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PIPELINE SAFETY REAUTHORIZATION: ENSURING THE SAFE AND EFFICIENT MOVEMENT OF AMERICAN ENERGY

HEARING

BEFORE THE

SUBCOMMITTEE ON SURFACE TRANSPORTATION, FREIGHT, PIPELINES, AND SAFETY

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

MAY 15, 2025

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

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FIRST SESSION

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PIPELINE SAFETY REAUTHORIZATION: ENSURING THE SAFE AND EFFICIENT MOVEMENT OF AMERICAN ENERGY

THURSDAY, MAY 15, 2025

U.S. SENATE,
SUBCOMMITTEE ON SURFACE TRANSPORTATION, FREIGHT, PIPELINES, AND SAFETY,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Subcommittee met, pursuant to notice, at 10:06 a.m., in room SR–253, Russell Senate Office Building, Hon. Todd Young, Chairman of the Subcommittee, presiding.

Present: Senators Young [presiding], Cruz, Fischer, Moreno, Peters, Cantwell, Markey, and Luján.

OPENING STATEMENT OF HON. TODD YOUNG, U.S. SENATOR FROM INDIANA

Senator YOUNG. Good morning, everyone. I want to welcome everyone to today's pipeline safety hearing where we will be examining ways to increase the safe and efficient movement of American energy.

This is our first subcommittee hearing and it is great to be with my colleague Senator Peters. We have worked constructively on so many projects and I think this is such an important one.

So I am especially appreciative of our witnesses today so that you can help educate us on this important topic.

Nearly 3.3 million miles of pipelines traverse our country, bringing essential resources to communities to ensure Americans receive basic needs, needs like heat and electricity, and to drive economic activity and create the jobs we all care about.

While this infrastructure is vital to the success of the American people, our economy, and our national security, there are some inherent risks tied to such a vast ecosystem of pipeline networks.

At the end of last year in Whiting, Indiana, a pipeline leak within the BP tank field occurred, generating concerns from many in the community. While the repercussions were limited, largely, thanks to the quick work of emergency responders and talented technicians, not every leak has similarly fortunate outcomes.

Pipelines are the safest and the most efficient way to transport materials and the operators are, obviously, incentivized to keep the resources within the pipes.

That being said, these instances should serve as a stark reminder that we must remain vigilant in our efforts to uphold the

highest level of safety standards for our Nation's pipeline network and secure the American people's trust in the operation of this critical infrastructure.

Our subcommittee plays a vital role in this work, which is why we are here today examining the need to secure the safety and resiliency of our pipeline infrastructure.

I am hopeful this hearing will shine a light on areas Congress should focus on as we look to reauthorize and, hopefully, improve upon existing pipeline safety laws, whether that is an examination of outstanding rulemakings, prohibitive processes and red tape for preventing advancements in industry, or inefficient tools for law enforcement to hold malicious actors accountable when they seek to harm our Nation.

I am also hopeful that we can use this hearing to learn how emerging technologies can play a role in mitigating and preventing risks to pipeline infrastructure.

For example, how might artificial intelligence be used to best detect areas of pipeline infrastructure that should be inspected after severe weather or shifts in environmental conditions like landslides or earthquakes, or where extensive strain or shifts in pressure have occurred?

We do not know what incident may knock on our door next, but I believe investing in our country's ability to research and develop the next innovative application of technology or new technologies themselves will arm us with the tools to keep our pipelines and infrastructure safe.

And we should be fostering an environment that allows industry to explore different means to keep pipelines safe. Indiana has been at the forefront of adopting innovative monitoring technologies and fostering partnerships between relevant parties to enhance safety and preparedness.

But we need to ensure our country across the board can look forward and innovate new solutions to increase safety, too.

So thank you again to our witnesses for your expertise and willingness to contribute to this dialog. I now recognize the Ranking Member, Mr. Peters.

STATEMENT OF HON. GARY PETERS,
U.S. SENATOR FROM MICHIGAN

Senator PETERS. Well, thank you. Thank you, Chairman Young, and certainly appreciate the opportunity to work with you again on other issues and I look forward to working on this one because it is particularly important, and that is why I want to thank all of our witnesses for being here today.

And I can say for sure that this is an issue that hits home very directly for my state. In Michigan we understand all too well the lasting damage an oil spill can cause.

In 2010 a pipeline ruptured in Marshall, releasing over 1 million gallons of oil into the Kalamazoo River. This was the largest inland oil spill in the United States' history and it took years as well as over $1 billion to clean up.

As many of you know, Michigan is also home to Enbridge Line 5, a 70-year-old oil and gas pipeline that crosses through the Great Lakes.

The Great Lakes is a source of drinking water for over 40 million people and that line underneath the Straits of Mackinac is particularly concerning.

In fact, a pipeline failure there would be nothing short of catastrophic. The University of Michigan experts have actually identified the Straits of Mackinac as the single worst place for an oil spill in the entire Great Lakes basin and, unfortunately, we have had some very close calls in the past.

In 2014, Enbridge found gaps in the protective coating on a segment of the pipeline underneath the Straits. In 2018, the pipeline was badly damaged by a boat anchor that was dragged along the lake bottom, resulting in three gouges to the pipeline.

And in 2020 Enbridge discovered that a Line 5 anchor support had been mangled and that the pipeline had physically shifted, and that part of its protective coating had been completely removed, exposing bare metal.

In the midst of these incidents, in 2017 the then Commandant of the Coast Guard told me flat out at a hearing when I asked him the question—he told me flat out that the agency was not prepared for an oil spill in the Great Lakes and that more research was needed to improve our response.

That is when I led efforts to establish the Great Lakes Center of Expertise. The Center of Expertise will conduct research and develop responses to ensure that we are prepared to quickly and effectively address an oil spill in the Great Lakes.

But rather than having to utilize the Center's knowledge during a worst case scenario, I would certainly rather have a situation where we never have to deal with a spill in the first place and never have to respond to a Line 5 incident or another case like we saw in the Kalamazoo River.

Simply put, we need standards. We need standards in place to ensure that these sorts of events never happen, and while pipelines are a widely adopted mode of transporting hazardous materials there are still safety concerns associated with their use.

Over the past 20 years the pipeline incidents have caused 257 deaths, over 1,000 injuries, and over $11 billion in damages.

That is to say we still have a heck of a lot of work to do when it comes to safety, because I do not think you will find too many folks in Michigan that hear those numbers that in any way think we are at mission accomplished.

They certainly want to make sure that their families and communities will be safe in the future, and that is why I hope we will all keep on top of mind during this hearing and throughout the pipeline safety reauthorization process that safety is always paramount and as such there can be no backsliding on safety in any reauthorization bill that we put forward.

I look forward to working with Chairman Young as I have over the last few years. I look forward to working with our witnesses that are here today, PHMSA, our state agencies, and other stakeholders to make sure that this pipeline safety reauthorization effort is better and it better protects Michigan, our Great Lakes, as well as the Nation as a whole, and I am certainly very optimistic we can do that.

I yield back.

Senator YOUNG. Well, thank you again, Senator Peters, for your leadership on this issue.

I am going to go ahead and introduce briefly each of our witnesses and then ask you to make your opening statements.

They are in order Mr. Robin Rorick, Vice President of Midstream Policy, the American Petroleum Institute; Mr. Andrew J. Black, President and CEO of Liquid Energy Pipeline Association; Mr. Richard Leger—how do you say it, sir?

Mr. Richard—that was my second choice. Mr. Richard Leger, Senior Vice President of Natural Gas Business, CenterPoint Energy on behalf of the American Gas Association. Thank you, sir.

And Mr. Bill Caram. Caram?

Mr. CARAM. Caram. You got it.

Senator YOUNG. Yes. OK. Executive Director of Pipeline Safety Trust. Thank you, sir.

So I recognize Mr. Robin Rorick for your opening statement. Five minutes, sir.

STATEMENT OF ROBIN RORICK, VICE PRESIDENT OF MIDSTREAM POLICY, AMERICAN PETROLEUM INSTITUTE

Mr. RORICK. Thank you.

Chairman Young, Ranking Member Peters, members of the Subcommittee, thank you for the invitation today.

My name is Robin Rorick and I am Vice President of Midstream Policy at the American Petroleum Institute. API represents all segments of America's oil and natural gas industry, from integrated global companies to independent producers, supporting 11 million jobs across all 50 states.

Pipelines make it possible to safely deliver the affordable energy our families, businesses, and economy rely on day and night.

With over 3 million miles of pipelines crisscrossing America, the safe and reliable transport of oil and natural gas is essential not just to America's economy but to our national security.

Pipelines operators know safety must always come first. Our goal is clear, zero incidents, and we are making progress. Recent data from PHMSA confirms this.

Between 2020 and 2024 liquid pipeline incidents affecting people or the environment dropped 13 percent. Incident rates per million barrels delivered fell by 33 percent since 2019 even as mileage and delivery volumes increased.

Similarly, natural gas transmission incidents have declined 23 percent since 2020. These results did not happen by chance.

A regulatory foundation coupled with the adoption and continual updating of API's industry safety standards has played a major role in this continuous improvement across the industry.

In fact, API has developed more than 800 standards, many of which are used globally to improve pipeline safety and environmental protection. But to fully leverage their benefits PHMSA must routinely and efficiently incorporate updated standards into Federal regulations.

Currently, approximately half of API standards cited in PHMSA rules are outdated. Congress should direct PHMSA to commit to reviewing and updating its references to standards every 3 years.

If an updated standard is not adopted the agency should publicly explain why to provide clarity on its perspective and help industry determine a path forward to ideally avoid conflict between the standard and the regulation.

More broadly, we appreciate PHMSA's recent efforts toward regulatory reform, in particular the agency's consideration of updating and modernizing repair criteria for hazardous liquid and natural gas pipelines and allowing for the use of risk-based inspections for PHMSA regulated breakout tanks.

But Congress can help accelerate further safety improvements on multiple fronts. First, Congress should direct PHMSA to update pipeline operating statuses.

Today, pipelines are categorized only as active or abandoned. We need an official status for idle pipelines clearly defined using API's Recommended Practice 1181.

This common sense update would allow pipeline operators to safely pause certain activities when risk levels are lower, aligning regulation with real world operational needs.

We also see significant room to standardize the damage prevention processes across the country by incorporating leading industry practices, reducing exemptions, and improving enforcement.

There are also opportunities to streamline the regulatory process itself, especially in PHMSA's pipeline inspection program. Currently, operators often undergo repetitive inspections by multiple Federal, state, and community authorities reviewing the same procedures.

These redundant efforts consume valuable time and resources which could be better directed toward safety improvements. API supports an independent evaluation of PHMSA's inspection processes to identify ways to streamline inspections, improve collaboration, and maintain a laser focus on achieving safety outcomes.

Beyond these priorities, several complementary regulatory improvements would enhance pipeline safety and operations such as reforming PHMSA's special permit process, strengthening criminal penalties for vandalism, clarifying jurisdictional overlaps for implant piping, and ensuring responsible right-of-way maintenance through conservation and habitat management programs.

In closing, I want to stress that America leads the world in oil and natural gas production and pipelines are central to this success. The improvements we have seen in pipeline safety are significant but our industry remains committed to doing even more.

As Congress works to reauthorize PHMSA, API urges the adoption of smart updated references to standards in the regulations, completion of overdue rulemakings, and streamlining inspections. These steps will help America safely meet growing energy demands and demonstrate leadership to the world.

Thank you for the opportunity to testify today. I look forward to your questions and your continued bipartisan work to advance pipeline safety and elevate American energy leadership.

[The prepared statement of Mr. Rorick follows:]

PREPARED STATEMENT OF ROBIN RORICK, VICE PRESIDENT, MIDSTREAM POLICY, AMERICAN PETROLEUM INSTITUTE

Introduction

Chairman Young, Ranking Member Peters and esteemed members of the subcommittee, thank you for the opportunity to testify this morning. My name is Robin Rorick, and I am the Vice President of Midstream Policy at the American Petroleum Institute (API). On behalf of API, I am honored to have this opportunity to submit testimony as part of this important hearing on pipeline safety and the reauthorization of the Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA).

API is a national trade association representing all segments of America's oil and natural gas industry. From large integrated companies to small independent operators, 11 million hardworking men and women across all 50 states provide and support the energy that powers every district in this Nation.[1] API has developed more than 800 standards that enhance operational safety, environmental protection and sustainability across 140 countries. Promoting technological, environmental and regulatory innovations is a driving force for API and our industry to ensure we have safe, reliable and affordable energy that tens of millions of families and businesses need to survive and thrive, today and well into the future.

The U.S. remains the world's leader in oil and natural gas production, providing immense benefits not only to our citizens here in the U.S. but also to our allies across the world. Pipelines make these capabilities a reality, and they play a critical role in achieving the goals of energy dominance and energy security. Our nation's network of over 500,000 miles of oil, petroleum products and natural gas transmission pipelines transport the energy we rely on every day to fuel modern life. As one of the safest, most environmentally responsible ways to transport energy to families and businesses, pipelines are in every U.S. state and total over 13 million miles across the country. They reliably connect areas of production with refineries and processing centers, and ultimately with airports, manufacturers, gas stations, farms, businesses and homes.

