



COMMITTEE ON ENERGY AND COMMERCE

Chairman Fred Upton
114th Congress

**Opening Statement of the Honorable Fred Upton
Subcommittee on Energy and Power
Markup of Discussion Draft of the Pipeline Safety Act of 2016
March 16, 2016**

(As Prepared for Delivery)

Pipeline safety is something that we should all take very seriously. As Chairman, I've made it a priority for this committee. I know the hard working folks that own and operate the millions of miles of pipelines that crisscross the United States are committed to preventing spills, but the reality is that accidents happen and there is still room for improvement. The discussion draft before us today takes important steps to strengthen pipeline safety.

Pipeline safety is personal for me, just as it is for many members of this committee. A few years ago, there was a very serious oil spill that affected the Kalamazoo River in my district. In the wake of that accident, I worked on a bipartisan basis with my friend John Dingell – and in conjunction with our counterparts on the Transportation and Infrastructure Committee - to enact the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011. While several new safety mandates from the 2011 Pipeline Safety Act have yet to be fully implemented, the time has come to update the law. We have to do better, and we will.

The discussion draft before us today, the Pipeline Safety Act of 2016, is a starting point. As we've done before, we're working on bipartisan basis to identify weaknesses in our pipeline safety laws and develop solutions. As today's discussion draft shows, we're finding agreement on ways to increase regulatory transparency at PHMSA, speed the completion of overdue safety regulations, tighten standards for underground natural gas storage facilities and increase inspections for some underwater oil pipelines.

I believe it's particularly important to tighten inspection requirements for certain underwater oil pipelines such as Line 5 which runs cross the Straits of Mackinac separating Lake Michigan and Lake Huron. An accident there would be beyond worst-case scenario, which is why every precaution must be pursued.

This is one area where we've found agreement, but of course we still have work to do on a few other issues. For example, some have argued that PHMSA should have the ability to issue an emergency order to require multiple owners and operators of pipelines to take emergency precautions. While this may be a good idea in theory, we've got to make sure this powerful new tool isn't abused or used in a way that unnecessarily leads to price spikes or weakens grid reliability.

Taken together, I believe the provisions included within the draft will go a long way toward improving pipeline safety increasing the public confidence in our nation's energy infrastructure.

We can do a better job to improve pipeline safety. While a spill can happen in an instant, the results can take years and billions of dollars to clean up. This draft bill is an important step forward, but we still have more work to do. I also look forward to continue working with our colleagues on the Transportation and Infrastructure Committee as we move ahead.

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