes. Thank you, Congressman. Very valuable. Having that meeting allows discussion of various new topics, new technologies, different ways to address safety concerns if we are seeing new things pop up that we are not aware of, or something new that we can bring the players together, the different parties together and think about, okay, what is the right way to tackle this? How do we try to strive for zero incidents across the pipelines?

So it is extremely important, allows these new rules that we are talking about—again, like Class Location Rule, how do we try to get that completed? We are going to need to have another GPAC discussion. So having that meeting as frequently as we can—again, the last Congress had two times per year. The current charter says four times per year. Somewhere in that range would be extremely helpful to continue to have the dialog, the conversation, and move

the rules forward, move new thoughts forward, move new technologies forward.

Mr. STAUBER. Would you agree that GPAC has the ability, if technology arises in between those meetings, to call a session to say here, here is new technology, here is where we can make it safer and we can implement it sooner, rather than later?

Mr. TAYLOR. So that is set up through PHMSA. PHMSA has to organize those discussions and get that meeting organized. And so it is really—we appreciate the benefit from Congress to try to get this completed and force that discussion, because it takes a lot of work, but it is ultimately very important to improve safety and advance that.

Mr. STAUBER. Do you think holding more frequent advisory meetings with key pipeline safety stakeholders strengthens PHMSA's rulemaking process?

Mr. TAYLOR. It would definitely improve the process because, again, as we talk through these rules, regulations, we get the right parties together, make sure that we are considering all aspects, because again, it is extremely beneficial to get the public side together, get the industry side together, get the State entities. Because through the last GPAC, when we talked through LDAR, we talked through class location, everybody brought in their different thoughts and their different concerns to make sure we come out with the best regulation we can.

Ultimately, we want something that comes out that is technically accurate, as well, because if something is put out there that we can't meet, that's not going to be beneficial to the industry——

Mr. STAUBER [interposing]. Right.

Mr. TAYLOR [continuing]. That's not going to be beneficial to the public.

Mr. STAUBER. Right, and so I think those are some things that will come out of that meeting.

I would just say that we know that pipelines are a very safe and effective way of moving energy. And I think all panelists here agree that safety is the number-one priority. I think that if we met more often and used that technology and actually brought it to fruition, I do believe we can make it even safer.

And this means that Mr. Caram would be out of a job if we make it completely safe, because then he couldn't come here and talk about more safety. But with all due respect, I think it is important. I think this is a very, very healthy discussion. There is that balance.

Mr. Caram, I read your testimony and it is very sad when we have deaths, right? But I do believe that the industry is doing the best they can with the information given to them. I don't believe it is anything nefarious.

We want to move together safely in this next century and with the technology we have, because if we don't move that energy, we won't win the AI war. If we don't move that energy, more people in the northern climates are going to have difficulty getting through the winters. So I think it is important that we understand the value of the pipelines and that safety is the number-one priority.

So I just want to thank all the witnesses for being here. Mr. Chair, thank you for holding this very important hearing, and I yield back.

Mr. WEBSTER OF FLORIDA. The gentleman yields back. Mrs. Sykes.

Mrs. SYKES. Thank you, Mr. Chairman and Ranking Member, for holding this hearing. I look forward to continuing discussions on how we can keep pipelines safe but active in our communities.

As some of you may know, on May 28, 2024, a natural gas-fueled explosion occurred at the Realty Tower Building in Youngstown, Ohio. I don't represent Youngstown, Ohio. That was the former 13th Congressional District, and I hope this line of questioning does not continue to confuse people as to what communities I represent, but it is important to bring up because it is a significant topic of discussion.

The explosion occurred at the base of the building, destroying the facade, throwing glass, brick, and other debris onto the sidewalk and causing the first floor of the Chase Bank to collapse into the basement. The explosion tragically killed 27-year-old bank employee Akil Drake, who was found deceased in the basement, along with nine other people who sustained injuries that required hospitalization. There was significant structural damage to the 13-story building which contained the bank and other offices as well as a few residences.

People deserve to feel safe in their homes and in their workplaces, and I want to express my sincere condolences to Akil's family and everyone else whose lives were impacted or turned upside down due to this devastating explosion.

At the time of the explosion, a four-person scrap removal crew was working at the building's basement to remove and relocate utilities in preparation for the city's road improvement project. The NTSB found that during the work, a scrap removal worker cut through an inactive but still pressurized service line, resulting in a gas leak and a subsequent explosion. According to the NTSB, the explosion occurred just 6 minutes after the service line was cut.

The NTSB says the investigation will focus on the pipeline operator's procedures and practices for meter removal, recordkeeping, and abandoning gas facilities; ownership of the inactive service line; the companies associated with the Realty Tower Building; and the scrap crews' and contractors' operational practices and policies for work crews.

However, while NTSB continues their investigation into this tragedy, the explosion has had long-lasting consequences to the community, especially those who called the building home and those who had businesses there. In the aftermath, the 100-year-old building needed to be demolished, forcing residents of the neighboring apartment complex to be displaced for months while demolition occurred.

This tragic pipeline explosion and the following displacement of residents demonstrates why this committee takes issues of pipeline safety so seriously. We must continue to work together to prevent accidents like these from happening again, including taking the NTSB's report and recommendations into account.

So Mr. Caram, how are pipeline operators supposed to indicate that a gas line is inactive?

Mr. CARAM. Yes, thank you for that question. As I understand it, there are no requirements for marking or identifying inactive service lines unless One Call has been initiated, and in that case, they would.

When there isn't an active service line, operators have some options on how to deal with that, how to discontinue that line, some of which allow pressurized gas to be in that section of the inactive service line. And so we would love to see more specificity in the regs around this.

Mrs. SYKES. Thank you.

And Mr. Paris, just a pretty broad question. Have you seen accidents like this before, where an excavator thought an inactive gas line meant that it could be cut?

And if so, how should this type of accident be characterized: as excavator damage or poor recordkeeping?

Mr. PARIS. So to answer your first question, yes, we see this. There are many times that we come across abandoned old lines where we excavate and break those lines, and have to either make that repair or come up with another plan.

I would like to go back to the importance of mapping, and I do think it is an issue with what data we are given and shown before excavation. I know a lot of the topics and incidents that we have talked about today are after pipeline construction is done and our job as excavators is over, but there is also an importance of getting those lines marked before construction starts, when we are building these things in the ground from the start.

Mrs. SYKES. Thank you, Mr. Paris. You did an incredible job, because my next question was going to be about mapping and so you already answered in the first question.

So with that, Mr. Chair, I yield back the remainder of my time.

Mr. WEBSTER OF FLORIDA. The gentlelady yields back. Mr. Nehls, you are recognized.

Mr. NEHLS. Thank you, Mr. Chairman, and thank you to the witnesses that are here today. I am happy that this subcommittee is kick-starting the pipeline reauthorization process again. I felt that last Congress, this committee, we produced an excellent bill. It passed out of this committee on a bipartisan basis. I would like to commend both sides of the aisle, both sides working on this, for the hard work in producing a great bill.

It is a shame. It is a shame that our Senate colleagues, they failed to have any hearing on this pipeline reauthorization and stalled the momentum we all garnered. And as we look to examine the pipeline reauthorization bill, there are several priorities that I wish to talk about and raise awareness. As a former law enforcement official, I strongly believe we need to protect—we have to protect our critical infrastructure.

Mr. Black, can you talk about some of these environmental extremists—and they are out there—who encourage violence against this pipeline infrastructure, and why is this dangerous? And what was included in the previous bill to counter these activists?

Mr. BLACK. There have been violent attacks on pipelines, and there are loopholes in the energy statutes that prevent full prosecu-

tion of all of them. There have been attacks on pipelines before they have gone into service, and they are not covered. And then there have been attacks on pipelines operating right now to turn a valve.

Now, a pipeline is a safe——

Mr. NEHLS [interposing]. Sure.

Mr. BLACK [continuing]. Industrial piece of equipment operated by trained personnel, but not somebody who is just turning a valve. And that could hurt themselves, the public, or the environment.

This committee—and thank you for your role as prior chairman of the subcommittee——

Mr. NEHLS [interposing]. Yes.

Mr. BLACK [continuing]. Would close those loopholes. Protest? Fine. Violent attacks on pipelines can hurt themselves, the public, and the environment.

Mr. NEHLS. And higher civil penalties, as well. We need to fine——

Mr. BLACK [interposing]. Yes.

Mr. NEHLS [continuing]. These people. Thank you.

Mr. Paris, it seems most believe that exemptions to the One Call or that 811 process are detrimental, they are detrimental to damage prevention. Can you provide any examples of these types of exemptions and why you would want them reduced or eliminated?

Mr. PARIS. Yes, so some of the examples of exemptions specifically in the State of Pennsylvania include municipal utilities that are not required to be a part of the 811 or One Call system. Therefore, when a One Call is placed, they do not have to go and mark the lines.

Mr. NEHLS. Yes.

Mr. PARIS. Another example is agriculture. So I believe in the State of Pennsylvania, they are not required to put a One Call in anything above 18 inches. We do find more than not that when excavating, we come across these lines, and we do our due diligence, we don't get a positive response rate from the locate.

Mr. NEHLS. Sure.

Mr. PARIS. We go to pothole and visualize where these lines are, they are not where they say they are, or they are not marked at all.

So yes, these exemptions are hard for our industry in construction and excavating.

Mr. NEHLS. Yes, I can't agree with you more.

One of the greatest provisions in the previous bill was the section 28 inspection of these in-service breakout tanks. I know API isn't here, but these breakout tanks, they are a critical part of the liquid energy product supply chain. The breakout tanks are used to store product that is not currently in the line to allow for optimum sequencing and to temporarily hold product from the main pipeline. I believe there are more than 8,500 breakout tanks in service that support hazardous liquids pipelines operations.