Pipeline Safety Improvements

The pipeline industry is committed to safety and continuous improvement, which includes maintaining a standard of operational excellence through comprehensive safety management systems, pipeline design and construction standards and specifications, and robust safety programs such as integrity management and geohazard mitigation. Data from PHMSA illustrates that this daily commitment is showing results. Both total liquid pipeline incidents as well as those impacting people or the environment decreased 13 percent between 2020 and 2024.[2] Looking further, integrity management incidents for liquid pipelines dropped 33 percent, and operations and maintenance incidents declined 22 percent within this time. These safety improvements come as the industry operated 3,000 more miles of liquid pipeline and delivered over 15 percent more barrels of liquids between 2019 and 2023, the most recent year this data is available. In fact, the rate of total incidents per million barrels of energy delivered has fallen 33 percent since 2019, showing that liquid pipelines are getting safer while meeting increasing energy demand. Natural gas transmission lines are showing similar safety improvements, with incidents down 23 percent between 2020 and 2024.

While we are proud of this progress, pipeline operators recognize the need to remain vigilant in continuous improvement. Our industry continues to voluntarily implement safety management systems and reinforce safety culture through a comprehensive framework to manage risk. It has undertaken initiatives to mitigate pipeline corrosion, improve leak detection tools and technologies, prevent cyberattacks, promote sustainable operations using conservation programs and advocate for risk-based tank inspections—capitalizing on the use of the latest industry standards and advanced technologies. Following the publication of a first-of-its-kind industry standard on public engagement, Recommended Practice (RP) 1185, pipeline operators are actively working on implementation, fostering meaningful, two-way communication and trust-building within the communities where we work and live. Additionally, with the expected growth in the construction of carbon dioxide (CO_2)

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[1] PwC for API, "Impacts of the Oil and Natural Gas Industry on the U.S. Economy in 2021," available at: *https://www.api.org/-/media/Files/Policy/American-Energy/PwC/2023/API-PWC-Economic-Impact-Report-2023.pdf*

[2] "2024 Pipeline Performance Report & 2023–2025 Pipeline Excellence Strategic Plan," available at *API/LEPA 2024 Performance Report*

pipelines, we are working on maximizing the safe transportation of CO_2 by pipeline through the publication of a new RP for transportation of CO_2 by pipeline this year.

As part of our efforts to promote pipeline safety improvements, API has responded to a recent U.S. Department of Transportation (DOT) Request for Information (RFI) seeking comments to assist DOT in identifying existing regulations, guidance, paperwork requirements or other regulatory obligations that could be modified or repealed to improve pipeline safety and eliminate unnecessary burdens. In our response to the RFI, which was jointly filed with the Liquid Energy Pipeline Association, we identified numerous opportunities for updating outdated and inefficient regulations that should reflect the current state of technology, engineering science and advanced analytical tools, focus resources on the highest risk items and support a performance-based approach to managing pipeline safety. PHMSA has stated that the Administration plans to issue an advanced notice of proposed rulemaking (ANPRM) to gather information in support of a planned future rulemaking to modernize pipeline repair requirements for liquids and natural gas pipelines to improve safety and efficiency, and API plans to submit a response to the ANPRM as well.

Energy demand is growing, placing this industry at an inflection point. The reshoring of advanced manufacturing in the U.S., coupled with the installation and operations of data centers and energy consumption from artificial intelligence utilization, will only increase demand. Our industry continues to work with federal, state and local policymakers and regulators to protect the environment and communities where we live and work. We welcome this opportunity to demonstrate American energy leadership, building off the progress we have already achieved, to meet ever-increasing demand using smart, predictable and commonsense energy policies.

API Supports PHMSA Reauthorization

Recognizing the Importance of Standards

As Congress considers the reauthorization of PHMSA and pipeline safety programs, we encourage policymakers to enact legislation that maximizes our industry's investments in people and technology to effectively advance pipeline safety. We support comprehensive, bipartisan efforts to help make our Nation's pipeline network safer as it provides reliable energy supply to every community in America. It is thus imperative that the regulatory environment remains cognizant of and responsive to both current and potential future safety challenges faced by operators.

API supports timely and more frequent updates for industry standards that are incorporated by reference into PHMSA regulations. Since 1924, API has been the leader in developing voluntary, consensus-based, internationally recognized standards covering all segments of the oil and natural gas industry. Our standards are the most widely cited petroleum industry standards by state regulators, with 240 API standards cited over 3,800 times in state-based regulations. There are more than 650 references to API standards in Federal regulations and more than 1,300 international references.[3] These standards are reviewed at least every five years through API's American National Standards Institute-accredited process and revised and improved as part of industry's continuous learning culture when improvement or advancements, such as in technology and innovation, are warranted. However, regulators struggle to keep pace with the advances in pipeline safety technology and modern engineering practices that are regularly incorporated into these standards; approximately 50 percent of the instances where PHMSA cites API standards in its regulations remain out of date and do not reference the most recent edition. As a result, critical safety regulations may fail to reflect advances in safety, technology and engineering, forcing operators to comply with often antiquated practices. Instead, Congress should direct PHMSA to review standards that have been incorporated by reference every three years on a routine basis through the Gas Pipeline Advisory Committee (GPAC) and Liquid Pipeline Advisory Committee (LPAC) process to determine if updates are needed. If PHMSA chooses to ignore an updated standard and proceed without an update, PHMSA should publish an explanation of this decision on the agency's website.

Similarly, PHMSA should allow operators to base breakout tank inspection frequency on risk modeling as outlined by the 5th edition of API Standard 653. Operators are investing in the latest tank coatings and liners, applying advanced materials engineering principles to reduce the risk of leaks and utilizing drone and robotics capabilities to improve tank inspection effectiveness. Yet, PHMSA has not adapted to encourage innovation and future investment by incorporating the latest

[3] OGP Report No. 426, Regulators' Use of Standards, March 2010 & "Participate in API Standards Development", available at *https://www.api.org/-/media/apiwebsite/products-and-services/2025_intnl-usage_report_web-final.pdf*

version of this standard, instead requiring unnecessary inspections and failing to prioritize safety. Directing PHMSA to update its regulations concerning tank inspections will maintain the current safety level while minimizing occupational safety risks and environmental impacts associated with breakout tank inspections.

Completing Outstanding Rulemakings

API applauds PHMSA's efforts to date to advance regulatory reform and consider rulemakings that recognize the important role that leading industry practices, innovation and technology play in advancing safety. API also supports PHMSA's recent submission of an advanced notice of proposed rulemaking on modernizing repair criteria to the Office of Management and Budget and planned publication of a rulemaking on class location, both reflecting their commitment to updating outdated and overly prescriptive regulations. Even so, API welcomes this subcommittee's role in facilitating PHMSA action on other important rulemakings. Congress should direct PHMSA to initiate a rulemaking on pipeline operating status that would incorporate the 1st edition of API RP 1181, *Pipeline Operational Status Determination,* an outstanding mandate from the PIPES Act of 2020. A rulemaking is necessary to create a new operating status for pipelines that are "idled," in addition to the "active" and "abandoned" status currently recognized by the agency. PHMSA should specify which operations and maintenance activities an operator can defer to maintain safety while accounting for the lower risk posed by "idled" pipelines, consistent with the agency's 2016 Advisory Bulletin.

Additionally, we invite Congressional direction to PHMSA to update existing pipeline safety regulations for CO_2 transportation by pipeline (49 CFR Part 195). Current regulations cover the design, construction and operations of supercritical CO_2 pipelines, but there remains a gap in gas-phase CO_2 transportation by pipeline, and there are recognized opportunities for improving the current regulations. PHMSA recently published a draft version of a notice of proposed rulemaking to improve existing pipeline safety regulations for the transportation of CO_2 by pipeline which was withdrawn as part of the Trump administration regulatory freeze. We encourage this subcommittee to support moving this proposed rulemaking forward as the development of CO_2 pipeline infrastructure is an important element of API member companies' commitment to emission reduction and environmental performance while maximizing oil recovery. API expects to publish an industry consensus standard on the transportation of CO_2 by pipeline, which could be incorporated into PHMSA regulation by reference and provide a framework for safe transportation of CO_2 by pipeline.

Other Critical Provisions for Consideration

There are other areas that we believe the subcommittee should evaluate for consideration during reauthorization, including criminal penalties for vandalism, attacks on construction sites and other activities that disrupt service, inspection protocols and jurisdictional issues. Current law only allows for penalties for "damaging or destroying" interstate pipelines, and new legislation could better protect critical facilities and deter criminal behavior that poses a safety hazard to people and the environment. Legislation should also codify operators' ability to maintain rights-of-way using conservation, habitat management and other related programs, enhancing pipeline safety while benefiting local communities and the environment.

Multiple repetitive and often redundant inspections are conducted by PHMSA regional offices, state regulatory agencies, and local authorities, all evaluating the same set of company procedures and programs. Having a process for better coordination among regulators could improve efficiency for the regulatory agencies themselves while also allowing operators to focus finite resources on improving safety programs rather than repeatedly reviewing them. API supports PHMSA undergoing an independent evaluation of its inspection programs and streamlining of its special permit process to identify opportunities for improved collaboration to reduce inefficiency, maximize resources and reduce delays in permit issuance.

API also encourages this subcommittee to clarify jurisdiction and improve multi-agency jurisdiction. Short segments of pipeline within gas processing and refining facilities, known as "in-plant" piping, may cross a street or railroad in the public domain to transfer products from one process unit of a refinery to another. While the Occupational Safety and Health Administration (OSHA) regulates liquid in-plant piping, there is regulatory uncertainty for its gas counterparts. These gas lines, often in the same right-of-way as liquid lines, can lead to jurisdictional overlaps, uncertainty, and disputes, requiring subcommittee action to address them the same way as liquid pipes and to clarify OSHA's jurisdiction. Additionally, Congress should clarify regulatory jurisdiction over liquified natural gas facilities. A joint memorandum of understanding and recurring working group between PHMSA, the

Federal Energy Regulatory Commission (FERC) and the Coast Guard would improve multi-agency coordination and minimize duplicative regulatory oversight to maintain American energy dominance, both here at home as well as for our allies abroad.

Safely Demonstrating American Energy Leadership

As the world leader in both oil and natural gas production as well as emissions reductions, America is demonstrating energy leadership every day. For our country to continue this leadership and achieve the goal of energy dominance, Congress should consider policies that capitalize on the power of America's oil, natural gas and other resources in the reauthorization of the Pipeline Safety Act. Fit-for-purpose regulations based on facts and backed by sound science and engineering principles have enabled our country's record-breaking production and emissions reductions through the transportation of energy in one of the safest and most environmentally responsible modes possible. The provisions offered today through this testimony will maximize our investment in state-of-the-art technology and sustainable operations while recognizing the important role our communities play in advancing safety.

While operators are proud of their safety record, we remain committed to continuous safety improvement. Pipeline safety is not a partisan issue, and API remains eager to partner with Federal and state legislators and policymakers to help ensure pipelines are regulated effectively, efficiently and operated safely. Importantly, though, any regulations must be balanced to ensure that the industry can achieve these objectives while continuing to bring affordable, reliable energy to American families and businesses. To that end, API has responded to DOT's request for information on modernizing the regulatory framework and looks forward to continuing our engagement with PHMSA and congressional staff on promoting regulatory reform. Only with an effective Pipeline Safety Act and regulatory approach can our industry meet the dual challenge of answering the growth in energy demand while improving safety and environmental protection.

Mr. Chairman, Mr. Ranking Member and distinguished members of the subcommittee, thank you for this hearing to discuss industry's pipeline safety efforts and priorities moving forward. I look forward to the continued bipartisan efforts to pass a comprehensive Pipeline Safety Act and working together with all of you to demonstrate American energy leadership and dominance for years to come.

Senator YOUNG. Thank you, Mr. Rorick.

Mr. Black, you are recognized for 5 minutes.

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

Mr. BLACK. Thank you, Mr. Chairman, Ranking Member.

I am Andy Black, President and CEO of the Liquid Energy Pipeline Association. LEPA represents pipeline owners and operators delivering transportation fuels like gasoline, diesel, jet fuel, transportation feed stocks like crude oil, home heating fuels like propane and heating oil, industrial feed stocks like ethane and butane, and low-carbon solutions like renewable diesel, LP gas, and carbon dioxide.

We have over 50 member companies delivering over 20 billion barrels annually across a nearly 230,000-mile network of pipelines.

The states of every member of this subcommittee play a role in delivering, by pipeline, the energy Americans need and want.

Pipelines deliver energy from where it is produced, especially in states like Alaska, Texas, New Mexico, to where that energy is turned into useful products like refineries in Michigan, Texas, Indiana, Mississippi, Ohio, Illinois, and New Jersey.

Different liquid pipelines then carry those refined products to local regions across America, pipelines serving America across states like South Dakota, Nebraska, and Missouri.

Even if energy products travel those last miles by truck or ship to states like West Virginia, Hawaii, or Massachusetts, that energy had to travel at least some point on a pipeline.

