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TESTIMONY OF THE PIPELINE SAFETY TRUST

Presented by:

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FOR THE

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of the
Committee on Transportation and Infrastructure
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Hearing on:

Promoting and Improving Safety and Efficient Pipeline Infrastructure

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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.

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

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

[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

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 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:

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

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.*