And I find it interesting, operators are required to inspect these in-service breakout tanks according to PHMSA regulations, right?

Tank engineering design—we have—all about safety, everybody is concerned about safety. I agree, safety should be the top priority. The engineering design in these tanks and the liner performance

has improved drastically—improved dramatically over the past 10 to 15 years, as demonstrated by the PHMSA data. I guess there is—PHMSA says incident data for the 12-year period from 2010 to 2022 shows a 0.5-percent incident rate from releases from tank floors due to cracking or pinhole corrosion. And allowing operators to base inspection frequency on risk modeling as outlined by API will ensure that these inspections are not conducted unnecessarily, while again keeping safety in the front of mind.

I am assuming, Mr. Black, you would agree with these risk-based inspections? I mean, it takes, like, 30,000 man-hours. I mean, you've got to drain the whole damn thing, you've got to put somebody down in there.

Mr. BLACK. Yes.

Mr. NEHLS. We should have the technology to do this and do it based on risk.

Mr. BLACK. Absolutely——

Mr. NEHLS [interrupting]. Correct?

Mr. BLACK [continuing]. Congressman. PHMSA should not be——

Mr. NEHLS [interposing]. Yes.

Mr. BLACK [continuing]. Requiring inspections of a storage tank on——

Mr. NEHLS [interposing]. Yes.

Mr. BLACK [continuing]. A fixed interval when the technical standard now that EPA and many States have adopted is for risk-based inspections. It reduces worker safety threats, air pollutant emissions, hazardous waste. Yes.

Mr. NEHLS. Thank you.

Mr. Taylor, I am assuming you would agree. Thank you, sir.

Mr. TAYLOR. Yes, Congressman.

Mr. NEHLS. I yield back.

Mr. WEBSTER OF FLORIDA. The gentleman yields back. Ms. Friedman, you are recognized.

Ms. FRIEDMAN. Thank you, Chair Webster and Ranking Member Titus, and for the witnesses for coming here today.

Unfortunately, California is no stranger to natural gas transmission pipeline disasters. Fifteen years ago, of course, we had the explosion in the San Bruno neighborhood in northern California, where several people were killed and 47 million standard cubic feet of natural gas was released. I believe 8 people were killed and about 38 homes were destroyed. And we all still grieve for them in California. And closer to home for me in Los Angeles, thousands of people are still suffering health impacts because of the leak at Aliso Canyon.

So the question is, are we now safer since San Bruno? And have we put into place everything we need to keep our community safe?

And I believe the answer is no, because the last 2 years have been the deadliest 2-year period for pipelines since the San Bruno explosion. In the past 2 years alone, 30 people have tragically lost their lives due to pipeline safety incidents. And I hope to work with the subcommittee, with everyone on this subcommittee, to develop robust standards to prevent these disasters from occurring.

Now, L.A. has a high number of liquid and natural gas pipelines through very densely populated areas including in my district in

Glendale and Burbank, Los Angeles, and Pasadena. During the L.A. fires, we saw a lot of ignitions happening at the homes that were impacted by fire because the natural gas in the homes was on fire.

Now, I toured the Eaton Canyon area 1 and 2 and 3 days after the fire, and those plumes of natural gas flames came up from thousands and thousands of homes. In fact, there were victims walking around their former homes looking to collect their personal items, trying to navigate around 7-, 8-foot-tall walls of flame in their houses because those natural gas pipelines were still on, and they were still on fire, and I saw ignitions 2 days later happening because of the winds pushing those flames around.

So my question for Mr. Taylor is, what did your members—what steps did they take during those fires to minimize that kind of incident?

And should those ignitions still have been happening 2, 3 days after the fire?

How do we make sure that we don't have the public walking through these burn areas through their homes while they have to navigate around very intense flame plumes—I don't even know what to call them—coming out of their former homes?

Mr. TAYLOR. Yes, so thank you, Congresswoman.

That specific type of fire and that specific type of instance would be tied more towards the distribution system. And so again, from a transmission side, we could potentially isolate. I don't know the specific details of all the situation there and how that gas is being fed to that exact location in the areas you are speaking of, but that would be more of a distribution-type focused, distribution-type question on how they could potentially isolate those areas.

Ms. FRIEDMAN. Okay. And just so that you have it in your head, we are talking thousands of homes, an entire—more than one neighborhood. So not just one house at a time, but you had entire neighborhoods that were impacted by this.

Mr. Taylor, as you know better than me, fire valves are inexpensive, spring-loaded valves that are designed to melt before the pipeline fails, sealing the pipeline and preventing natural gas from fueling fires in these kinds of incidents. Why is it important to install fire valves in gas distribution pipelines, especially for communities like we have in Los Angeles that are fire-prone and earthquake-prone, just disaster-prone in general?

Mr. TAYLOR. I don't know if you are asking me or Mr. Caram, but——

Ms. FRIEDMAN [interrupting]. Whoever, yes. Whoever wants to——

Mr. TAYLOR [continuing]. So again, from our standpoint, that would be more distribution-focused. We wouldn't have that type of application for transmission pipelines. But it would make sense for distribution.

I will let Mr. Caram answer the question, though, as well.

Mr. CARAM. Yes, thank you for that question, and I am so sorry about the devastation in your district and around your State.

And yes, what you are talking about is on the distribution systems, which are the service lines that go into each home and building. And you can install these fire valves on service lines very eas-

ily, and they have a low melting point polymer that holds the valve open. And when they are exposed to heat, that polymer melts and the valve automatically closes because we see in times of emergency, it is often difficult and it takes time to shut off the valves around a system on a distribution system. And so these would, in the case of a fire, whether it be a home fire that started in the kitchen and spread, or if it is something more widespread like a wildfire through a community, these could mitigate the extra damage caused by the gas service to the homes.

Ms. FRIEDMAN. Thank you both for your answers, and I yield back.

Mr. WEBSTER OF FLORIDA. The gentlelady yields back. Mr. Owens, you are recognized.

Mr. OWENS. Thank you, Chairman Webster and Ranking Member Titus. I want to thank you again for today's hearing and opportunities to learn about the American industry and innovation that can be liberated from the yoke of outdated overregulation.

Operating under expired authorizations, pipelines deserve this focus and consideration due to the positive impact they have on everyday lives: heating our homes, cooking our food, to powering American manufacturing. It is important we take these opportunities today to shatter any mistruths about pipelines' impact on the environment. I have a couple of questions and a few comments.

Mr. Black, can you explain how pipelines often result in lowering carbon dioxide emissions?

Mr. BLACK. Liquid pipelines are primarily powered by electricity, and the other modes that energy could travel over, diesel generates the power for those pumps—sorry, it is diesel emissions related to train and truck, so there are less carbon emissions. We are the most environmentally friendly way to move the liquid energy that Americans use.

Mr. OWENS. Great, thank you, and I have another question for you. For those who are not aware, pipelines, specifically liquid transmission pipelines, are one of the most heavily regulated industries in this country. Can you describe the multiple layers of safety regulations placed on these pipelines?

And do more regulations make people and environments more safe?

Mr. BLACK. Well, you are right. Liquid pipelines are very heavily regulated. Federal, State, and even sometimes local, it starts right here, right, with oversight over the industry and over PHMSA and telling PHMSA what it should do, and then PHMSA as the regulator, the enforcer. States can have intrastate regulations. States can partner with PHMSA to be the inspector even of an interstate pipeline. And then in some cases there are local requirements about pipeline activity or construction.

So a very carefully regulated, comprehensive set of regulations. Few gaps.

Mr. OWENS. Okay. I have that last question. Do more regulations make people and environment more safe?

Mr. BLACK. If they are smart regulations, right? Sometimes we have PHMSA being maybe 20 years behind. It would be beneficial for the environment if we would update those regulations. But

smart regulation absolutely has been contributing to the continued decrease in pipeline safety incidents.

Mr. OWENS. Okay. I just have a few comments here. Through various PIPES Acts passed through this committee, Congress continues to authorize innovative technologies and practices that would improve safety in this field. I want to repeat that. We continue to authorize innovative technologies and practices that would improve the safety. And yet, unfortunately, there has been no implementation of this innovation due to Biden's bureaucratic hurdles.

The intended pilot programs never move forward, and the authorization for programs have lapsed. This, unfortunately, is another example of the free market industry moving faster than a non-innovative culture of bureaucratic government. We will never know how much damage could have been mitigated or lives saved if bureaucrats had just gotten out of the way and just let this process move forward.

For those who are watching, I just want to just make sure you understand what you are seeing here. This is what is called the innovators.

This is what you guys do every single day of your lives. You have a passion for it. You have an interest in things that we don't have interest in doing. And what you expect, very simply, is predictability to be given an opportunity to give the best service, to get a great reputation so you can make a great profit, and thousands of Americans benefit from that.

We have to recognize that the innovators is where this will change. I will say this. I am thankful that we have a majority now of innovators, of people who have been in business for themselves. We are on your side. We are going to figure out how to listen to you and provide innovative legislation, and we have a President who understands what innovation is all about, who wants this industry to drive the world's economy.

So I am excited about where we are today. Just know that we are listening, and we are looking forward to getting more impact from people like yourself, all you stakeholders, to make sure that we truly do make our mark in the world. So thank you so much.

And I yield back.

Mr. WEBSTER OF FLORIDA. The gentleman yields back. Mr. Carson.

Mr. CARSON. Thank you, Chairman, and thank you, Ranking Member. Thank you all.

Regarding our critical transportation infrastructure, including pipeline infrastructure, can you describe some of the most important cybersecurity and information technology challenges that have to be addressed?