Indiana, the Subcommittee Chair's home state, is a terrific example of the importance of pipelines. As a crossroads for America, Indiana is also a crossroads of pipelines.

Crude oil pipelines cross Indiana to deliver to refineries in Gary, Mount Vernon, in neighboring Ohio and Michigan. Refined products pipelines deliver gasoline, diesel, and jet fuel from these refineries to major population centers across Indiana.

Natural gas liquids pipelines deliver propane from as far away as Texas to homes across rural Indiana and elsewhere. Pipeline-delivered propane is also vital to the farmers of Indiana and other states, drying crops after harvest and keeping barns warm in the winter.

As this committee considers the role of pipeline infrastructure and what changes to make to Federal pipeline safety laws it is important to recognize 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 for Congress by PHMSA analyzing 10 years of incident data found that pipelines were 13 times safer than both trains and trucks with pipelines experiencing only one incident for every 720 million gallons delivered.

An Obama administration analysis found that rejecting a major pipeline and shipping the same crude oil by rail would increase the risk of oil release by over 800 times and a barrel is released by 2.6 times.

Current PHMSA pipeline incident statistics also show that pipeline safety is improving. According to publicly available PHMSA data, total liquid pipeline incidents are down 13 percent over the last 5 years and liquid pipeline incidents impacting people or the environment are also down 13 percent over the last 5 years.

Declining pipeline incidents over the last 5 years supports a measured approach to reauthorizing pipeline safety laws without major changes or new mandates.

LEPA believes Congress can do more to help modernize pipeline safety programs. Key parts of PHMSA's 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. Smart pipeline policies will promote pipeline energy infrastructure needed to deliver American energy dominance.

LEPA believes Congress can help PHMSA increase the effectiveness and transparency of its pipeline safety programs and requirements.

We welcome the Committee's interest in pipeline safety reauthorization. My written testimony details the many provisions LEPA supports. I will name five.

Number one, reforming PHMSA's special permit program.

Number two, strengthening penalties for pipeline safety violations that impair operation of facilities or damage construction sites.

Number three, establish inspection and maintenance required for idled pipelines after Congress directed PHMSA to do so and it did not.

Number four, reauthorize, this time without extraneous conditions, a PHMSA technology demonstration pilot program to restore the will of Congress and harness the latest high-tech inspection technologies without bureaucratic red tape.

And number five, allow risk-based inspections of in-service breakout tanks to reduce worker safety threats, avoid air pollutant emissions, minimize unnecessary greenhouse gas emissions, and prevent creation of hazardous waste, conforming PHMSA's regulations with that of EPA.

Thank you again for the opportunity to testify before you today on the benefits of pipelines including their safety.

[The prepared statement of Mr. Black follows:]

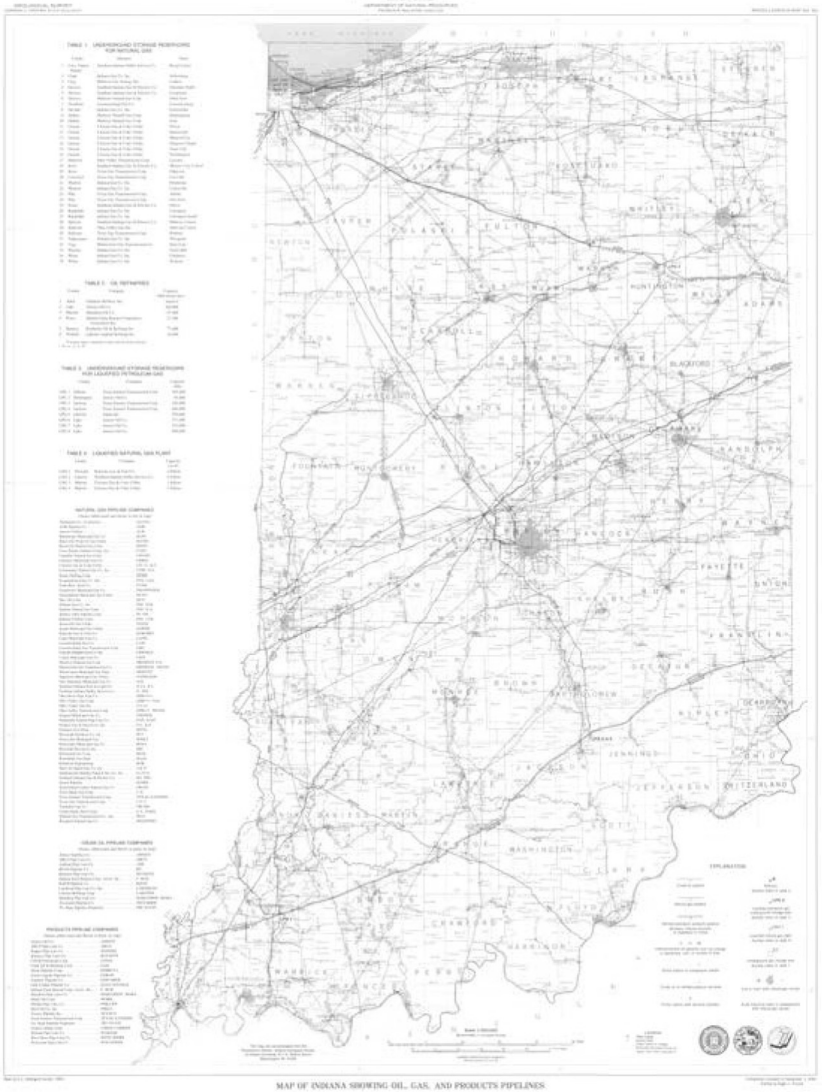
PREPARED STATEMENT OF ANDREW J. BLACK, PRESIDENT AND CHIEF EXECUTIVE OFFICER, LIQUID ENERGY PIPELINE ASSOCIATION

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. 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.

Every constituent of every member of this Subcommittee in some way depends on pipelines to meet the needs of their daily lives. From Alaska to Mississippi, from Massachusetts to New Mexico, even in Hawaii, Americans benefit from pipeline delivered energy. Pipelines deliver energy from where it is produced, especially in states like Alaska, Texas and New Mexico, to where that energy is turned into useful products, like refineries in Texas, Indiana, Mississippi, Ohio, Illinois and New Jersey. Different liquids pipelines then carry those refined products to local regions across America. Pipelines serving America cross states like South Dakota, Nebraska, Missouri. Even if energy products travel those last miles by truck or ship to states like West Virginia, Hawaii or Massachusetts, that energy had to travel at some point on a pipeline.

Indiana, the Subcommittee Chair's home state, is a terrific example of the importance of pipelines. As a crossroads for America, Indiana is also a crossroads of pipelines. Crude oil pipelines cross Indiana to deliver to refineries in Gary, Mt Vernon and neighboring Ohio and Michigan. Refined products pipelines deliver gasoline, diesel and jet fuel from these refineries to major population areas across Indiana. Natural gas liquids pipelines deliver propane from as far away as Texas to homes across rural Indiana. Pipeline delivered propane is also vital to the farmers of Indiana keeping barns warm in the winter and drying crops after harvest. LEPA member companies operating pipelines in Indiana include BP, Buckeye, Citgo, Enbridge, Enterprise, Explorer, Flint Hills, Marathon, Kinder Morgan, Energy Transfer, Tallgrass, Valero and Wolverine (click on map image for link to view file).



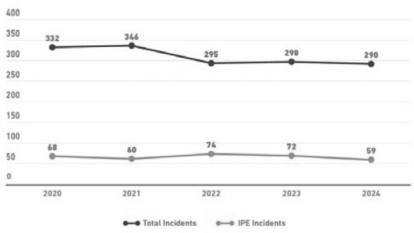
MAP OF INDIANA SHOWING OIL, GAS, AND PRODUCTS PIPELINES

When thinking about energy, the American people, including those in Indiana, 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 percent of crude oil and petroleum products delivered by pipeline reaches its destination safely.

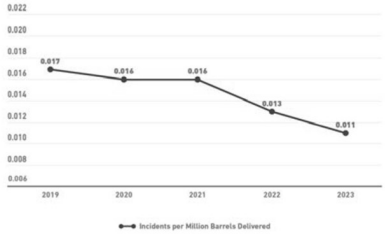
A 2018 report prepared for Congress by PHMSA analyzing 10 years of incident data found pipelines were 13 times safer than both trains and trucks with pipelines experiencing 1 incident for every 720 million gallons delivered and rail incidents occurring every 50 million gallons delivered. An Obama administration 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.



TOTAL INCIDENTS VS INCIDENTS IMPACTING PEOPLE OR THE ENVIRONMENT

Pipeline incidents impacting people or the environment decreased 13% from 2020 to 2024. Total pipeline incidents dropped 13% as well over the last five years, with 42 fewer incidents in 2024 compared to 2020. A full description of the specific types of incidents impacting people or the environment can be found on page 60.



INCIDENTS PER MILLION BARRELS DELVIERED

Total incidents per barrel delivered fell 33% from 2019 to 2023 (the most recent year barrels delivered data is available). In 2019, there were 0.017 incidents per million barrels delivered and that fell to 0.011 incidents per million barrels delivered in 2023. That means that, at the same time pipeline operators delivered 16% more crude oil and petroleum products, total pipeline incidents were down 22%.

According to publicly available PHMSA data, total liquids pipeline incidents are down 13 percent over the last 5 years. Liquids pipeline incidents Impacting People or the Environment (IPE) are also down 13 percent over the last 5 years. When comparing incidents to volume delivered, the decrease is even more striking, with liquids pipeline incidents per barrel delivered down 33 percent over the preceding 5 years. Or put another way, liquids pipeline incidents are decreasing at the same time America's pipelines are delivering more and more energy.

These safety metrics are available in a new report, the *API–LEPA 2024 Pipeline Performance Report & 2023–2025 Pipeline Excellence Strategic Plan.* Each year, LEPA and API download PHMSA incident data to check on how we are doing, where we are doing well and where we need improvement. Those areas of need, both appearing in the data and collected through engagement of our stakeholders, help guide industry-wide safety initiatives. In this report, you can see how the liquids pipeline industry is addressing key challenges like corrosion, leak detection and geohazards. You can see how operators are improving pipeline by harnessing new technologies, artificial intelligence, safety management systems and new recommended practices. You can also see how we are trying to do better on public engagement, cybersecurity, conservation and attracting our future workforce.

Declining pipeline incidents over the last 5 years supports a 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. Analytic methods harnessing machine learning and other forms of artificial intelligence can help operators digest data to show when a pipeline might be leaking or when it needs new maintenance. How-

ever, 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. The administration is proposing regulatory actions to help PHMSA become a smarter, more efficient, more modern regulatory agency and Congress can support those efforts.

LEPA welcomes pipeline safety reauthorization provisions that would:

- Reform PHMSA's Special Permit program to impose permit review shot clock and limit unrelated permit requirements
- Strengthen penalties for pipeline safety violations that impair operation of facilities or damage construction sites
- Fulfill the 2020 Congressional mandate of a safety program for idled pipelines
- Reauthorize without extraneous conditions a PHMSA technology demonstration pilot program
- Provide 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
- Authorize a Voluntary Information Sharing program to convene stakeholders to collaborate on safety initiatives, similar to FAA's successful program
- Allow 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
- Increase the transparency of PHMSA inspection program with reporting on inspection priorities, dates and locations
- Require PHMSA review of consensus safety improvement standards
- Provide a targeted update of Federal CO_2 pipeline requirements to extend regulatory coverage to gaseous CO_2 and require CO_2-specific incident dispersion modeling (topography, weather, operating conditions, trace compounds)

An additional note on leveraging new technologies that provides a case study on the frustrating reality of bureaucracy and red tape in government. In the 2020 PIPES Act, Congress recognized pipeline safety could benefit from harnessing the latest hi-tech inspection technologies and analytics. As I mentioned, there's so much modern technology and analytics like artificial intelligence can benefit pipeline safety. 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 imposed a host of additional administrative, regulatory and legal conditions 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.

Senator YOUNG. Thank you, Mr. Black.

Mr. Leger, you are recognized for five minutes.

STATEMENT OF RICHARD LEGER, SENIOR VICE PRESIDENT, NATURAL GAS BUSINESS, CENTERPOINT ENERGY, ON BEHALF OF THE AMERICAN GAS ASSOCIATION

Mr. LEGER. Thank you, Chairman.

Chairman Young, Ranking Member Peters, members of the Subcommittee, I am Richard Leger, Senior Vice President of Natural

Gas Business for CenterPoint Energy, testifying on behalf of the American Natural Gas Association.

AGA represents more than 200 utilities that deliver natural gas to 74 million customers. Natural gas pipelines deliver essential energy to 177 million Americans through a 2.5 million-mile pipeline system including 2.2 million miles of local distribution pipelines operated by natural gas utilities.

An integral part of this Nation's pipeline infrastructure, CenterPoint Energy operates 74,000 miles of distribution pipeline and is privileged to serve nearly 4 million customers in Indiana, Texas, Ohio, and Minnesota. We also manage nearly 1,100 miles of transmission lines and approximately 300 storage wells.

In 2024, we delivered 571 BCF to our customers, and during the January 21st winter storm where Minnesotans experienced 62 consecutive hours below zero we successfully delivered 1.5 BCF, which is the equivalent of 460 gigawatt hours of energy delivered, representing more than the electric capacity for the state of Minnesota.

Gas utility distribution pipelines are the last critical link in the delivery chain that brings natural gas from the wellhead to the burner tip. Companies like CenterPoint Energy are the face of the natural gas industry.

We live in the communities that we serve. We interact daily with both customers and state authorities who oversee pipeline safety locally. They are our customers, our neighbors, our friends, and our family.

As such, pipeline safety is and must be our number-one priority. The primary safety tool for gas utility operators is a Distribution Integrity Management Program, or DIMP.

DIMP is a regulatory process that allows an operator to develop a safety plan that addresses the unique operating characteristics of their individual gas system.

From a CenterPoint perspective, each of our four systems have different operating environments, customer requirements, and infrastructure needs. DIMP allows us to appropriately plan and prioritize pipeline safety, resiliency, and reliability work that strengthens each of our unique individual systems.

Upgrading distribution pipelines is also critical to pipeline safety. Forty-three states and the District of Columbia have expedited pipeline replacement programs.

In the past 17 years the amount of cast iron and bare steel pipeline replacement in use has declined over 50 percent, replaced by newer technology pipelines which increase system safety and reliability.

CenterPoint Energy is investing hundreds of millions of dollars every year to modernize our gas systems to enhance safety and reliability. For example, we will eliminate cast iron and bare steel from our systems by the end of 2026 and we will modernize our remaining low pressure systems by 2030.

The natural gas distribution industry has proved it can simultaneously increase natural gas delivery and improve safety but more needs to be done.

CenterPoint natural gas utilities support the following concepts in upcoming pipeline safety reauthorization legislation, policy pri-

orities that will measurably improve pipeline safety and industry operations.

Number one, limiting serious injuries and fatalities, property damage, and environmental impacts caused by unintended excavation damage incidents.

Number two, strengthening criminal penalties on those who purposely sabotage or intentionally damage pipeline operations.

Number three, identifying technology alternatives that if utilized will meet the intent of existing pipeline safety regulations and provide an equal or greater level of pipeline safety.

Number four, study in how natural gas, hydrogen blending, and distribution systems worldwide are safely operated.

Number five, creating a voluntary information sharing system to collect and share pipeline safety, operational best practices, and lessons learned with industry partners.

And finally, number six, establishing a four- or preferably 5-year reauthorization period so PHMSA and industry have sufficient time to complete work authorized by the previous reauthorization.

CenterPoint Energy and AGA members support fact-based, reasonable, and practical updates to pipeline safety legislation that build upon lessons learned and evolving technologies.

In that spirit, we look forward to our continued work with this committee as well as your counterparts in the House of Representatives to help facilitate pipeline safety reauthorization legislation.

Please use us as a technical resource whenever and wherever we can be helpful. Thank you for the opportunity to participate in this hearing and I look forward to this conversation.

[The prepared statement of Mr. Leger follows:]

PREPARED STATEMENT OF RICHARD LEGER, SENIOR VICE PRESIDENT, NATURAL GAS BUSINESS, CENTERPOINT ENERGY, ON BEHALF OF THE AMERICAN GAS ASSOCIATION

On behalf of the American Gas Association (AGA), CenterPoint Energy is pleased to provide our input for the U.S. Senate Committee on Commerce, Science, & Transportation, Subcommittee on Surface Transportation, Freight, Pipelines, and Safety (Senator Todd Young, Chairman) hearing on *Pipeline Safety Reauthorization: Ensuring the Safe and Efficient Movement of American Energy.* CenterPoint Energy and AGA share the same goals as safety advocates, the public, pipeline sector industry partners, and Congress: Ensuring America's pipeline system remains the safest, most secure, and most reliable in the world. 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.

CenterPoint Energy is a combination electric and natural gas utility operating in Indiana, Texas, Ohio and Minnesota. Across our 4-state footprint, we operate nearly 74,000 miles of distribution main pipelines and are privileged to serve nearly 4 million customers. We also manage nearly 1,100 miles of transmission lines and approximately 300 storage wells.

AGA, founded in 1918, represents more than 200 local energy companies that deliver 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 like CenterPoint Energy 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 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 support dependable natural gas delivery to homes, businesses, and essential facilities like hospitals.

Every year the gas utility industry invests $33 billion on the safety of our pipeline systems. At CenterPoint Energy alone, we spend hundreds of millions of dollars every year to modernize our gas systems to enhance safety and reliability. For example, we will eliminate cast iron and bare steel from our system by the end of 2026 and will modernize our remaining low pressure systems by 2030. Unquestionably, pipeline safety is our industry's number one priority, and through critical partnerships with state and Federal regulators, legislators, and other stakeholders, CenterPoint Energy and other 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. Across the gas utility industry, excavation damage is the primary cause of distribution pipeline incidents. From 2020–2024, CenterPoint Energy alone experienced nearly 46,000 damages from excavation activity. For approximately one third of these damages no locate was called in by the excavator. 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 strong 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. Our company and our industry are confident this proposed program will reduce damages and 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, advanced pipeline leak detection technologies have advanced to the point where they can be used to comply with leak detection regulation. CenterPoint Energy began implementing advanced leak detection, which detects natural gas in the parts per billion range instead of the parts per million range of traditional leak detection technology, over a decade ago. With advanced leak detection,

CenterPoint Energy detects approximately 2.5 times as many leaks and repairs more leaks that would not have been detected using traditional leak detection technologies. Additionally, breakaway meter technologies and excess flow valves can stop the flow of gas if a meter is struck, eliminating the need for physical meter protection barriers. Industry supports a PHMSA-led 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 Intentional Damage to Pipelines. CenterPoint Energy strongly supports strengthening criminal penalties for intentionally damaging pipeline infrastructure. Natural gas utilities are experiencing an increase in criminal attacks on their property, equipment and facilities. These activities range from gunshots targeting pipelines, Improvised Explosive Devices (IEDs) placed on gas delivery equipment, and the damaging of facilities and equipment necessary for safe natural gas delivery. These activities not only are hazardous to the safety and property of the public and member company employees, but 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 percent for decades and many systems overseas are operating at approximately a 20 percent 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 the Government Accountability Office (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.

Authorize a Pipeline Safety Voluntary Information-Sharing System. Congress should authorize a Voluntary Information-sharing System (VIS) based on the recommendations of the public advisory committee formed pursuant to the 2016 pipeline safety reauthorization law. A VIS will engage multiple stakeholders (*e.g.,* government, industry, and pipeline safety NGOs) to collect and share best practices and lessons learned, promote improved pipeline safety, and will importantly include sufficient legal and regulatory safe harbors for information sharing to encourage industry participation. VIS will support industry's implementation of Pipeline Safety Management Systems by encouraging information sharing and facilitating understanding and management of pipeline safety risks.

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 reduced to just 3 years. This interval is inadequate 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, CenterPoint Energy, and our partners at the American Gas Association, encourage Congress to work in a bipartisan fashion to advance 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. We stand ready to assist in this process with real world operations, engineering and safety data and experience. Please use us as a resource.

Senator YOUNG. Thanks so much, Mr. Leger.

Mr. Caram, you are recognized for five minutes.

STATEMENT OF BILL CARAM, EXECUTIVE DIRECTOR, PIPELINE SAFETY TRUST

Mr. CARAM. Thank you.

Good morning, Chair Young, Ranking Member Peters, and members of the Subcommittee.

I am Bill Caram, Executive Director of the Pipeline Safety Trust, which was created after the 1999 Olympic pipeline tragedy in Bellingham, Washington, that killed three boys.

We serve as an independent national watchdog over the pipeline industry and its regulators. On average, a significant pipeline incident occurs every 32 hours in America, nearly one every day.

Since this subcommittee's last Markup in July 2019, 67 people have been killed and 182 hospitalized from pipeline incidents. That is 67 families forever changed and 182 lives altered, many permanently.

The past two years have been the deadliest in nearly 15 with 30 deaths, including a 5-year-old in Missouri, a 15-year-old in Utah, and an 82-year-old pastor's wife in Mississippi.

Our shared goal of zero incidents feels unreachable when we have not yet been able to prevent these tragic deaths. Making a meaningful difference on pipeline safety will require three essential and interconnected elements: improved regulations, effective enforcement, and widespread adoption of pipeline safety management systems, or PSMS.

In many cases Congress has hamstrung PHMSA from developing effective regulations. Provisions in the pipeline safety statute like the extra burdensome cost-benefit requirement make it extremely difficult for PHMSA to develop lifesaving regulations.

Also, the nonapplication clause, which permanently exempts approximately half our Nation's transmission pipelines including some at the highest risk for meeting some modern safety standards.

There certainly are operators leading the way on safety, but this is not universal. We need regulations that allow flexibility for innovation while ensuring the product stays in the pipelines of all operators.

I have included practical, common sense ideas for improving regulations that would make a real difference on safety in my written testimony such as fire shut-off valves.

These simple devices automatically close when exposed to heat, preventing gas from fueling house fires. They are inexpensive, require no ongoing maintenance, and can be easily installed on service lines.

As recently recommended by the NTSB, natural gas alarms or methane detectors if installed in homes and businesses with or near gas service would undoubtedly save lives.

We need modernized regulations for carbon dioxide and hydrogen blended pipelines. Congress has incentivized this infrastructure without identifying—without addressing the regulatory and research gaps that put communities on the front lines of significant safety risks.

This year marks 5 years since the Denbury carbon dioxide failure in Satartia, Mississippi that sent nearly 50 people to the hospital.

That harrowing night laid bare many of the risks and regulatory shortfalls with these pipelines.

Increasing authorized resources to PHMSA is also necessary. 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 both to the agency and, just as significantly, to the state programs.

Even the best regulations, however, can be meaningless without robust enforcement. When we try to chart penalties levied on operators against their quarterly earnings after tragic incidents we often cannot even visualize the penalty, it is such a tiny percentage of earnings even when PHMSA is fully using its enforcement authority.

Recently, PHMSA's enforcement shows a concerning trend. Enforcement case initiations have declined by as much as 90 percent compared to historical averages across multiple prior administrations.

Meanwhile, incident rates remain relatively consistent. This enforcement gap warrants the Subcommittee's attention.

According to a recent PHMSA report to Congress on the adoption of pipeline safety management systems, or PSMS, among gas distribution operators, while most pipeline mileage is owned by operators committed to PSMS only half of all operators have made this commitment.

To improve safety we need widespread industry adoption—all systems, all operators, large and small. This subcommittee has an opportunity to save lives and make a meaningful difference on pipeline safety by streamlining rule development, making enforcement more effective, and driving adoption of PSMS.

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.

Thirty dinner tables are missing someone from the last two years alone. I have been with families who have lost loved ones recently and some 25 years ago, and I can assure you the pain never goes away.

Please ensure PHMSA meets its responsibility to the American people. Thank you.

[The prepared statement of Mr. Caram follows:]

PREPARED STATEMENT OF BILL CARAM, EXECUTIVE DIRECTOR, PIPELINE SAFETY TRUST

Good morning, Committee Chair Cruz, Subcommittee Chair Young, Committee Ranking Member Cantwell, Subcommittee Ranking Member Peters, 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 must endure the senseless grief that Bellingham has had to experience from a pipeline tragedy. Sadly, there have been many senseless pipeline tragedies and disasters since Bellingham. I am here today, hoping that we can continue to work together to help move towards our shared goal of zero incidents.

Recent Pipeline Failures

Since this subcommittee held its markup of the last authorization of PHMSA's pipeline safety program on July 31, 2019, 67 people have been killed, and 182 people have been injured to the point of in-patient hospitalization. There have been over 3,000 reportable incidents, with nearly 1,600 of those deemed "significant" by PHMSA standards. That means there has been a significant incident nearly every day (a significant incident every 1.33 days, on average) and nearly four people killed or seriously injured every month over the last six years.

In fact, the past two years have been the deadliest for pipelines in nearly 15 years—surpassed only by the two-year period that included the devastating PG&E explosion in San Bruno, California, which killed eight people and destroyed an entire neighborhood—a time that I think all of today's witnesses would agree was a low point for pipeline safety. We continue to languish with consistently poor performance, with a significant incident almost every day and 30 people killed over the last two years.

A look at the National Transportation Safety Board's docket will give a glimpse into the current state of pipeline safety. The NTSB has eight open investigations, from a million-gallon oil spill off the coast of Mississippi, to a host of pipeline-caused explosions in Jackson, MS, Youngstown, OH, Bel Air, MD, South Jordan, UT, Avondale, LA, Hutchinson, KS, and most recently, Lexington, MO. The NTSB investigators, sadly, have their hands full.