Considering the growing number of malign actors that need to be reeled in, what are your thoughts about the ransomware attacks on entities like the Colonial Pipeline Company which disrupted gasoline supplies throughout the east coast?

How many of these issues were impacted by insufficient staffing and basically legacy equipment?

Are there any specific ways that our committee can provide assistance regarding these issues and vulnerabilities, quite frankly?

Mr. TAYLOR. I can first take a shot at answering that.

So from our standpoint, we know it is critically important. We know we are critical infrastructure, so we, as INGAA member companies, are trying to take additional steps to help prevent that and try to address it.

My focus is more PHMSA-related, so I don't get more into the TSA and various other areas that would be regulatory introduction for additional cybersecurity measures. But we definitely know, as an industry, it is critically important. And we are taking additional steps to mitigate that concern.

Mr. BLACK. You are absolutely right, Congressman. Cybersecurity is very important. The threats are real that pipeline operators face, and they are facing them every day. The way that these operators are trying to address them is through improved cybersecurity technology and defenses, developing industry standards on the use of cybersecurity to protect the SCADA systems that power the operation of the pipeline, and then partnering with Government—CISA, Department of Homeland Security—to help the national security personnel tell us what they can about threats, including in classified settings. Very important to protect our pipeline infrastructure from cyber threats.

Mr. CARSON. Yes, sir.

Mr. PARIS. Congressman, I would like to touch on cybersecurity when it comes to GIS mapping, because a lot of the questions that we receive when we talk about GIS mapping is, well, how can we protect that data?

And we obviously see that that is a potential issue, but I would like to point all of your attention to a case study that is being done in Minnesota, where they are doing a task called distributive data, where they are giving the excavators and the people involved, the utilities and facility owners, that data for the life of the ticket and only for the life of the ticket. So it is a way to make sure that the data is being secured. So I just wanted to mention that.

Mr. CARSON. Thank you.

Yes, sir.

Mr. CARAM. A little different perspective on cybersecurity, as integrity management regulations require an operator to identify every potential threat against their system, and I don't think cybersecurity has historically been included in those potential threats. But it is a potential threat, and it should be part of an integrity management plan.

Mr. CARSON. Yes, sir.

Thank you all.

I yield back, Chairman.

Mr. SHREVE [presiding]. Thank you. The Chair now recognizes Mr. García.

Mr. GARCÍA OF ILLINOIS. Thank you, Mr. Chairman, Ranking Member, and, of course, our four witnesses.

I would like to take a moment to first acknowledge that last week, in my district, in the town of Cicero, Illinois, there was an explosion, and it killed one person. It is, of course, under investigation. The cause of the explosion will be determined in part by that investigation and, of course, it is so important that PHMSA be able to support State pipeline safety inspectors in their work.

So let me begin my questions. Mr. Caram, the State of Illinois recently passed a law pausing the development of new carbon dioxide pipelines, as you are probably aware, until a Federal safety standard exists for those pipelines. In fact, the bill that this committee passed last year required PHMSA to complete a rulemaking establishing minimum safety standards for gaseous carbon dioxide pipelines. My question is this: Why is it important to set Federal safety standards before we build more carbon dioxide pipelines, in your opinion?

Mr. CARAM. Yes, thank you for the question, and I want to start by saying that this past Saturday marked the 5-year anniversary of the Denbury failure in Satartia, Mississippi, that sent 45-plus people to the hospital that night 5 years ago.

So there are gaping regulatory gaps in the minimum safety regulations for carbon dioxide pipelines. Depending on the phase of the CO2, it wouldn't be subject to any minimum safety regulations. And the regulations fall short in a number of other areas, including emergency response, and plume dispersion modeling, impurities, and a host of other areas. And that draft PHMSA rule that was submitted for publication did a good job addressing most of those risks.

Now, there is a congressional limitation on PHMSA's authority, the non-application clause that says that PHMSA cannot adopt design, construction, or initial testing standards on existing pipelines. So knowing that we have these regulatory gaps, some of them would fall under design or construction standards. Any pipelines that get built before those new standards come out, those design and construction standards, if they are included in PHMSA's rule, would not apply to what is already built.

And so we are just encouraging PHMSA to move quickly on its rulemaking so that any pipelines that are built will be following the modernized standards.

Mr. GARCÍA OF ILLINOIS. Thank you. My next question has to do with the proposed safety rule issued by the Biden administration as required by the 2011 pipeline safety law, but currently placed on hold.

One provision of the proposed rule focused on the right-of-way of carbon dioxide pipelines. Specifically, for a pipeline right-of-way within 2 miles of any building, operators would be required to justify why that pipeline location was chosen.

In addition, the proposed rule would have required those operators to establish an emergency planning zone extending 2 miles on either side of their pipelines to make sure that there is a plan in case of an emergency.

I believe we can and must do more to ensure rigorous safety standards and transparency with communities that are impacted by these pipelines.

My question: Can you talk about the consequences, Mr. Caram, to local communities if the proposed rules don't move forward?

Mr. CARAM. Sure. Well, I think that those proposed rules did a good job addressing many of the regulatory gaps that we have identified and that we are concerned about and think could lead to increased failures. And by not adopting those rules, we think that

communities could be left with less protection, and so we do worry about that.

Mr. GARCÍA OF ILLINOIS. Thank you very much, Mr. Chairman, I yield back.

Mr. SHREVE. Thank you. The gentleman yields back. The Chair now recognizes Mr. Westerman for 5 minutes of questions.

Mr. WESTERMAN. Thank you, Mr. Chairman. Thank you to the witnesses for being here today, an important subject when we talk about pipeline safety and innovation for the future.

But an area of concern that I have is us actually being able to build pipelines. We already know they are a very, very safe and efficient way of transporting gases and liquids, yet we have a burdensome permitting process that makes it very difficult to build new pipelines here in our country, and we have probably a bigger need for more pipeline distribution systems than we have ever had, especially when you look at the demands for more electricity and what are we going to use to generate that electricity.

We have an abundant amount of natural gas here, but if we can't move it to where it is needed, then it doesn't do us nearly as much good. So what I would like to ask each witness is how you perceive if permitting delays are driving up prices, if all this duplicative permitting and the judicial review process—does that add anything to safety of pipelines?

And what reforms specifically in the permitting area do you think would be beneficial for being able not just to make pipelines safer, but to be able to build more pipelines?

I will start with you, Mr. Black.

Mr. BLACK. Thank you, Congressman, and I represent liquids pipelines, and I want to thank you for your personal leadership on permitting reform. You are absolutely right. It is very important. As we have been discussing today, the pipeline is the safest mode of transporting liquid energy that Americans use. So if we can expand pipelines, we are improving safety.

On permitting reform, we support—and this will not be a surprise to you—quick decisions by permitting agencies, judicial reform so entire permits are not thrown out by some small provision, and then continued use of the nationwide permit 12 process for pipelines. If we can move better permitting reform that allows for durable permits, we will be able to expand the safest energy transportation infrastructure we have.

Mr. WESTERMAN. Thank you, Mr. Black.

Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Congressman. As Mr. Black stated, again, a very similar situation for the natural gas side. We definitely need permitting reform. We would definitely support that. Obviously, we would like to advance our projects as quickly as we can.

One step we could take in the very quick would be the classification rule. Again, that would free up some additional capacity because that would allow maximum allowable operating pressures to be reinstated back to where they originally were, and that is going to build some capacity within existing pipeline infrastructure. So that would be extremely helpful for us, and would be extremely helpful to get that rule completed as quickly as possible.

Mr. WESTERMAN. Thank you, Mr. Taylor.

Mr. Paris.

Mr. PARIS. So from the excavator side, when permitting comes into play, if permits are not approved in a timely basis, then we are out of work, and we have to put employees on layoff, or they are on unemployment. We have seen that in the past.

I would like to emphasize, though, that we are working with our customers in the safest fashion that we can, and we are always looking to improve the way we can be safe when it comes to pipeline infrastructure. Back in the day, it was about a finger-pointing kind of thing, but now it is about working together and talking about what the real issues are and moving forward with that.

I would also like to point out within the permitting process is part of the design phase of the project. So what is important to get these permits through faster and more safer is getting back to these basics in what I believe—these marked utilities, and mapping, and making sure that these are laid out within the permitting process.

Mr. WESTERMAN. Good.

Mr. Caram.

Mr. CARAM. Yes, yes. So this is really outside of the focus. The primary focus of our organization focuses really on safety regulations.

But I will say, as a public safety advocate, I am grateful for a robust permitting process that includes opportunities for public input. I see it as a balance between efficiency and responsibility, and I am sure there are places where progress on efficiency can be made, and we will just be there to make sure that those changes are responsible and safety-forward.

Mr. WESTERMAN. Do you see that it's in balance right now? Do you think the permitting laws and the multiple agencies that you have to go through, is it balanced between efficiency and safety now, or do you think we need more regulations or less regulations?

Mr. CARAM. Again, it is really outside of the main part of our work, and I am grateful for a robust process that has opportunity for public input.

Mr. WESTERMAN. All right. With that, I yield back, Mr. Chairman.

Mr. SHREVE. Thank you. The gentleman yields back. The Chair now recognizes Mr. Mann for 5 minutes of questions.

Mr. MANN. Thank you, Mr. Chairman. Thank you all for being here today. I am Tracey Mann. I represent the Big First district of Kansas, which is 60 primarily rural counties in the western part of my State.

Kansas has over 48,000 miles of gas pipelines and 11,000 miles of liquid pipelines that run throughout the State to help transport these goods across the country. I believe pipelines are one of the safest and most efficient modes of transportation for energy and are essential to delivering energy from where it is produced to where it is needed around the country.

A handful of questions.

First off for you, Mr. Black, what are some examples of how you feel like PHMSA needs to modernize its pipeline safety requirements?

Mr. BLACK. PHMSA regulations are over 20 years old, Congressman, in many aspects. Pipelines use modern technologies to assess pipelines through smart pigs that travel inside a pipeline looking for features like corrosion and cracks. And then pipelines use modern engineering assessment techniques and predictive analytics that can help us understand with more precision what issues need to be addressed and when. So we have that information, that better safety technology and that better program.

But PHMSA regulations are slow to react, and they are 20 years old, so then we need a special permit process to allow a variance to achieve the same level of protection, but smarter, but that process is broken. So two ways that PHMSA can improve is to allow update of repair criteria to reflect technology, and then to approve the special permit process and implement safety technology demonstration programs in a bureaucratic-free way.

Mr. MANN. My next question is, can you explain to the committee the potential benefits of the pipeline safety technology demonstration pilot program?

Mr. BLACK. Sure. This would give PHMSA the data to have the confidence to update their regulations. We will be able to show that new technologies traveling through the pipe and new engineering analytics will let us more efficiently focus on what we now know are the real threats on the proper schedule. So if the demonstration program can help PHMSA understand that, then they will have the confidence.

One more, we could have a demonstration program on the use of drone technologies or satellites to replace the fixed-wing rights-of-way patrols that pipeline operators have to do. Then maybe we can do more patrols for the same amount of money. But not if we have inflexible PHMSA regulations.

Mr. MANN. I could not agree more. We have got to embrace technology for everyone's benefit, including to make everything more safe.

Question for you, Mr. Taylor: The Class Location Rule is one of PHMSA's outstanding mandates. Please describe the importance of this regulation to pipeline operators.

Mr. TAYLOR. Yes, yes, it is extremely important. Again, it would allow some flexibility instead of going out and replacing, say, 1,000 feet of pipe, now I can apply subpart O or, again, additional assessments, preventative mitigative measures. I am going to look for those specific threats that are applicable from launcher to receiver, and I am going to run a battery of tools for that pipeline to make sure I am properly addressing or assessing those pipeline threats.

It also reduces impacts on landowners because, again, now I am not either pressure testing or replacing that pipe, I can run that additional technology through the pipeline.

And in addition, it is an improvement to the environment because now I am not going to have emissions related to doing all that additional work. I can just, again, run the new technologies as Mr. Black described.

Mr. MANN. Great. And how long has your sector advocated for this updated rule?

Mr. TAYLOR. It has been over two decades.

Mr. MANN. Over 20 years.

Mr. TAYLOR. Yes, sir.
Mr. MANN. Yes, yes.
Mr. TAYLOR. Yes, sir.
Mr. MANN. Well, that says a lot right there. Thank you all for being here today.
And with that, Mr. Chairman, I yield back.
Mr. TAYLOR. Thank you.
Mr. SHREVE. Thank you.
The gentleman yields back. I now recognize Chairman Rouzer for 5 minutes of questions.
Mr. ROUZER. Thank you, Mr. Chairman, and I appreciate our panelists being here today. I hate that I had to pop out, and I missed the benefit of the Q&A the last 30, 35 minutes or so, but let me look at this, or let me ask you from a broad standpoint.
As far as the Transportation and Infrastructure Committee for this year, next year, this Congress, what is the number-one or two items of oversight that you think are really critically important in this space?
And then, from a legislative standpoint, too, obviously, we are going to be working on a surface transportation reauthorization. And not that that deals directly, obviously, with pipelines, but anything in that space that you think we need to be pursuing legislatively I am curious about, as well.
Mr. Black, we will start——
Mr. BLACK [interrupting]. Well, hearings like today to conduct oversight over PHMSA, encouraging them to reduce bureaucracy and redtape and embrace innovation.
On legislative, a targeted pipeline safety reauthorization bill like you have, work that you have been doing on continued use of the nationwide permit program for oil and gas. And in your Coast Guard reauthorization bill in the committee last Congress, you encouraged the National Response Center to allow online incident notification, rather than just making a call and waiting for someone to answer the phone. Those three legislative priorities would really help.
Mr. ROUZER. Mr. Taylor.
Mr. TAYLOR. Yes, sir. Again, as Mr. Black mentioned, the 118th Congress had Class Location Rule. I mention again for the same reasons I just mentioned to Mr. Mann: the Technical Standards Committee, having that more frequent meeting with the GPAC LPAC that would again advance pipeline safety; discuss new technologies, look at what is working, what is not, and find opportunities to improve; the incorporation by reference, evaluating what are some of the more recent documents or recommended practices that are being referenced by PHMSA. Those would be extremely important because there are some standards in there that are 20 years old. We obviously know technology has significantly changed in the past 20 years, so should be referencing newer documents.
The voluntary information-sharing, that is another great aspect that we could have a proper space to make sure that we can collect that information and can share that out so that different operators can learn from maybe a mistake or a mishap, a near-miss, an incident from another operator.

And then that workforce development, just trying to have PHMSA have the right resources available at their needs to be able to conduct inspections and audits as they need to.

Mr. PARIS. I think for us it sounds simple, but it is very complex, and that is just a full and balanced statewide enforcement of damage prevention laws which includes full participation in an 811 process, accurate and timely locating for all facility owners, and the opportunity to move the needle towards GIS mapping.

Mr. ROUZER. Mr. Caram.

Mr. CARAM. Yes, for us it is the increased resources to PHMSA and the State programs that was identified in the bill, and appreciate industry support on that, as well. The increased enforcement authority to PHMSA, I think, will make a difference. I want to reiterate support for standardizing damage prevention.

A couple of things that were not in the bill would be the implementation of fire valves and then, more broadly, figuring out a path forward to encourage widespread adoption of safety management systems.

Mr. ROUZER. Now, the next item is not directly related to pipeline safety, but an issue of concern of mine. Several years ago, we had the shutdown of the Colonial pipeline, cybersecurity and that realm. Talk to me about our strengths and weaknesses and anything that we need to be doing as a Congress, as a House, as a Senate to help you address those issues better.

Mr. BLACK. Cybersecurity is very important. We have many threats pipelines face every day.

The way the pipeline operators are approaching this is to increase investment in cybersecurity defenses, develop best practices among the industry for protecting the systems that operate the pipeline, and then partnering with Government so that we can learn from the national security and the intelligence community about those threats. So it is making sure that Government has whatever resources it needs just on this issue to help identify the threats for us to partner together so we don't have to have voluntary shutdowns on ransomware like we had with Colonial or cyber breaches of operating equipment. Important issue. Thank you.

Mr. ROUZER. Yes, anybody else real quick?

Mr. TAYLOR. Not necessarily my area of focus, but just again maybe piggybacking off the volunteer information-sharing, maybe there are opportunities to better communicate some of the concerns or risks. If we are seeing certain issues that pop up across the industry, just how do we get that information out there as quickly as possible so that all operators can put up their defenses or develop new defenses, whatever the concern is, but just trying to share that information more quickly, more broadly so that we can address it.

Mr. ROUZER. Yes. I am out of time, but any quick thought?

Mr. PARIS. The operation side is a little bit out of my wheelhouse, but I had pointed to Congressman Carson about a case study that is being done when it comes to GIS mapping out of the State of Minnesota. And it has proven that cybersecurity and protection of that kind of thing is working with our kind of data.

Mr. CARAM. Very quickly, I would just encourage operators to identify cyber threats in their threat identification for integrity management, and mitigate against those threats as part of their integrity management program in addition to specific prescriptive cybersecurity regulations.

Mr. ROUZER. Thank you. I yield back.

Mr. TAYLOR OF OHIO [presiding]. The gentleman yields back, and I recognize Member Burlison for 5 minutes for questions.

Mr. BURLISON. Thank you, Mr. Chairman.

I just got back from a conference, a global conference called ARC, Alliance for Responsible Citizenship. We had world leaders from most of the Western nations: Britain, the United States, Canada, a lot of the European nations. And really, the common theme was that we have had a lost decade, if not two decades of economic growth, of industrialization that has been outsourced to countries like China that are not exactly the cleanest country to send your industry to.

And so the other thing that concerned me is the question of, history tends to repeat itself. And about every 80 to 90 years, the world reserve currency moves to a different nation. And we in the United States, we are well beyond that 80 or 90 years. We are at about 120 years being the world reserve currency. It generally follows the nation that is the industrial powerhouse in the world, the manufacturing leader. That being said, energy costs are a key driver of this. Cheap, abundant, and affordable energy is what every manufacturer is seeking.

And so with that question, Mr. Black, in your testimony, you emphasized that expanding American energy production will send new supply to the market and pressure prices downward as building energy infrastructure like pipelines will help us deliver more energy to the American people. Can you highlight why investments in energy infrastructure is essential if we are going to maintain world dominance economically?

Mr. BLACK. We have tremendous energy supplies in the United States and, of course, Canada with our integrated market both in liquids and in natural gas. When we can get that energy to market, to the people and the businesses who use it, that produces downward pressure on prices.

If we have additional energy made that we don't need in this country, we can sell it in the world market, helping our trade balance and helping push global prices down and increasing global prosperity. But in order to do that, you have to be able to expand pipeline capacity. In both cases, it is the most economical and most reliable way to move that energy to where it can be beneficially used.

Mr. BURLISON. It is my belief that the one common denominator that the poor and the rich have to deal with is the cost of energy. Unfortunately, the poor have much more as a percentage of their income, greater harm from those costs.

Mr. BLACK. Yes.

Mr. BURLISON. And so would you agree with me when I say: Show me a nation that is abundant in energy and cost-effective, affordable energy, and I will show you a nation that has low poverty rates?