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 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]

Just last year, in Jackson, MS, pipelines operated by Atmos Energy appears to have fueled two home explosions, one of which killed the 81-year-old wife of a community pastor. An NTSB preliminary report describes what appears to an undermaintained system full of leaks. Neighbors had complained repeatedly about the smell of gas. Atmos didn't find any leaks it deemed to be hazardous before the home exploded.[3]

On the hazardous liquids side, we've seen two recent failures that have contaminated drinking water wells, and another incident on a chronically failing system. An Energy Transfer pipeline in Pennsylvania was discovered to have been leaking jet fuel. Evidence suggests this pipeline may have been leaking for at least 16 months, possibly much longer, 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. And just last month, the Keystone Pipeline failed yet again, this time spilling about 110,000 gallons of crude oil in North Dakota.

This is just a selection of the approximately 1,500 significant pipeline incidents that have happened in the last six 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. 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 ex-

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[1] Nat'l Transp. Safety Bd., *UGI Corporation Natural Gas-Fueled Explosion and Fire https://www.ntsb.gov/investigations/Pages/PLD23LR002.aspx.*

[2] Nat'l Transp. Safety Bd., *Enbridge Inc. Natural Gas-Fueled Home Explosion https://www.ntsb.gov/investigations/Pages/PLD25FR001.aspx.*

[3] Nat'l Transp. Safety Bd., *Atmos Energy Corporation Natural Gas-Fueled Home Explosions and Fires* (Feb. 14, 2024) *https://www.ntsb.gov/investigations/Pages/PLD24FR003.aspx.*

posure.[4] 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.

Congressional Oversight

The Pipeline Safety Trust urges Congress to fulfill its oversight responsibilities regarding PHMSA by requesting information about the status of staff reductions. We have heard very little official news from PHMSA about how many staff members have accepted retirement offers or been terminated. We have heard from news sources about the high level of turnover at the senior leadership level, which, if true, represents an enormous drain of knowledge and experience from the agency. We haven't heard anything about the losses from elsewhere within the agency. Full staff levels at a small safety agency such as PHMSA are essential to meet its responsibilities to the public.

Also, we encourage PHMSA to seek answers from PHMSA to explain the sudden drop in enforcement case initiations under the first few months of new leadership. The number of cases posted to PHMSA's Enforcement Transparency website[5] represents as much as a 90 percent drop in the number of cases initiated within the first months of previous administrations, regardless of party.

We firmly believe, and expect wide agreement among stakeholders, that pipeline safety is a bipartisan issue that we can all support.

Legislative Priorities to Improve Pipeline Safety

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.

The Pipeline Safety Trust believes that making a meaningful difference on pipeline safety involves three components: improved safety regulations, financially meaningful enforcement, and widespread adoption of Pipeline Safety Management Systems (PSMS). Congress can play a key role in each of these efforts.

Critical to each of these is the existence of a strong regulator, both in PHMSA and each of the state programs. Not only has the agency been chronically underfunded, Congress has also hamstrung PHMSA with statutory restrictions such as the extra burdensome cost-benefit requirement, of which PHMSA is the only safety agency laden with this onerous and overly restrictive obligation. Also, the non-application clause, forbidding PHMSA from applying certain standards from existing pipelines also prevents the agency from being as strong a regulator as necessary to ensure safe communities and a healthy environment.

For many of the legislative priorities described, there is a fact sheet with recommended legislative language included in the Appendix.

PHMSA Funding and State Programs

Beyond revoking these two restrictive provisions, Congress can empower PHMSA to be a stronger regulator by giving it the resources it needs, which involves a substantial increase in funding. PHMSA has had large increases in Congressional mandates without a corresponding increase in funding. For example, nearly 100,000 miles of gas gathering lines have finally come under PHMSA regulations and another approximately 300,000 miles are under new reporting requirements. Also on the horizon is a new generation of pipelines carrying carbon dioxide and hydrogen, requiring new expertise and personnel. State programs, responsible for oversight of more than 80 percent of the Nation's pipeline mileage, are also feeling the squeeze on their capacity.

Because of the lack of resources, PHMSA has been reliant on the industry it is tasked to regulate for technical expertise on rulemaking. A 2015 Politico investigation[6] found that PHMSA is an agency "that lacks the manpower to inspect the nation's . . . oil and gas lines, that grants the industry it regulates significant power

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[4] U.S. Dep't of Transp., Pipeline and Hazardous Materials Safety Admin, *Failure Investigation Report—Denbury Gulf Coast Pipelines, LLC—Pipeline Rupture/Natural Force Damage* (May 26, 2022) *https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2022-05/Failure%20Investigation%20Report%20-%20Denbury%20Gulf%20Coast%20Pipeline.pdf.*

[5] U.S. Dep't of Transp, Pipeline and Hazardous Materials Safety Admin., *Summary of Enforcement Activity: Nationwide* (May 1, 2025) *https://primis.phmsa.dot.gov/enforcement-data/summaries.*

[6] Andrew Restuccia & Elana Schor, *Pipelines Blow up and People Die,* POLITICO (Apr. 21, 2015) *https://www.politico.com/story/2015/04/the-little-pipeline-agency-that-couldnt-217227.*

to influence the rule-making process, and that has stubbornly failed to take a more aggressive regulatory role, even when ordered by Congress to do so." PHMSA has also long had difficulty in attracting and retaining experienced personnel as the industry often hires staff away at higher salaries.

Currently, state utility commissions and state pipeline inspectors have the ability to take over direct safety authority and oversight of gas pipelines from PHMSA. State programs can be reimbursed by PHMSA for up to 80 percent of their spending. However, in recent years, no state has been reimbursed at the maximum level. In 2023, the National Association of Regulatory Utility Commissioners (NARUC) wrote a letter[7] to Congress requesting sufficient funding for PHMSA to be able to reimburse state safety grants at the 80 percent rate. PST agrees that state inspection programs in good standing with PHMSA should be granted 80 percent of their expenditures. Thus, Congress should appropriate PHMSA with enough funding to accomplish this.

The House Committee on Transportation and Infrastructure's PIPES Act of 2023[8] proposed a funding increase of about 10 percent. PST would like to see PHMSA's budget be increased by at least 30 percent. This recommendation is based on factors such as inflation, PHMSA's increased authority for regulating new types of pipelines, and PHMSA's historic underfunding. Inflation has increased costs 23 percent since PHMSA was last authorized in December 2020.[9] Accounting for inflation, a 10 percent increase would not even be equivalent to PHMSA's previous funding levels and would in fact place PHMSA even more behind.

Rupture Mitigation Valves

Because of the statutory limitations described above, PHMSA's improved regulations on rupture mitigation valves do not apply to existing pipelines, including on older pipes in areas that could affect densely populated or ecologically sensitive areas. Arguably these are the pipelines that need this technology the most.

In 2022, PHMSA revised its pipeline safety regulations to require rupture mitigation valves (RMVs), or alternative equivalent technologies, to newly constructed or entirely replaced onshore gas transmission, Type A gas gathering, and hazardous liquid pipelines with diameters of 6 inches or greater.[10] The rule did not, however, require operators to retrofit older pipes because of the nonapplication clause found at 49 U.S.C. § 60104(b), which prohibits PHMSA from promulgating regulations to existing facilities. Because of this, PHMSA fell short of adequately implementing the NTSB's recommendations made after the San Bruno tragedy.[11]

Excluding certain pipelines from implementation of critical safety technology based on age is dangerous. Older pipes are likely more prone to failure, and it is arbitrary to require critical safety technology on some but not all pipelines. Requiring operator to retrofit older pipelines with RMVs in high consequence areas (HCAs) would protect areas with more people and buildings that could be affected by a failure. 49 C.F.R. § 192.903. Because of the nonapplication clause, however, Congress must draft self-executing language for PHMSA to have the authority to promulgate these regulations.

Carbon Dioxide Pipeline Safety

PHMSA regulations for CO_2 pipelines lack the detail necessary to ensure the safe operation of these pipelines. Given the Congressional incentives driving carbon capture and sequestration investment, many experts expect a large increase in the mileage of the Nation's carbon dioxide pipelines. Once relatively rare and remote, these pipelines could soon be much closer to people and communities. The Denbury CO_2 pipeline failure in Satartia, MS demonstrated the unique safety risks that these pipelines pose. An asphyxiant that is heavier than air, CO_2 can move as a plume in a dangerous and even lethal concentration close to the ground for long dis-

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[7] Letter from Greg White on behalf of the National Association of Regulatory Utility Commissioners (NARUC) to House Transportation and Infrastructure Committee (Sept. 18, 2023) (regarding pipeline safety/PHMSA reauthorization legislation.

[8] Promoting Innovation in Pipeline Efficiency and Safety Act of 2023 (PIPES Act of 2023), H.R. 6494, 118th Cong. (2023) *https://www.congress.gov/bill/118th-congress/house-bill/6494/text?s=2&r=1&q=%7B%22search%22%3A%22pipes+2024%22%7D.*

[9] U.S. Bureau of Labor Statistics, *Consumer Price Index Inflation Calculator https://www.bls.gov/data/inflation_calculator.htm* (calculating the rate of inflation from December 2020 to March 2025).

[10] *Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards,* 87 Fed. Reg. 20,940–992 (Apr. 8, 2022).

[11] Nat'l Transp. Safety Bd., *Press Release: NTSB Issues Response to PHMSA's Valve and Rupture Detection Rule,* (Apr. 1, 2022) *https://www.ntsb.gov/news/press-releases/Pages/NR20220401B.aspx.*

tances after a failure. Current PHMSA safety regulations are inappropriate and insufficient, as described in a Pipeline Safety Trust report.[12]

In early 2025, PHMSA published a Notice of Proposed Rulemaking for CO_2 pipelines. PST supported the NPRM, as it contained provisions that would have drastically improved CO_2 pipeline safety but believed there was still room for improvement. Unfortunately, on January 23, 2025, the NPRM was withdrawn as part of the Trump administration's "Regulatory Freeze Pending Review" Executive Order.[13]

Congress should require PHMSA to re-issue its notice of proposed rulemaking on CO_2 pipelines, accept public comment, and finalize the rule within the next eighteen months.

Hydrogen Blending Pipeline Safety

Hydrogen has been highly incentivized in recent legislation such as the Production Tax Credit in the Inflation Reduction Act. Gas distribution operators are considering blending hydrogen into existing gas distribution infrastructure and the trade group the American Gas Association includes hydrogen blends of 20 percent as a key component of their Net Zero plan for the industry. However, hydrogen transportation by pipeline poses many safety risks and key knowledge gaps remain. The risks run highest when the pipelines are near people. At least one operator has blended hydrogen, however that system in Hawaii is unique enough that it cannot serve as a model for the rest of the country.

Hydrogen has a much higher flammability range than methane and is known to embrittle certain types of steel and plastic pipelines. A report on blending hydrogen commissioned by the California Public Utility Commission from University of California Riverside found an alarming number of safety risks and knowledge gaps. A report by Accufacts commissioned by the Pipeline Safety Trust stated that the weakest safety link for hydrogen blends in the distribution system were the pipes inside residences.

Congress should not allow hydrogen blends into gas distribution systems until the National Academy of Sciences has issued a report on the safety risks and knowledge gaps and PHMSA has updated its regulations.

In-Home Methane Detectors

Although pipeline operators may discover or be alerted to leaks through various activities, such as maintenance or odor complaints, these strategies will not consistently locate all hazardous leaks. When natural gas migrates through the soil into a home, the odorant may be stripped from the gas, and the resident would not be aware of the need to evacuate and alert the pipeline operator. In-home methane detectors are one method of continuous monitoring that can help the public and pipeline operators identify leaks and improve public safety. 2023 and 2024 was the deadliest two-year period for pipelines in over a decade,[14] with much of those fatalities from building explosions that could have benefited from in-home methane detection.

The National Transportation Safety Board (NTSB) has recommended the use of in-home methane detectors,[15] sometimes also referred to as natural gas detectors, to alert the public of dangerous gas leaks and prevent home explosions. Methane detectors are similar to smoke and carbon monoxide detectors in that they are easy to install and relatively inexpensive. Where they differ is that they can detect a gas leak well before it ignites, preventing a potentially catastrophic explosion. Multiple NTSB investigations of home explosions have determined that the presence of an in-home methane detector could have helped mitigate the consequences.

Congress should mandate the installation of in-home methane detectors in all residential and commercial occupancies receiving gas service.

Fire Shutoff Valves

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

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[12] Richard B. Kuprewicz, *Accufacts' Perspectives on the State of Federal Carbon Dioxide Transmission Pipeline Safety Regulations as it Relates to Carbon Capture, Utilization, and Sequestration within the U.S.* (Mar. 23, 2022) *available at https://pstrust.org/wp-content/uploads/2022/03/3-23-22-Final-Accufacts-CO_2-Pipeline-Report2.pdf.*

[13] Exec. Order, *Regulatory Freeze Pending Review* (Jan. 20, 2025) *https://www.whitehouse.gov presidential-actions/2025/01/regulatory-freeze-pending-review/.*

[14] U.S. Dep't of Transp., Pipeline and Hazardous Materials Safety Admin., *Serious Incidents 20 Year Trends https://portal.phmsa.dot.gov/analytics/saw.dll?Portalpages&PortalPath=%2Fshared%2FPDM%20Public%20Website52F_portal%2FSC%20Incident%20Trend&Page=Serious.*

[15] Nat'l Transp. Safety Bd., *Improve Pipeline Leak Detection and Mitigation* (Dec. 22, 2022) *https://www.ntsb.gov/Advocacy/mwl/Pages/mwl-21-22/mwl-rph-01.aspx.*

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.