Mr. BLACK. Affordable, reliable energy lifts people out of poverty, lifts nations out of poverty and helps them grow, yes.

Mr. BURLISON. Let me ask this. You mentioned in your testimony that smart pipeline policies will promote the pipeline energy infrastructure that we need to deliver and keep American energy dominance. Can you describe what is smart pipeline policies?

Mr. BLACK. Well, one is making targeted improvements to PHMSA, rather than adding new mandates, harsh penalties that aren't called for. If we can help the public understand that the pipeline network—liquids and gas—is well regulated and it is safe, there will be more support for that pipeline expansion. We need PHMSA on the case, showing that they are doing things, that they are holding companies accountable, and that they are reassuring the public that pipelines are safe. We will be able to expand pipelines better than we have been.

Mr. BURLISON. Thank you.

Mr. Taylor, in your testimony, you highlighted the important role that the Gas Pipeline Advisory Committee plays. And yet, since 2021, that committee has only convened three times. How often are they supposed to convene?

Mr. TAYLOR. The charter states they should be meeting approximately four times per year. So obviously, not meeting that charter.

Mr. BURLISON. Can you expand on the role and how that impacts the industry, them not meeting impacts the industry?

Mr. TAYLOR. Yes, sir. So it definitely impacts the industry because, again, you can get different thought processes involved. Obviously, there is public, there is the industry, there is PHMSA, so you are getting the different players involved and discuss key safety concerns, advancements, technology changes. So you are just trying to look at the regulations and figure out how can we continue to move and strive for zero incidents across the industry.

Mr. BURLISON. Thank you, Mr. Chair. Thank you, Mr. Chairman, I yield back.

Mr. TAYLOR OF OHIO. The gentleman yields back. I recognize myself for 5 minutes of questions.

First, I want to thank Chairman Webster and Ranking Member Titus for holding this hearing today, and thank you to the witnesses for your testimony and insight.

Ohio contains over 100 pipeline operators that oversee 56,000 miles of distribution lines, over 10,000 miles of transmission lines, and over 1,100 miles of gathering lines. My district is home to the Buckeye XPress and Tennessee Gas Pipeline, both of which provide pivotal natural gas for the State and the country. With a large network of pipelines, I am proud to work with my colleagues on this committee to pass legislation that ensures that our pipelines are safe across the great State of Ohio and the Nation.

People across the country want lower energy costs, and that means the United States needs to unleash its natural resources. I am proud that this administration wants to prioritize oil and natural gas production to create jobs and economic development for both consumers and industries. Mr. Paris, what has been Pennsylvania's experience with shale gas, and how have you worked to ensure that this energy is developed and transported safely?

Mr. PARIS. So like I said before, we are working with our customers on a day-to-day basis to improve safety. Safety is number one, and it is a part of every task that we complete.

Now, as far as our local economy, the gas industry, since it has come to Pennsylvania, it has bolstered our local economies. We have seen businesses that were ready to shut their doors be brought back to life. So we take that as a responsibility on us to make sure that we are installing these pipelines correctly and following safe practices.

Mr. TAYLOR OF OHIO. Thank you.

More often than not, regulations have hindered industry from adopting the best technologies, practices, and standards that allow for their businesses to thrive. I was disappointed to learn in your testimony, Mr. Black, about how the pipeline safety technology demonstration pilot program, created to test some of the latest and advanced inspection programs and analytics, was ineffective because of the previous administration's practices and policies. Mr. Black, could you please elaborate on the benefits of this program if it were to be implemented properly?

Mr. BLACK. Thank you. This was a great opportunity that Congress created, and we missed as a nation, and I hope that we can retry that.

The pipeline safety technology demonstration program was put by PHMSA into the special permit process, and the special permit process is broken. There are conditions unrelated to variances that are requested, there are delays, there were unusual procedures for temporary R&D programs that we just don't need. So if Congress can reauthorize the pipeline safety technology pilot demonstration program and tell PHMSA, "Don't apply those unnecessary conditions," let's get to work, let's find a way to benefit from the newer technologies and improve PHMSA regulations. But we will need congressional action.

Mr. TAYLOR OF OHIO. Thank you. Is there anyone on the panel that disagrees that Congress should reimplement this program?

Okay, thank you. I yield back.

Are there any further questions from any members of the subcommittee who have not been recognized?

Seeing none, that concludes our hearing for today. I would like to thank each of the witnesses for your testimony.

The subcommittee stands adjourned.

[Whereupon, at 12:11 p.m., the subcommittee was adjourned.]

SUBMISSIONS FOR THE RECORD

Statement of Rob Benedict, Vice President, Petrochemicals and Midstream, American Fuel & Petrochemical Manufacturers, Submitted for the Record by Hon. Daniel Webster

The American Fuel & Petrochemical Manufacturers (AFPM) is the leading trade association representing the manufacturers of the fuels that keep America moving and petrochemicals that are the essential building blocks for organic chemistry, including plastic products that improve the health, safety, and living conditions of humankind and make modern life possible. AFPM members keep America moving and growing as they meet the needs of our nation and local communities, strengthen economic and national security, and support over three million American jobs.

Our membership includes operators of pipelines as well as manufacturers that rely on pipelines to safely transport feedstocks and petroleum products. Pipelines continue to be the safest and most efficient means of transporting natural gas, crude oil and petroleum products. The safety and security of pipelines is important not only to the American economy, but to the men and women who work to keep America moving.

AFPM encourages efforts to ensure our nation's essential pipeline systems continue to operate safely and efficiently. Policies that allow our nation to maintain our current critical infrastructure while building new needed infrastructure in turn bolster our economy, allows increased transportation of more energy products, and keeps energy affordable. We support the Pipeline and Hazardous Materials Safety Administration's (PHMSA) mission "to protect people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives" and in turn we support reauthorization of PHMSA's pipeline safety programs.

Specifically, AFPM supports a five-year reauthorization of PHMSA's pipeline safety programs. PHMSA plays an essential role in developing and enforcing regulations for the safe, reliable, and environmentally sound transportation of energy and other hazardous materials by pipeline and other modes. AFPM looks forward to a continued partnership with PHMSA as we help build a safe and reliable transportation network.

PHMSA has long sought the ability to gather more pipeline incident information from operators, including close calls, to aid in their decision making. AFPM supports PHMSA establishing a voluntary information sharing (VIS) system to gather, evaluate, and quantify critical pipeline safety data and information to improve safety. This type of system has proven beneficial in other sectors. Any VIS must include appropriate safe harbor provisions, that ensure data is only used for the intended purpose of improving pipeline safety.

AFPM supports PHMSA finalizing workable pipeline safety standards for carbon dioxide (CO2) facilities. While current federal pipeline safety standards already regulate the design, construction, operation, maintenance and emergency response for CO2 and hydrogen pipelines, the regulations could be updated to ensure they are consistent and foster needed innovation. PHMSA should ensure the regulations address any specific safety concerns for these materials, but at the same time not be so burdensome that they stifle development of this critically important infrastructure.

AFPM supports increased frequency of meetings of the Technical Safety Standards Committees as well as the development of pipeline safety enhancement programs. Technical Safety Standards committees are integral to the advancement of pipeline safety and have proven to result in good policy. AFPM has long supported pilot programs as they are important in testing the efficacy of safety innovations and advanced technologies. Though they can be useful, it is important that pilot programs are not overly restrictive and encourage industry participation.

AFPM supports strengthening penalties for damaging, destroying, or impairing the operations of pipeline facilities. Under current PHMSA authority, there are inadequate penalties for vandalism of pipeline facilities, and those in place are unused by PHMSA.

Pipelines must be protected, and deterrents must be in place to dissuade such actions. AFPM encourages Congress to clarify PHMSA's authority to penalize vandals, either through its own action or in a referral to the Department of Justice. We also support, and encourage the Committee to include in its bill, the creation of a "worker safety zone" around pipeline construction and repair operations, to protect pipeline workers and the public.

PHMSA is a small agency with an important mission. While previous reauthorizations authorized PHMSA with resources, PHMSA has not completed many of its priority rulemakings. AFPM supports Congress reauthorizing PHMSA with the resources to achieve its safety mission. Thank you again for your attention and work on Pipeline Safety reauthorization. We appreciate your leadership on this important issue and look forward to working with lawmakers as the reauthorization process moves forward.

Statement of the American Gas Association, Submitted for the Record by Hon. Daniel Webster

The American Gas Association (AGA) is pleased to provide our input for the Transportation and Infrastructure Committee's Subcommittee on Railroads, Pipelines, and Hazardous Materials hearing on *Promoting and Improving Safety and Efficient Pipeline Infrastructure*. AGA shares the same goals as safety advocates, the public, pipeline sector industry partners, and Congress: Ensuring America's pipeline system remains the safest, most secure, most reliable in the world. To that end, we applaud the Transportation and Infrastructure Committee's bipartisan work to draft, negotiate and pass the Promoting Innovation in Pipeline Efficiency and Safety (PIPES) Act of 2023 (H.R. 6494) last Congress, and we look forward to working with the Committee in the 119th Congress to help push pipeline safety reauthorization through the legislative process and into law.

AGA, founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 77 million residential, commercial, and industrial natural gas customers in the U.S., of which 96 percent—more than 74 million customers—receive their gas from AGA members. AGA advocates for natural gas utility companies and their customers and provides a broad range of programs and services for member natural gas pipelines, marketers, gatherers, international natural gas companies, and industry associates. Today, natural gas meets more than one-third of the U.S.' energy needs. Natural gas pipelines are an essential part of the nation's energy infrastructure. Indeed, natural gas is delivered to customers through a safe, approximately 2.7-million-mile underground pipeline system, including 2.3 million miles of local utility distribution pipelines, 100,000 miles of gathering lines, and 300,000 miles of transmission pipelines providing service to more than 189 million Americans.

Distribution pipelines are operated by natural gas utilities, or "local distribution companies (LDCs)." Gas utility distribution pipes are the last, critical link in the natural gas delivery chain that brings natural gas from the wellhead to the burner tip. AGA member utilities are the "face of the gas industry," embedded in the communities they serve, and interact daily with customers and the state regulators who oversee pipeline safety locally. The distribution industry takes very seriously the responsibility of continuing to deliver natural gas to our families, neighbors, and business partners as safely, reliably, and responsibly as possible. The industry is committed to providing life-sustaining energy to the thousands of communities in our country who count on it, every second of every day of the year.

OUR NUMBER ONE PRIORITY: PIPELINE SAFETY

The domestic shale revolution has resulted in an abundant supply of clean, affordable, and reliable natural gas. This robust supply has translated into stable natural gas prices and an increasing number of utility customers who use this resource for residential and commercial applications like cooking, space and water heating, and manufacturing. Last year alone, natural gas utilities added 730,000 customers and 20,700 miles of pipeline to serve these new customers. Alongside this tremendous opportunity comes the absolute necessity of operating safe and reliable pipeline infrastructure to help ensure dependable natural gas delivery to homes, businesses, and essential facilities like hospitals. Every year the industry invests $33 billion on

the safety of our pipeline systems. Unquestionably, pipeline safety is our industry's number one priority, and through critical partnerships with state and federal regulators, legislators, and other stakeholders, AGA member companies are continually working to enhance pipeline safety, integrity, and system resiliency.

PIPELINE SAFETY REAUTHORIZATION PRIORITIES

AGA and its members support fact-based, reasonable, flexible, and practicable updates to pipeline safety regulation that build upon lessons learned and evolving improvements to pipeline safety and related programs and technology. In that spirit, AGA wishes to highlight 5 high-level priorities as the House-Senate reauthorization process moves forward.

Support Limiting Pipeline Excavation Damage Incidents. Excavation damage is the primary cause of distribution pipeline incidents. According to PHMSA data, in the past 20 years, excavation damage incidents on natural gas pipelines have resulted in 57 deaths, 254 injuries, and over $300 million in property damage. These often tragic incidents are preventable. States that have healthy excavation damage prevention and enforcement programs typically experience lower rates of damages to pipelines. AGA supports directing PHMSA to incentivize states to adopt One Call program leading practices, derived from the best state excavation damage programs, and condition their grants to State One Call programs based upon adoption of these best practices. We are confident this program will save lives.

Support Pipeline Technology Alternatives. Modern pipeline safety technologies—not contemplated when many pipeline safety regulations were first implemented—can, if deployed, meet the intent of these older existing regulations and improve the overall safety of natural gas, hazardous liquid, underground storage, and liquefied natural gas infrastructure. For example, satellite technology has advanced to the point where it can be used to comply with leak detection regulation and breakaway meter technologies and excess flow valves can stop the flow of gas if a meter is hit, eliminating the need for physical meter protection barriers. AGA supports a PHMSA regulatory process to identify technology alternatives that, if utilized, will meet the intent of existing pipeline safety regulations and provide an equal or greater level of pipeline safety.

Strengthen Criminal Penalties for Damage to Pipelines. Natural gas utilities are experiencing an uptick in criminal attacks on property, equipment and facilities. These activities range from gunshots targeting pipelines, IEDs placed on gas delivery equipment, and the damaging of facilities and equipment necessary for safe natural gas delivery. These activities are not only hazardous to the safety and property of the public and member company employees, they also threaten an LDC's ability to deliver natural gas to thousands of homes, hospitals, schools, government and military facilities, and other critical infrastructure customers. AGA supports increased criminal penalties on bad actors who intentionally damage, destroy or impair pipelines and pipeline facilities, including those under construction.

Hydrogen-Natural Gas Blending R&D Study. Hydrogen is an emerging solution for achieving gas LDC energy storage and decarbonization goals. Natural gas projects in North America and worldwide demonstrate successful blending of hydrogen into the existing natural gas distribution network or utilizing natural gas that has a naturally occurring higher hydrogen content. Hawai'i Gas has successfully utilized a natural gas hydrogen blend of 15% for decades and many systems overseas are operating at approximately a 20% blend. It is important to understand how companies operating natural gas distribution systems with a higher hydrogen content are operating these systems safely. As such, we suggest GAO conduct a review of natural gas distribution systems worldwide that utilize hydrogen-natural gas blending applications, or utilize gas with a higher hydrogen content, to identify processes, materials, and standards the operators have implemented to operate safely. The results of this study will help underpin the safety of ongoing domestic hydrogen R&D and blending operations.

5-Year Reauthorization for PHMSA's Pipeline Safety Program. PHMSA's Pipeline Safety program was reauthorized most recently in the PIPES Act of 2016 and PIPES Act of 2020. As PHMSA's Pipeline Safety program expired again in 2023, the frequency of reauthorization has been squeezed to just 3 years. This interval is inappropriate given the significant time it takes to conduct studies, publish reports, move reauthorization priorities from legislation to Proposed Rulemaking, address comments, and develop and publish Final Rules. Acknowledging the time required to conduct studies, publish reports, and develop feasible, reasonable, cost effective, and practical rulemaking (including stakeholder input), and in keeping with reauthorization intervals that preceded the PIPES Act of 2016 (1996, 2002, 2006, 2011),

Congress should reauthorize PHMSA's Pipeline Safety program for not less than 5 years.

CONCLUSION

America's gas utilities' commitment to pipeline safety relies on sound engineering principles and best in class technology, a trained professional workforce, effective community relationships, and a strong partnership with state pipeline safety authorities and PHMSA. As pipeline safety reauthorization legislation is drafted this year, AGA encourages Congress to work in a bipartisan fashion to move reasonable and consensus changes to pipeline safety law and regulation, support PHMSA's primary role as pipeline safety regulator, and recognize the great strides in pipeline safety engineering and operating practices that pipeline companies are putting into practice across the country. Pipeline sector companies and their trade associations stand ready to assist in this process with real world operations, engineering and safety data and experience. Please use us as a resource.

Letter of February 21, 2025, from Sarah K. Magruder Lyle, President & Chief Executive Officer, Common Ground Alliance, to Hon. Daniel Webster, Chairman, and Hon. Dina Titus, Ranking Member, Subcommittee on Railroads, Pipelines, and Hazardous Materials, Submitted for the Record by Hon. Daniel Webster

FEBRUARY 21, 2025.

The Honorable DANIEL WEBSTER,
Chairman,
Subcommittee on Railroads, Pipelines, and Hazardous Materials, Committee on Transportation and Infrastructure, 2184 Rayburn House Office Bldg., Washington, DC 20515.

The Honorable DINA TITUS,
Ranking Member,
Subcommittee on Railroads, Pipelines, and Hazardous Materials, Committee on Transportation and Infrastructure, 2370 Rayburn House Office Bldg., Washington, DC 20515.

RE: The importance of improving facility mapping records to enhance public safety, protect underground infrastructure and ensure reliability

DEAR CHAIRMAN WEBSTER AND RANKING MEMBER TITUS,

The Common Ground Alliance (CGA) is a member-driven association of nearly 4,000 damage prevention professionals committed to saving lives and preventing damage to North American underground infrastructure by promoting effective damage prevention practices of today and tomorrow. CGA is the preeminent source of damage prevention data and information to reduce damages to underground facilities through the shared responsibility among all stakeholders. We are pleased to provide the committee with an overview of the state of damage prevention and the potential GIS mapping has to reduce excavation damages to our Nation's pipeline infrastructure.

According to CGA's Damage Information Reporting Tool (DIRT) Report, the annual rate of damages to buried infrastructure in the U.S. has remained stagnant for most of the last decade and costs our communities a staggering $30 billion every year. Each of the hundreds of thousands of dig-ins to underground utilities that occur annually has the potential to cripple communities and businesses by cutting them off from critical services, causing injury or even loss of life.

As our Nation's underground infrastructure system continues to grow, the damage prevention industry faces increasingly complex challenges. We must encourage innovation and incentivize the development of damage prevention solutions for the future. To do this, CGA has elevated the work of its traditional programs (Best Practices, DIRT and 811 awareness and use) and launched three new efforts to expedite the industry's achievement of the next significant reduction in damages:

- *The Next Practices Initiative*—Launched in 2020, the Next Practices Initiative's goal is to encourage innovation and new practices to address the most critical challenges facing the damage prevention industry. The Next Practices Advisory Committee uses industry data, quantitative surveys, and stakeholder input to clearly identify and focus the industry on the advancement of the most effective solutions to address critical damage prevention challenges.

- *The Damage Prevention Institute (DPI)*—Launched in January 2023, the DPI mission builds on the industry-leading insights of CGA's Next Practices Initiative by utilizing a stakeholder-centered approach to develop performance metrics that reflect a commitment to Best Practices and dedication to improving the reliability of the U.S. damage prevention system for everyone involved.
- *The 50-in-5 Industry Challenge*—Announced in 2023, this effort challenges stakeholders to reduce damages to critical underground utilities by 50% in five years by bringing damage prevention advocates together around a targeted set of strategic, data-driven priorities. This call to action encourages the damage prevention industry to concentrate on three focus areas that prioritize critical issues identified by CGA's Next Practices Initiative and the top damage root causes that contribute to more than 76% of damages to buried infrastructure (according to CGA's most recent DIRT Report):
  - Effective and Consistent Use of 811
  - Key Excavator Practices (potholing, maintaining clearance, etc.)
  - Accurate, Timely Utility Locating

CGA recently introduced the CGA Index, a metric for evaluating year-over-year damage trends, to measure industry progress in reducing damage. The status of the CGA Index will be updated annually in conjunction with the release of the DIRT Report.