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[16] 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.

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. Alternatively, congress could require PHMSA to amend 49 CFR 192.1007(b) to identify fires as a threat to their distribution system.

Financially Meaningful Enforcement

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 since it's such a tiny percentage of earnings. Giving PHMSA more enforcement authority is critical tom improving pipeline safety.

Pipeline Safety Management Systems

Pipeline Safety Management Systems (PSMS) 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.

PHMSA recently released its required report to Congress on the progress of the gas distribution pipeline industry towards adoption of PSMS. While progress has been made on total mileage of pipelines that are under control of an operator that has made a commitment to PSMS, only about half of the distribution operators have made that commitment. PHMSA also recently released an Advisory Bulletin encouraging the voluntary adoption of PSMS by the pipeline industry.

Congress could make a meaningful difference in pipeline safety by directing PHMSA to take steps towards widespread industry adoption beyond voluntary efforts.

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.

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

Appendix – Suggested Legislative Language

1. Rupture Mitigation Valves on Existing Pipelines in High Consequence Areas
2. Carbon Dioxide Pipeline Safety Regulations
3. Hydrogen Blending Moratorium and Study
4. In-Home Methane Detectors
5. Fire Shutoff Valve

1. Rupture Mitigation Valves on Existing Pipelines in High Consequence Areas

Suggested Statutory Language

Sec. __. Rupture Mitigation Valves on Existing Pipe in High Consequence Areas.

Section 60109(c) of title 49, United States Code, is amended by adding at the end the following:

"(13) All operators shall replace existing pipeline or install rupture mitigation** valves or alternative equivalent technologies consistent with its Final Rule, Pipeline Safety: Requirement of Valve Installation and Minimum Rupture Detection Standards, on all existing pipelines in high consequence areas and in areas that could affect high consequence areas.**"

2. Carbon Dioxide Pipeline Safety Regulations

Suggested Statutory Language

Sec. __. Carbon Dioxide Pipelines.

*(a) Not later than 18 months after the date of enaction of this section, the **Secretary shall finalize its rulemaking titled "Pipeline Safety: Safety of Carbon Dioxide and Hazardous Liquid Pipelines" (RIN 2137**-AF60) in the Federal Register.*

(b) The final rulemaking shall

(1) Regulate all phases of carbon dioxide transported in pipelines,

(2) Establish design, installation, operation, maintenance, and reporting requirements,

(3) Require plume dispersion modeling and update the process for identifying high consequence areas with vapor dispersion analysis,

(4) Require contaminant monitoring and internal corrosion control standards,

(5) Establish conversion of service standards,
(6) Require emergency response training, communication, and equipment,
(7) Require geohazard mitigation, fracture mitigation, and fixed vapor detection and alarm systems,
(8) Clarify that carbon dioxide shall not be used as a testing medium for spike hydrostatic pressure testing, and
(9) Eliminate the exemption based on distance from safety related condition reporting.

3. Hydrogen Pipeline Safety Regulations

Suggested Statutory Language
Sec. __, Blending of Hydrogen in Gas Distribution Systems.—

(a) The Secretary shall enter into an arrangement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study of the safety risks and the potential climate effects of blending hydrogen into existing natural gas systems and issue a report outlining:

(1) remaining knowledge gaps around safely moving hydrogen blends through existing gas distribution pipeline systems

(2) safety risks of hydrogen blends in existing gas distribution systems including, but not limited to:

(A) leak rates of hydrogen blends

(B) performance of hydrogen blends in existing infrastructure

(C) underground migration of leaked hydrogen blends

(3) analysis of expected climate benefits of hydrogen blending into existing gas distribution systems

(b) Factors for Consideration.—In conducting the study under subsection (a), the National Academy of Sciences shall take into consideration, as applicable--

(1) methodologies that conform to the findings from the University of California Riverside study on hydrogen blending commissioned by the California Public Utility Commission;

(2) to the extent practicable, compatibility with existing regulations of the Administration; and

(3) methodologies that maximize safety and environmental benefits

(c) Report.—The National Academy of Sciences shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report describing the results of the study under subsection (a).

(d) No operator shall begin injecting any level of hydrogen into a gas distribution system until the report under subsection (c) is delivered to Congress and its safe regulation is amended into the Pipeline Safety Act.

4. In-Home Methane Detectors

Suggested Statutory Language
Sec. ___, In-home methane detectors. A gas utility operator shall install an in-home methane detector to any of the following in which the utility provides service:
A. Each unit in any building of multifamily occupancy;
B. A fraternity house, sorority house or dormitory that is affiliated with an educational facility;
C. A children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home.;
D. A hotel, motel or inn;
E. A mixed use occupancy that contains a dwelling unit;
F. A business occupancy;
G. A mercantile occupancy; and
H. An assembly occupancy

5. Fire Shutoff Valves

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. 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.

7. 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.

8. 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.

Alternatively

Sec. ___, Requiring Fire as a hazard for gas distribution Service lines. —

(b) In general- S 49 CFR 192.1007(b) is amended by inserting "fire," after corrosion.

Senator YOUNG. Thank you, Mr. Caram.

I will now recognize Senator Cruz, the Full Committee Chairman, for his opening statement.

STATEMENT OF HON. TED CRUZ, U.S. SENATOR FROM TEXAS

The CHAIRMAN. Thank you, Mr. Chairman. I appreciate it.

Americans have been abundantly clear that they want cheaper, reliable, and safe energy. That is what we are here today to discuss, what Federal policies would ensure that energy America needs is affordable, reliable, and safe.

The Pipeline and Hazardous Materials Safety Administration, or PHMSA, is the agency within the Department of Transportation responsible for overseeing pipeline safety.

This is no small task with over 3 million miles of oil, natural gas, and other hazardous liquid pipelines all across this Nation.

Good Federal policy would ensure that pipeline operators have a clear understanding of the safety requirements. Federal regulations

are based on data and address risk appropriately, and the regulations are cost effective.

So what was the previous administration's policy on pipeline safety? One maxim of politics is that personnel is policy. If that is the case then the Biden administration did not give a damn about pipeline safety because they did not nominate anyone to be the PHMSA Administrator.

That is right. It is not that they nominated someone and then withdrew that person. They simply never bothered to nominate any human being to lead the pipeline safety agency.

Instead, they relied on a Deputy Administrator for the entire four years, a position that is not confirmed by the U.S. Senate. That was a shameful dereliction of duty.

Unfortunately, in that entire time this committee never held a single hearing on pipeline safety for those entire four years, denying us any opportunity for oversight.

So there was nobody nominated by the President in the position, nobody confirmed by the Senate in the position, and this committee held zero hearings on pipeline safety. That gives you an indication of what priority they put on this topic.

President Trump has corrected this error by nominating Paul Roberti to lead PHMSA. I hope to hold a hearing on his nomination very soon.

The unaccountable Biden PHMSA also attempted to remake the pipeline safety agency into a climate change agency because every agency in the Federal Government under Biden was a climate change agency instead of doing what its damn purpose was. Not only duplicating the work of other agencies, but disregarding the explicit statutory language that Congress carefully negotiated.

One egregious example of the Biden PHMSA's overreach is the natural gas leak detection and repair rule in which PHMSA included the regulation of underground natural gas storage and liquefied natural gas facilities despite the statute explicitly not including those among the list of facilities to be addressed by that rulemaking.

It is notable that more actions finalized during the Biden PHMSA were overturned by a U.S. Circuit Court of Appeals than any other administration since Congress created the agency in 2004.

Listen to that again. Twenty-one years ago Congress created that agency. The last 4 years under President Biden they had more of their actions overturned by a Federal court of appeals than any administration in history.

I suppose that is not surprising, given that they did not have anyone named to run the agency and they did not have the Senate engaged in oversight on them. Fortunately, President Trump stopped the leak detection rule before it could be promulgated.

This Congress we have the opportunity to debate and to pass a pipeline safety reauthorization. Today's hearing is designed to help inform that discussion.

One topic I expect to hear from the witnesses is the threat to pipeline safety from ecoterrorists. Though the current statute has penalties against individuals, quote, "damaging or destroying an

operational pipeline" it does not expressly address ecoterrorists who tamper with pipelines or damage pipelines under construction.

The unauthorized turning of pipeline valves is a major safety concern that threatens the very environment that the ecoterrorists claim they are trying to protect.

Pipeline operators have been forced to shut down their lines in response to threats from ecoterrorists. I am proud to co-sponsor Senator Sheehy's "Safe and Secure Transportation of Energy Act", which would close this gap in statute by adding, quote, "vandalizing, tampering with, disrupting the operation or construction of, or preventing the operation or construction of a pipeline" to the list of actions for which penalties could be applied.

I also want to hear from the witnesses about ways that pipeline operators are seeking to improve the safe operation of their pipelines but for which outdated or misguided regulations are currently barriers to greater safety.

I look forward to the witnesses' testimony and their response to questions.

Thank you, Mr. Chairman.

Senator YOUNG. Well, thank you, Senator Cruz, for that opening statement.

We will now move to member questions and I will begin with Mr. Leger.

As I mentioned in my opening statement, I am interested in using this PHMSA reauthorization to modernize our pipeline safety laws and to seize on opportunities that would allow industry to deploy innovative technologies to enhance safety within the broader ecosystem.

Mr. Leger, can you provide an example of a promising safety technology and what legislative changes might be needed to promote further adoption of this technology or new technologies in general?

Mr. LEGER. Absolutely, Senator Young. Thank you for the question.

At CenterPoint Energy we have certainly embraced new technology as well as our other member companies that are associated with AGA. Have a couple of things that we work on.

Number one, one of the things that I am really most proud of that would certainly be helpful to have PHMSA weigh in on is we are currently deploying advanced metering technology, and that is a first in the industry and we plan to install the one millionth meter of that this year. Over a seven-year period we plan to replace every single one of our meters on our system with this advanced meter technology.

So one of the things that this does it directly affects what you were talking about is the safe operation of our system.

So the meter that we are working with has a couple of sensors on the inside. One is a heat sensor, and if there is a fire on the inside of the house and the building log gets to a certain temperature it will automatically shut that meter off.

Additionally, there is a flow sensor in there and when it gains flow that is excessive of what is normal through that meter it will automatically shut that meter off, thereby providing safety features for the homeowner.

Senator YOUNG. And so those are solutions. Clearly, as you have articulated, they are designed to enhance safety and sufficient incentive already exists it seems for your adoption—your deployment of those technologies.

Are there any changes either to regulation or to our statutes that pertain to pipeline safety that you or, perhaps, other members think might be appropriate to enable adoption of those technologies or similar technologies?

Mr. LEGER. I would say that legislation or rulemaking at the Federal level that allows new technologies to be approved—the streamlined process approved at the PHMSA level only helps us at the local level to get them approved and I will give you a for instance.

Anytime we bring on a new technology, if it is not already approved by PHMSA then I need to go to each and every state that I operate in and then individually get them approved. So it is efficiency.

Senator YOUNG. OK. Mr. Black.

Mr. BLACK. In the 2020 PIPES Act Congress authorized a technology pilot demonstration program for pipeline operators to show to PHMSA how new technologies should be reflected in pipeline repair criteria regulations, right.

Pipelines are inspected from the inside—in line inspection, so-called smart pigs traveling inside the pipeline——

Senator YOUNG. Right. Right.

Mr. BLACK.—collecting all that information. The pilot program authorized by Congress was time limited. PHMSA ruined it.

PHMSA required it to go through the special permit process in the last administration and they were going to apply NEPA reviews to what is an R&D project. We need Congress to reauthorize that and to tell PHMSA not to do that so that we can show PHMSA how to benefit.

Senator YOUNG. This is—yes, this is a systemic issue within the Federal Government. We do pilot programs all the time. We defund the pilot programs before they play it out.

Sometimes we allow pilot programs to occur without a study to analyze how they have done. When there is a study and we have a very successful pilot program we never scale.

I mean, who runs an organization like this? Well, it is a rhetorical question.

So, Mr. Rorick, do you have anything to add?

Mr. RORICK. Yes. I think that there are many improvements that can be made to existing regulations where we take a risk-based approach that allow us to use the latest technology.

Mr. Black and Mr. Leger talked about some of those technologies, not only on pipelines. There also exists a lot of technologies that we can use—drones, robotics—on tanks as well.

You mentioned, Senator, the use of AI. There are huge opportunities to use AI and industry is exploring the opportunities to use AI for data management and then also use AI to help us to look at that data and then preemptively address issues.

So we just need to free up the process to let us use these technologies.

Senator YOUNG. Great. Very briefly, anything to add, Mr. Caram, on this topic? It is OK if not.

Mr. CARAM. Very briefly. I will just say, you know, obviously, we support technological innovation to improve safety.