Safety Risks of Inadequate Mapping

Access to accurate utility mapping records can provide stakeholders with a critical tool to prevent damage to underground utilities. In order to take full advantage of the opportunity mapping provides, the accuracy of mapping records has to be prioritized and stakeholders across the damage prevention process need to have greater access to excavation site mapping information.

In 2023, failure to locate accurately and on time was the root cause attributed to 34% of damages to underground utilities. CGA's Locator White Paper and the work of the Next Practices Initiative reveal that improving the accuracy of facility maps and implementing electronic white-lining would help locators complete their work more quickly and accurately.

Records of underground utilities are often inaccurate or incomplete and are largely unavailable to damage prevention stakeholders like designers, locators, and excavators. Increasing adoption of mapping technology and map accessibility for damage prevention stakeholders has the potential to reduce damages and increase the efficiency of the safe excavation process.

Additionally, excavators continue to emphasize the importance of greater access to mapping records. The results of a 2024 national survey of excavators conducted by CGA revealed that 89% of professional excavators believe that having access to utility maps would reduce excavation damage.

Improved Facility Mapping Records

Although there is much work to do to enhance mapping record accuracy and availability, many stakeholders are implementing programs and initiatives to improve mapping records. Featured in CGA's Leadership in Mapping video series, Jerry Schmitz, VP of Safety & Online Quality for Southwest Gas, describes his company's commitment to using maps as the foundation for its asset management and damage prevention efforts. Consumer's Energy has recently implemented a program to map its own natural gas distribution pipelines in addition to sewer facilities in close proximity to those assets.

In California, Senate Bill 865 (SB 865), introduced and passed in 2020, takes the improvement of mapping records further by requiring that new installations be mapped using GIS. The legislation aims to enhance safe excavation practices in the state by requiring all new subsurface installations to be mapped using a GIS starting from January 1, 2023, except for specific oil and gas flowlines within oil fields.

Increased availability and accessibility of GPS-enabled locating devices is also providing the industry with greater opportunities to effectively map facilities. UtiliSource, a Missouri-based utility design, engineering, and project management company, rolled out a program to record the location of all third-party locates throughout a fiber installation project. They will then be able to utilize this mapping record as they continue to do work in the same area, improving future project efficiency.

Gopher State One Call's GPS-enabled locator program in Minnesota partners with locating technology providers to equip damage prevention stakeholders across the state with utility line locators integrated with RTK GNSS accuracy and GPS collec-

tion capabilities. This program has been particularly beneficial to small municipalities, for whom updating legacy paper maps can be prohibitively time-consuming and expensive.

EXPANDING ACCESS TO UTILITY MAPPING INFORMATION

Important Concepts and Terminology

It is not necessary to consolidate utility mapping data in a single location to enable visualization of mapping data in support of damage prevention processes.

The term "distributed GIS" refers to geographic information systems that do not have all of the system components in the same physical location. In the context of this letter, "distributed GIS" refers specifically to the rendering (or display) of geospatial data for an end user *without that user having access to the underlying data*.

Current GIS technology allows geospatial data owners to publish their data through a "Web Mapping Service," or "WMS." Publishing a WMS is a means of displaying view-only map data over the internet. Publishing a WMS empowers a data owner to completely control their own data, including where the data is stored, how the data is rendered/displayed for end users, and who may view the data. A WMS can be configured to prohibit copying or downloading GIS data underlying an internet-based map.

Creating GIS Mashups

In a distributed GIS, the term "mashup" refers to a web-based mapping application that combines mapping content from disparate sources (such as web mapping services). Mashups separate the underlying geospatial data from the presentation of the data.

GIS mashups that incorporate mapping content from multiple utilities—who maintain full control over their own data—present many opportunities to support the damage prevention process. For example, an 811 center could create a mashup of member utility data. The 811 center could then provide a display of the mapping data for dig tickets. The display would be limited to the extent of the excavation area and would only be available for the life of the ticket. An example of a mashup created by an 811 center is presented in CGA's Next Practices Case Study—Minnesota Utilities Mapping Project. The case study clearly demonstrates the concepts described in this letter. Additionally, Texas811 has created a mashup to provide map renderings of select facility participants' abandoned lines. CGA is following several mapping pilot projects and industry efforts to document practical options, effective protocols, and successful practices.

Efforts such as these have the potential to increase locating efficiency, decrease over-notification practices utilized by both contractors and facility owner/operators, and help decrease overall 811 request volume so locators' workloads are more manageable. Additionally, increasing access to facility map information during the planning and design phase of large projects will improve overall project and process efficiency.

Documenting Industry Best Practices for Distributed GIS for Damage Prevention

Effectively using distributed GIS for damage prevention will require identifying Best Practices to address issues that arise with increased sharing of mapping records such as the following:

- Geospatial data accuracy
- Map feature attribute data
- Geospatial data projections and coordinate systems
- Adoption of protocols for publishing web mapping services to support damage prevention processes while also protecting data owners' information security

As the only trade association that brings together stakeholders from all facets of the damage prevention industry, CGA is facilitating industry-wide dialogue to identify and document Best Practices that are creating an environment in which distributed GIS can serve the damage prevention process. This includes consideration of the items outlined above, which would provide the guardrails needed to provide greater access to facility mapping information prior to and during excavation projects.

Taking Demonstration to Deployment

An effective option to provide greater access to facility map visualization for planned excavation would require selecting a finite area where map information would be provided to end users. Currently, the most widely adopted process for providing facility location information is when excavators make a locate request

through the 811 process—this occurs over 42 million times per year. Through this process, 811 centers use facility owner/operator map information to identify utilities that may be affected during an excavation project. Those utilities are then notified to locate and mark their facilities during a specified period of time prior to the excavation project. This well-understood process can be applied more broadly to provide affected stakeholders with facility visualization prior to and during an excavation project. This would not replace locating and marking but would greatly enhance the entire 811 damage prevention process.

This summary we have provided is not intended to outline all of the issues that must be addressed, but to serve as a starting point to establish a process that has the potential to significantly enhance the current 811 system and focus the industry on taking damage prevention to the next level to keep our communities safe and connected to the utilities we depend on every day.

The Common Ground Alliance appreciates the Committee's interest in the importance of GIS mapping to protect our Nation's critical pipeline infrastructure and keep our communities safe and connected.

Sincerely,

SARAH K. MAGRUDER LYLE,
President & CEO, Common Ground Alliance.

Letter of March 6, 2025, from Hon. Chrissy Houlahan, a Representative in Congress from the Commonwealth of Pennsylvania, to Hon. Sam Graves, Chairman, and Hon. Rick Larsen, Ranking Member, Committee on Transportation and Infrastructure, and Hon. Daniel Webster, Chairman, and Hon. Dina Titus, Ranking Member, Subcommittee on Railroads, Pipelines, and Hazardous Materials, Submitted for the Record by Hon. Dina Titus

MARCH 6, 2025.

The Honorable SAM GRAVES,
Chairman,
Committee on Transportation and Infrastructure, U.S. House of Representatives, Washington, DC 20515.

The Honorable DANIEL WEBSTER,
Chairman,
Subcommittee on Railroads, Pipelines, and Hazardous Materials, U.S. House of Representatives, Washington, DC 20515.

The Honorable RICK LARSEN,
Ranking Member,
Committee on Transportation and Infrastructure, U.S. House of Representatives, Washington, DC 20515.

The Honorable DINA TITUS,
Ranking Member,
Subcommittee on Railroads, Pipelines, and Hazardous Materials, U.S. House of Representatives, Washington, DC 20515.

DEAR CHAIRMEN GRAVES AND WEBSTER AND RANKING MEMBERS LARSEN AND TITUS:

Thank you for your leadership in ensuring the safe and efficient operation of our nation's hazardous liquid and gas pipelines in your forthcoming pipeline safety reauthorization legislation. I write following your subcommittee's February 25, 2025 hearing titled "Promoting and Improving Safety and Efficient Pipeline Infrastructure" to emphasize the need for action to address issues related to "Aldyl A" plastic piping.

DuPont's Aldyl A has a long and well-documented history of "poor performance histories relative to brittle-like cracking," including several Pipeline and Hazardous Materials Safety Administration warnings dating back to 1999.[1] Concerningly, Aldyl A has been involved in two deadly incidents in the past two years in the United States. This includes the R.M. Palmer Company Chocolate Factory explosion in West Reading, Pennsylvania in my district two years ago, which led to the death of seven workers, injured eleven people, displaced three families, and destroyed

[1] https://www.federalregister.gov/documents/2002/11/26/02-30055/notification-of-the-susceptibility-to-premature-brittle-like-cracking-of-older-plastic-pipe and
https://www.govinfo.gov/content/pkg/FR-2007-09-06/pdf/07-4309.pdf

property.[2] The National Transportation Safety Board (NTSB) recently met in December 2024 to review the incident and found that degradation of the retired Aldyl A tee from elevated ground temperatures allowed the gas to escape from the gas pipeline.[3] In November 2024, the NTSB issued a preliminary report for another explosion involving an Aldyl A pipeline in South Jordan, Utah, which led to the death of a 15-year-old child, displaced families, and damaged several residences.[4] This troubling acceleration of Aldyl A tragedies underscores the need for urgent congressional action.