We understand the importance of having a good process in place if you are going to allow operators to not follow the current minimum safety regulations. There needs to be a robust process to make sure that technology is safe.

Senator YOUNG. One very pointed point of clarification or, perhaps, education for me, Mr. Leger, did you say cast iron belch?

Mr. LEGER. I am sorry. Cast iron and bare steel.

Senator YOUNG. And bare steel?

Mr. LEGER. Yes, sir.

Senator YOUNG. OK. All right. And so we have pipes that are not in the latest—they do not have the appropriate form of steel or the most modern and resilient steel. Unpack this for me——

Mr. LEGER. Yes, sir. We——

Senator YOUNG.—as someone who does not make steel for a living.

Mr. LEGER. Absolutely. So bare steel and cast iron are both pipes that have been in the ground for 60, 80, sometimes 100 years, and we have eliminated the vast majority of that in our system and will have it out in 2026.

Senator YOUNG. Why do we need to eliminate it?

Mr. LEGER. Because it is not the safest and most modern technology that is available right now, and so we are putting that in with high-density plastic and plastic and then also steel—properly coated steel.

Senator YOUNG. Well, we may have to follow up on that. I am told they make some steel in the state of Indiana.

Mr. Peters.

Senator PETERS. Thank you, Mr. Chairman.

You know, currently state utility commissions and state pipeline inspectors oversee, roughly, 85 percent of the Nation's pipeline infrastructure.

This Federal-state partnership is critical as our state inspectors are usually intimately familiar with the local pipeline operations and their work can lead to often more thorough and frequent inspections than PHMSA could possibly do by themselves.

So to our industry panelists—Mr. Black, Mr. Leger, and Mr. Rorick—as the industry works toward zero incidents can you speak to the important role that state agencies play in working with you to keep the pipeline system safe and operational?

We will start with Mr. Black.

Mr. BLACK. Thank you, Senator.

Two things come to mind on states. One, states maintain excavation damage programs where we are trying to protect underground pipelines and other utility infrastructure from damage.

Those programs are weak if there are exemptions to parties that do not have to participate in the one call program or if those programs are inaccurately enforced.

There is legislation that was introduced in a committee in the House last year that puts the right pressure on states to improve

their excavation damage programs and we call that to your attention.

Second, as you mentioned, sometimes states are approved by PHMSA to inspect even interstate pipelines and that helps free up resources. It does not help when there is duplication.

We have operators sometimes being investigated by the feds and the states. If we can align that we can spread those state and Federal inspection resources more broadly.

Senator PETERS. But to the question, states do play a pretty important role?

Mr. BLACK. Absolutely, Senator. Yes.

Senator PETERS. Mr. Leger.

Mr. LEGER. Thank you.

Senator PETERS. States play an important role?

Mr. LEGER. Yes. Thank you, Mr. Peters, they absolutely do play an important role and we work with our state regulators on a daily basis for pipeline safety.

I do want to echo the damage prevention rules. I think that is something that is—certainly, that we can improve upon and I only call to attention Chairman Young's state, Indiana, which is one of the top states in damage prevention and you can see that by their damage prevention rates.

Senator PETERS. Thank you. Mr. Rorick?

Mr. RORICK. Yes, I would also agree, Senator. The points that Mr. Leger and Mr. Black raised on the damage prevention program I do not think—cannot be emphasized enough and there are—I think there are opportunities to reduce some of the exemptions that occur to the damage prevention program, opportunities to improve the enforcement, and there are certainly opportunities to improve the coordination between the feds and the states for not only the inspection.

States do have the authority to increase their regulations on pipelines. I think it is important, though, that the feds and the states work collaboratively to ensure that there is no conflict in those regulations and in the enforcement.

Senator PETERS. So work more collaboratively. But I think you all agree that states are an important part of this equation?

Mr. RORICK. Yes, sir.

Senator PETERS. So, Mr. Caram, turning to you now because you raised this very topic in your written testimony, how would fully funding states at the allowed 80 percent serve to help the industry in achieving these zero incident targets that they all want to achieve?

Mr. CARAM. Yes, thank you for that question.

As mentioned, the majority of the Nation's pipelines are under state oversight. They all need to follow minimum Federal safety regulations set by PHMSA, but the inspection and enforcement in most of these pipelines are run by the state.

In addition to that, nearly all of the Nation's distribution pipelines—those pipelines that bring gas into people's homes and businesses—are those that are under the inspection and enforcement authority of the state programs, and these are the pipelines that are closest to people and that lead to most of the fatalities and injuries.

So I cannot overstate enough the importance of a well-funded state program.

Senator PETERS. Great. Thank you.

A bit more than four years ago on May 7th of 2021 a ransomware attack on the Colonial Pipeline caused significant impacts on communities from Texas to New York and highlighted, certainly, the importance of robust, timely cyber threat information and the sharing between private sector as well as Federal agencies.

I am very concerned that the upcoming expiration of the CISA 2015 liability protections for public-private cyber threat information could enable another attack like we saw on the Colonial Pipeline.

Mr. Rorick, Mr. Leger, would you agree that the expiration of information sharing and the liability protections associated with that under CISA 2015 would negatively impact pipeline cybersecurity?

Mr. RORICK. Yes, certainly we would and we would like to see that piece of legislation reauthorized as well. That legislation provides some criminal protections through privacy, through confidentiality, antitrust, that allow the information sharing to occur between the private and public sector.

The nation, as we are all well aware, is under constant threat and attack from cyber criminals. Our industry is certainly not immune to it and allowing the statute to get reauthorized will allow those protections to stay in place, which will enable industry to participate more robustly in that information sharing.

Senator PETERS. And we just have a few more months before it expires.

Mr. Leger, do you want to add anything to that?

Mr. LEGER. I cannot really add anything. I will say I am not the proper witness to talk about cybersecurity—I am an operator—but we are happy to get back with you and your office and this committee with a QFR.

Senator PETERS. Great. Great. Well, thank you. Thank you, Mr. Chairman.

Senator YOUNG. Senator Cruz.

The CHAIRMAN. Thank you, Mr. Chairman. Thank you to each of the witnesses for being here.

Mr. Rorick, Mr. Leger, and Mr. Black, can you tell me about your members' experiences with unauthorized valve turners or protesters who damage pipeline construction sites? How often does this happen and what type of risks does this activity pose to pipeline safety?

Mr. BLACK. We have had a number of dangerous and destructive situations from attacks on pipelines. In 2016, opponents in four northern states cut through fences, cut through locks to turn valves on pipelines that brought 15 percent of our consumed crude oil.

In 2017, an activist in Iowa torched into pipeline components awaiting construction on Dakota Access Pipeline. Also in 2017 a pipeline protester armed with a high-powered rifle shot at the Sable Trail natural gas pipeline.

And, sadly, in 2022 there was a movie called "How to Blow up a Pipeline" that was released nationwide and that glorified violent action.

Attacks on pipelines risk hurting the environment, the people there, and even the perpetrators themselves.

Mr. RORICK. And if I could add, this issue tends to be somewhat sensitive, I think, unnecessarily. So we are not talking about the changes that we are proposing. We are not talking about squashing First Amendment rights to speech.

What we are talking about are things like this is just—this is a recent unclassified document from the Tennessee Fusion Center identifying a May 9 incident and just to read a couple of quick lines here. And this is an individual who went into the facility, tampered with it with a gas pipeline.

Local businesses and approximately 430 residents were evacuated due to gas in the air. The tampering impacted gas flow pressure, resulting in safety systems being activated. Responding gas company officials resolved the issues and restored system functions.

This is an example that happened just a few weeks ago where not only was there a safety risk and health and potentially life threatening issues that occurred not only to the individual, to the workers that had—fortunately, the safety systems kicked in.

The workers then had to go in and manage this and ameliorate the situation, but then it provided risk to all of those residents that are in the surrounding areas, not to mention the impacts to their service.

Mr. LEGER. Beyond what was mentioned here, what I want to talk about is reiterate the cascading events of something like that, not to mention what was already said about the risk to the person completing the act but also the risk to our communities and the rest of my employees that have to respond to something like that.

Beyond that, you have cascading events where you have hospitals, critical care facilities, local police departments that were without gas that can no longer protect us and take care of our citizens.

And then if you have a really bad incident where you have to shut down a pipeline now you also have the danger of critical generating facilities that are now down and then now you do not have power for the area.

So it is a cascading event that I worry about.

The CHAIRMAN. Well, Mr. Black mentioned the outrageous movie "How to Blow up a Pipeline." I am embarrassed to say my alma mater, Harvard, proudly screened that movie on campus and people wonder why so many Americans are losing faith in our so-called elite academic institutions when they are getting so extreme as trying to train young people on how to be ecoterrorists.

Mr. Caram, you testified before the House Transportation Infrastructure Committee that you agreed with the statement that people who damaged pipelines or threatened to damage pipelines, such as unauthorized valve turners, should be prosecuted to the full extent of the law because of the danger they put the public in. Do you still agree with that statement?

Mr. CARAM. I do. The Pipeline Safety Trust does not support the creation of unsafe conditions on any pipelines.

The CHAIRMAN. Thank you.

Mr. Black and Mr. Rorick, PHMSA is authorized to grant special permits to pipeline operators in which PHMSA waives compliance with statute or regulation if PHMSA determines that the waiver is consistent with pipeline safety.

I have heard that PHMSA, particularly under the Biden administration, would add numerous additional requirements to special permits that were unrelated to the underlying regulation the permit was designed to address.

Can the two of you speak to this issue with special permits, particularly what extraneous requirements were added and what you propose to fix the special permit process?

Mr. BLACK. Congress created special permits for a good reason, right. There are so many different operating conditions of a pipeline. The types of—in operating conditions the types of pipe, is it a liquid, is it moving crude oil, is it products, is it hot, is it cold.

And so this has been a way for pipeline operators to go to PHMSA and say, I have got an equivalent way to do this that is different and that is better.

But PHMSA has ruined the special permit program. Other than special permits for class locations there have been very few because PHMSA was applying unrelated conditions and PHMSA was taking forever.

I have got a sad example of how PHMSA applied something that was just so loaded down with unrelated conditions that it was unusable.

Somebody had an application to deal with a dent a certain way and the regulations required something that they knew from their engineering assessment was not appropriate.

A simple permit request turned into 56 pages including 54 unrelated conditions that were not even the right type of pipeline. This was a liquids pipeline and they applied natural gas conditions.

Congress can fix this. Congress can tell PHMSA to not require extraneous conditions, unrelated conditions, to the issue being addressed in a special permit, and to act in a timely basis.

Senator YOUNG. Thank you, Senator Cruz. Thank you, Mr. Black.

Mr. Luján.

STATEMENT OF HON. BEN RAY LUJÁN, U.S. SENATOR FROM NEW MEXICO

Senator LUJÁN. Thank you, Mr. Chairman.

Mr. Caram, New Mexico, as you know, is home to the Permian Basin and the Nation's second largest oil producer. In 2023 there was a study conducted of a comprehensive aerial measurement of oil and gas producing basins across the United States including the Permian Basin.

Those surveys found that the Permian Basin oil and gas operation had the highest total emissions observed anywhere in the United States. So even though New Mexico is not the largest producer, they were creating the largest methane plumes.

Mr. Caram, yes or no, is leaking methane from pipeline a public safety hazard?

Mr. CARAM. It is, yes. We continue to have home explosions and pipeline failures from known leaks that have not been repaired.

Senator LUJÁN. Yes or no, does leaking methane from pipelines cause environmental harm?

Mr. CARAM. Yes. Yes, it does.

Senator LUJÁN. Yes or no, is leaking methane from pipelines a waste of a natural resource into the air?

Mr. CARAM. Yes.

Senator LUJÁN. So, arguably, it is also a taking of resources. When there is state land involved and there is leaking taking place that it is like taking taxpayer money, right?

Mr. CARAM. Yes.

Senator LUJÁN. Yes or no, is advanced technology available to detect leaks in pipelines so operators can fix them?

Mr. CARAM. Yes. Methane detection has come a long way in development.

Senator LUJÁN. Mr. Caram, how old are the existing rules and requirements for operators to conduct leak surveys of pipelines?

Mr. CARAM. That particular part of the code is very old, has not been updated in decades.

Senator LUJÁN. And in one word how would you characterize the requirements on operators to survey for leaks in their pipelines and repair them?

Mr. CARAM. Vague.

Senator LUJÁN. In the decades since those vague requirements were enacted we have seen preventable hazards and explosions that have taken lives and endangered people. Is that correct?

Mr. CARAM. Sadly, yes.

Senator LUJÁN. In the decade since those vague requirements were enacted, have we seen technology to detect leaks advance?

Mr. CARAM. Yes. Yes. That has come a long way.

Senator LUJÁN. Now, the last time the pipeline safety bill was reauthorized was in 2020, correct?

Mr. CARAM. Correct.

Senator LUJÁN. That bill was signed by President Trump, correct?

Mr. CARAM. Correct.

Senator LUJÁN. And that bill included a provision requiring the Pipeline and Hazardous Material Safety Administration to write rules and regulations to leak—or sorry, regulations on leak detection and repair. Is that correct?