In your subcommittee's pipeline safety hearing last week[5], and previous hearing in May 2024[6], Mr. Bill Caram, Executive Director of the Pipeline Safety Trust, underscored the need for action to remove Aldyl A from pipelines, referencing both incidents in West Reading and South Jordan and stating, "I look forward to the day when I can speak before you to let you know that there were no fatalities since the last time I testified, but today is not that day. The last two years have been the deadliest two-year period for pipelines in nearly 15 years."

The upcoming pipeline safety reauthorization presents an opportunity for Congress to finally act before any more lives are lost. In the 118th Congress, I introduced the bipartisan Aldyl A Hazard Reduction and Community Safety Act[7] (H.R.5638), which would require the proper documentation and subsequent removal of Aldyl A in high consequence areas, including considerations to minimize costs and service disruptions. As your subcommittee works to advance pipeline safety reauthorization legislation in the 119th Congress, I respectfully ask to work with you to reintroduce and include this critical legislation.

Thank you for your attention to this pressing issue, especially considering the increase in deadly Aldyl A incidents recently. I stand ready to work with you to ensure that no other lives are lost on account of this problematic piping material.

Sincerely,

CHRISSY HOULAHAN,
Member of Congress.

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[2] https://www.ntsb.gov/investigations/Pages/PLD23LR002.aspx

[3] https://www.windrosemedia.com/livewebcast/version9/WebcastPortal/webcast.php?webcast__id=371&rpath=/clients/ntsb/public

[4] https://www.ntsb.gov/investigations/Pages/PLD25FR001.aspx

[5] https://docs.house.gov/meetings/PW/PW14/20250225/117825/HHRG-119-PW14-Wstate-CaramB-20250225.pdf

[6] https://docs.house.gov/meetings/PW/PW14/20240507/116970/HHRG-118-PW14-Wstate-CaramB-20240507.pdf

[7] https://www.congress.gov/bill/118th-congress/house-bill/5638

APPENDIX

QUESTION TO ERIC V. TAYLOR, P.E., DIRECTOR, ENGINEERING SERVICES, BHE GT&S, ON BEHALF OF THE INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA, FROM HON. DINA TITUS

Question 1. Thank you for sharing with the Committee during our hearing that the Interstate Natural Gas Association of America (INGAA) supports the leak detection final rule as required in the Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2020 that PHMSA announced in mid-January 2025. Without its publication in the final register, I am concerned that known leaks will continue to go unrepaired and may cause further tragedies.

INGAA would like to see changes made to the final rule, what are those changes, and does INGAA believe it can garner consensus with the government and public members of the gas pipeline advisory committee for the changes in a timely manner?

ANSWER. Thank you for the question on Interstate Natural Gas Association of America's (INGAA) perspective on the Gas Pipeline Leak Detection and Repair (LDAR) rule. INGAA generally supports the proposed regulation but would like to see the rule noticed again and offered for comment by the current Administration to make changes.

First, I would like to provide background on existing leak detection requirements for transmission pipelines. Transmission pipelines are generally larger in diameter and operate at higher pressures than distribution pipelines. During the hearing, you noted Nevada has strict annual leak survey requirements for distribution pipelines. However, as transmission pipeline operators, the federal regulations[1] also require annual surveys but also more frequent leak surveys depending upon the surrounding population of the pipeline. Current regulations[2] also require hazardous leaks be promptly repaired. The PIPES Act of 2020[3] contained a self-executing mandate in Section 114, which requires pipeline operators to eliminate hazardous leaks and minimize releases of natural gas from pipeline facilities. Further, the self-executing mandate required an operator's plan include replacement or remediation of pipelines that are known to leak based on the material (including cast iron, unprotected steel, wrought iron, and historic plastics with known issues), design, or past operating and maintenance history of the pipeline.

INGAA remains supportive generally of the LDAR rule. The Pipeline and Hazardous Materials Safety Administration (PHMSA) followed the Gas Pipeline and Advisory Committee (GPAC) recommendations. INGAA and other industry associations submitted joint industry comments relating to the GPAC meetings held to review and discuss PHMSA's proposed LDAR rule and associated regulatory analyses. Included below are examples of proposed modifications from joint industry comments PHMSA received[4] and concerns that have recently emerged.

1. Strike the proposed modifications made to 49 C.F.R. Part 192.199. By design, relief valves are intended to vent gas at an operator selected set pressure and then closed, ending gas venting, once the pressure is below the set point. PHMSA's proposed modification incorrectly assumes operators set relief valves to vent more gas than appropriate.
2. Strike "*Unintentional estimated gas loss of three million cubic feet or more*" from the definition of an Incident[5] so those losses can be captured in the pro-

[1] 49 C.F.R. Part 192.706
[2] 49 C.F.R. Part 192.703
[3] P.L. 116–260
[4] PHMSA–2021–0039 docket
[5] 49 C.F.R. Part 191(1)(iii)

posed large volume release report. Removing this language would allow incident reporting to be solely focused on safety events and would provide PHMSA and industry better data to drive improvements in safety and reduce methane emissions. In reviewing current incident information, it appears the industry is experiencing a greater number of incidents, but this increase is due to an equipment malfunction. As an example, equipment malfunctions may be due to a relief valve that operated and vented more than 3 million cubic feet of gas. This data is valuable to track and measure to understand causal factors for this equipment malfunction and communicate to industry for continuous improvement, but this is not a safety related concern since the gas is vented from a device intended to vent gas. It is, however, an environmental issue, and INGAA supports having this information captured in a large volume release report.

3. Adjust the submission date for annual reports from the natural gas distribution, transmission, gathering, and LNG industries to June 15th. This date aligns with the much smaller Hazardous Liquids annual report submission date. Additional time will be needed to account for the recent addition for records evaluations and remediation, as well as the proposed requirements to evaluate leak data and associated estimates. This extra time helps to better ensure the full and accurate completion of the annual report.

Finally, and of particular concern, PHMSA recently created an exclusion for compressor stations that are subject to methane fugitive emission monitoring and repair requirements under the following:

i. 40 CFR 60.5397(a) (including alternative means approved through the process described by the U.S. Environmental Protection Agency (EPA) under 40 CFR 60.5398(a) or 60.5399(a), or

ii. 40 CFR 60.5397(b) (including alternative test methods approved under 60.5398b and alternative means approved through the process described by the EPA under 40 CFR 60.5399b); or

iii. an EPA-approved State or Tribal plan, or Federal plan, which includes methane emissions monitoring and repair standards equivalent to the model rule presumptive standards in 40 CFR 60.5397(c) (including alternatives approved according to 40 CFR 60.5398(c)

The EPA is currently reviewing these regulations. The LDAR rule must be modified if the EPA withdraws these regulations. If these EPA regulations are retained, compressor stations subject to EPA regulations should comply with EPA reporting requirements rather than duplicative reporting requirements in the proposed LDAR rule.

Unfortunately, I am not able to determine when or how quickly the GPAC could develop a consensus to address the issues I have noted above. Another factor which may impact when the LDAR rule is finalized is scheduling GPAC meetings. Since January 2021, GPAC has only convened three times. It is imperative the Committee require at least two annual GPAC meetings to ensure regulations are reviewed and new technologies adopted. The last GPAC meeting was held in March 2024. At the time, the Committee voted to reconvene in one year to discuss potential changes to the class analysis process as part of the class location rule. However, no GPAC meeting is currently scheduled.

QUESTIONS TO BILL CARAM, EXECUTIVE DIRECTOR, PIPELINE SAFETY TRUST, FROM HON. DINA TITUS

Question 1. We need to implement the final rule that Congress advanced in 2020 to require operators to repair known leaks on a more consistent basis. After the tragedy of the explosions and subsequent fires in Jackson, Mississippi, Atmos categorized known leaks in the area as non-hazardous and therefore did not immediately fix them. We also need to ensure sufficient penalties are in place to incentivize operators to detect and repair leaks.

Question 1.a. What are the benefits to enacting this rule that Congress required in 2020?

ANSWER. The current gas pipeline safety regulations on leak detection and repair were written largely in the 1970's. Congress recognized the need to modernize these regulations and mandated that PHMSA adopt a final rule by January of 2022. First and foremost, the resultant fires and explosions from pipeline leaks continue to kill people every year, and setting standards for how operators need to look for those leaks and how quickly they need to repair them is critical. Also, we now know that

methane is a potent greenhouse gas, and leaks that have historically been allowed to emit methane into the atmosphere so long as they don't pose an immediate risk of explosion to nearby buildings should also be repaired.

Your example of the Atmos Energy pipeline failures is apt. NTSB is still conducting its investigation, but based on the factual report we know that the leaks were categorized as Grade 2, meaning that they were not deemed "immediately hazardous." That appears to be a tragic error. The final rule that PHMSA published, but then withdrew, would have set standards for the type of equipment operators need to use to find leaks, set clearer standards on how to grade the leaks they find, and set schedules for repair of those leaks based on their grade. 2023 and 2024 were especially deadly years for pipeline failures, with 30 people killed. We don't have time to lose.

Question 1.b. Your testimony stated that PHMSA's civil penalties are not "financially meaningful." Should Congress increase civil penalties to encourage pipeline operators to repair leaks more quickly?

ANSWER. Yes, Congress should absolutely give PHMSA more effective enforcement authority by increasing civil penalties. Again, using Atmos Energy as an example, after a separate tragic pipeline incident that killed a 12-year-old girl in Dallas, TX in 2018, the Texas Railroad Commission, whose pipeline safety program is overseen by PHMSA, proposed a $1.6 million fine in 2021. For perspective, Atmos brought in $3.5 billion in revenue in 2021. The proposed fine represents 0.05% of Atmos's revenue for the year. Even when looking at Atmos's 2021 net income of $697 million, the fine is only 0.2% of that. These fines are not financially meaningful and will not, on their own, drive change in behavior.

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