Mr. CARAM. Yes.

Senator LUJÁN. And your organization was supportive of these measures, correct?

Mr. CARAM. Yes, we were and are.

Senator LUJÁN. And those rules have been updated. Is that correct?

Mr. CARAM. No. We went through a very long process. There was two weeks of advisory committee meetings, a Notice of Proposed Rulemaking, and a final rule was submitted to the *Federal Register* but at the very end of the last administration and it has since been withdrawn.

Senator LUJÁN. Now, this has been brought up in this hearing today. I think I read article after article that suggested the administration withdrew that rule because they were worried that under

a new Republican Congress that there would be a CRA that would pull that rule out, and once that is done cannot touch it ever again.

I think that is important for the record for us to talk about these things. It was bipartisan. The Chair of this Committee was instrumental in important provisions and he is going to be instrumental in getting it again of the Subcommittee, and I look forward to working with him on this as well. It is critically important and that is why I appreciate this hearing so much.

Mr. Leger, your company CenterPoint Energy recently deployed an advanced leak detection technology, state-of-the-art, vehicle-mounted technology. Is that correct?

Mr. LEGER. That is correct.

Senator LUJÁN. And how prepared after a long, transparent stakeholder engagement process is the industry to adopt the optimized leak detection and repair practices as issued by the agency in January?

Mr. LEGER. Well, one thing I want to say it was not recently. We have actually been—deployed that system 10 years ago. So but I would say that we have valuable data that we are willing and able to share with our partners on that adoption of that technology.

Senator LUJÁN. That might encourage others to do the same. So I appreciate that good example that you have there, sir.

One of the questions that I also have in this area is how we work together. I am always reminded of how important our word is when we are working on legislation, when we are working on rules, things of that nature.

With your responsibility that you are here with today, can I get your commitment to work with me and with this committee to ensure that the industry does not backslide on commitments and agreements to update these rules?

Mr. LEGER. Senator, myself and my partner companies across the United States as well as AGA are always willing to work with you guys. I will say that collaboration among the utilities is one of the beauties of our industry.

Senator LUJÁN. I appreciate that very much. Now, since I have a little time left one question that I have goes back to 2021. Are you all aware that there were frozen pipes out in Texas in 2021 of gas, Mr. Rorick?

Mr. RORICK. Yes.

Senator LUJÁN. Mr. Black, yes or no?

Mr. BLACK. Yes.

Senator LUJÁN. Mr. Leger?

Mr. LEGER. Yes, sir.

Senator LUJÁN. Mr. Caram?

Mr. CARAM. Yes.

Senator LUJÁN. Is there anything that should be done with weatherization? Because it impacted New Mexico as well.

Now, it just did not get as cold in New Mexico as it did in Texas with that liquid that was still in there. Is there something we could do around weatherization?

Mr. Leger? I think you know that CenterPoint had a pipe freeze.

Mr. LEGER. Yes, absolutely. I will say that our distribution pipe system was not frozen up. We could have delivered the gas and we did deliver the gas during that timeframe, and I would say that as

my opening comments when I mentioned in Minnesota gets very cold, right?

Sixty hours below zero and we successfully delivered 1.5 BCF. So yes, we can help.

Senator LUJÁN. And just, Mr. Chairman, I think this is one area that we might be able to find some commonality as well, understanding that some states, you know, like ERCOT or others depending on how those pipelines are done. But look forward to working with you there.

Senator YOUNG. You know, and that—I will ask our Indiana steel makers whether there might be certain qualities of newer steel grades that could insulate, you know, the various products that go through pipes from the elements.

Yes, I have become an alchemist up here. OK. So Senator Moreno, you are recognized for questions.

STATEMENT OF HON. BERNIE MORENO,
U.S. SENATOR FROM OHIO

Senator MORENO. Thank you.

And before you leave, Mr. Luján, I will invite you to Ohio if you want to know what cold is.

[Laughter.]

Senator MORENO. There you go. And then I will invite the Chairman to Ohio if he wants to learn about steel making. I am just kidding.

Senator YOUNG. Top steel producer in the country. Go ahead. Please proceed.

[Laughter.]

Senator MORENO. I should not be so bold, given what the Pacers did to the Cavs.

Senator FISCHER. Nebraska has a steel plant, too.

Senator MORENO. There you go. So I think maybe bring the conversation up from—no pun intended, from the underground level to maybe a little bit broader level and if I could have each of you just quickly respond to the following question.

What do you see coming in the next decade in terms of energy demand in America? We will start with from the left to right—our left to right. OK.

Mr. LEGER. We see incredible growth in energy throughout the country. If you look at data centers, return to manufacturing, AI, these are all adding incredible amounts of demand.

This kind of if you build it they will come that has happened on the manufacturing and the data side and now we need to meet that with growing infrastructure developments as well to provide that energy.

Mr. BLACK. We expect growth and need pipeline operators to grow to meet it.

Mr. LEGER. Yes. I mean data centers—and I am fortunate to serve some great areas in Indiana and Texas and Ohio and Minnesota. In particular, in Texas there is a ton of growth, and we are in the process of building pipeline—of planning to build a pipeline around the City of Houston to better serve.

But that being said, you have also got an energy transition going on that will rely on the natural gas industry to be able to serve in-

dustry as the country continues to grow and onshore more manufacturing.

Mr. CARAM. This is outside of the mission of the Pipeline Safety Trust but I will say that we need to see improvements to the laws and regulations before the buildout of more energy infrastructure to keep communities safe.

Senator MORENO. OK. And I will go back to Mr. Black because I think it is important for you to repeat what you said in your opening statement.

If we have to deliver energy, right, energy does not just show up, right? You have to get it to some place. I used to live in New England for 12 years and I find it interesting that a lot of my colleagues from that neck of the woods talk about the importance of climate change and safety and delivery when a lot of energy is still delivered by truck.

You have people showing up at your door with energy that is delivered on a diesel vehicle with all kinds of perilous issues.

So if you had to deliver energy what is the safest way? Safety. Forget cost. Just the safest way to deliver energy?

Mr. CARAM. By pipeline, and government reports confirm that.

Senator MORENO. So then it seems counterintuitive that if you cared about safety you would cripple pipelines, correct?

Mr. CARAM. Correct.

Senator MORENO. And then let us take it now to the point of cost, because for a lot of working Americans that is the number-one issue.

So for a lot of us we can say, well, safety matters and, of course, nobody does not want safety. That is, obviously, nonsense. Nobody would want these disasters to happen. But what is the cost difference of getting this wrong?

Mr. Black, I will ask you.

Mr. BLACK. Liquid pipelines are not just the safest way to move the fuels that we use. They are also the least costly.

So liquid fuels will move on other modes that cost more and have poor safety records and those costs will ultimately be passed on to consumers and the poorest of us pay the most for energy.

Senator MORENO. And as a proud Ohioan, we, with West Virginia and Pennsylvania, have the largest reserves of natural gas in America and yet our producers have been absolutely hammered with their inability to get affordable, abundant, cost-effective natural gas to New England specifically and they rely on Canada for the vast majority of their energy demands, and the reason for that is simple. They refuse to allow pipelines to be built to get and service those consumers.

Is that—explain to me how that works. Explain to me how the logic of saying we would rather get energy from Canada through diesel trucks and through rail and, by the way, through ships across the Great Lakes. How does that make any sense?

Mr. BLACK. Our country is blessed with energy abundance but we need pipelines to get it from where it is produced to where it is used.

And I do not represent natural gas pipelines. Mr. Rorick does. But it is just a few hundred miles where we have got surpluses of natural gas to where they are needed in New England.

Senator MORENO. And my final question is this and whomever wants to answer it can answer it.

We had Senator Peters talk about Line 5, something I care a lot about—I think the Chairman cares a lot about. What would be the impact? Right now, there is something that is not very well reported.

You have the Governor of one state wanting to shut down that pipeline. What would be the impact of shutting down that pipeline?

Mr. BLACK. Lots of Midwest Americans use Canadian crude for the gasoline in their car. Lots of propane users and farmers in Michigan depend on Line 5. So the impact of Line 5 being shut down would be dramatic to the Midwest economy.

But there is an answer. There is a tunnel that is being proposed. Sadly, it has been under review for 5 years. If that tunnel can be developed we will have an even safer way to move the fuel that Ohio and Michiganders and others need.

Senator MORENO. And just—I know I am out of time but just quick follow up. Who is holding up the building of that tunnel?

Mr. BLACK. The state of Michigan.

Senator MORENO. So the same Governor who is trying to shut down the pipeline is refusing to approve the tunnel that would fix said pipeline. Seems to me the agenda is not about safety. It is not about affordability. It is about an attack on fossil fuels.

And with that, I will yield my time back.

Senator YOUNG. Senator Markey.

STATEMENT OF HON. EDWARD MARKEY, U.S. SENATOR FROM MASSACHUSETTS

Senator MARKEY. Yes. So, thank you.

So let me just explain what the natural gas industry is doing to New England. The natural gas industry was asked by Donald Trump to pony up tens of millions of dollars last year for his campaign and if he did it—if they did it in the natural gas industry he would destroy the offshore wind industry.

He would destroy the clean energy revolution. And by the way, he is doing it. He is asking House Republicans on the Energy and Commerce Committee and the Ways and Means Committee to destroy the clean energy industry. They are doing it. They did it yesterday. Did it today, just destroy it.

It is not all of the above. Here is why. The natural gas industry is used to generate electricity. We were, until Trump showed up, going to have 30,000 megawatts of offshore winds and Trump is saying, no, it is all debt.

And who is the beneficiary? The natural gas industry. Oh, we need to build more pipelines in. See the need in New England. And we are saying to the natural gas industry, we do not need you anymore. OK. We have offshore wind.

So the natural gas industry has paid to have Trump through his Department of Interior and Department of Energy kill the offshore wind industry. Now, we have one more final plant, Vineyard Wind. That is 800 megawatts. That is equal to a nuclear power plant ready to go.

But he wants to kill the battery storage industry, wants to kill all of it. It is not all of the above, OK, and the natural gas industry just cannot accept the fact that we have figured out how to do it.

And by the way, Trump is also imposing tariffs on and having a trade war with Canada. Quebec Hydro and northern Maine—northern New England—that is how we do it. We have partnerships with them, right.

So Trump is killing us and then the natural gas industry says, we will come in. We will solve the problem for you.

You know, we do not need anything from Canada. We do not need any electricity from offshore wind even though that is what we want, that is what the states want, that is what the states are investing in. That is what they are trying to permit for.

Natural gas is asking for Trump to come in to kill it saying, we do not need any more natural gas. OK. We already have our indigenous resources. Quebec Hydro, offshore wind, solar. Massachusetts is number two per capita in installation of solar.

We will figure it out. We just need some—we need some cooperation. OK. So just understand the natural gas industry with crocodile tears appears here, you know, as though they really care about New England and they want to make sure they can deal with our energy issues.

We already figured it out. They are trying to kill our plan so that they can substitute their plan which is more fossil fuels, more greenhouse gasses and, by the way, hurricane season starts in two more weeks, OK, and they are gutting FEMA. So that is a recipe for disaster as well.

So let me—I will ask one quick question. Pipelines pose a significant risk to public safety and the environment, an issue that is personal here in Massachusetts.

A constituent of mine, an 18-year-old, Leonel Rondon, died in the Merrimack Valley gas explosions in 2018 as a result of negligence and missing pipeline safety rules.

As we transition to clean energy we have to limit the significant risk that pipelines pose to public safety and the environment, and this is why last year I introduced my Pipeline Accountability, Safety and Environmental Standards Act to enhance public safety, environmental integrity, transparency of pipeline operations across the United States, and I will reintroduce it again very soon.

Here is what the bill does. Mandates updated safety standards to apply to existing pipelines. Require technology that isolates pipelines during catastrophic failure so it does not spread.

Mandate disclosures of pipeline safety data to the public and to do so much more to improve pipeline safety and accountability.

Mr. Caram, do you agree that these provisions in my bill are necessary in order to serve as a preventative against the reoccurrence of what happened in Lawrence just a few years ago?

Mr. CARAM. I do, yes, and the Pipeline Safety Trust does believe that, and thank you for your leadership, Senator Markey, in the aftermath of Merrimack Valley and continuing in pipeline safety.

Senator MARKEY. Yes. And a lot of the law that we passed, the regulations that are put in place, are basically educated by what happened in Lawrence.

To a certain extent it was the trigger for all the reforms that we have in place. Could you expand on that, Mr. Caram?

Mr. CARAM. Yes. It is said often that the regulations we have are written in blood, and often after awful tragedies like what we saw in Merrimack Valley there are lessons learned and regulations updated.

A lot of—my written testimony is trying to stay ahead of those kinds of tragedies and preventing them from happening in the first place.

But the way the system is set up and the way it has functioned is that often we wait until the awful happens and then the regulations are updated.

Senator MARKEY. Yes, and the job of this committee is to look ahead and lead the way, to not wait for the catastrophe to inform us but to take the evidence from experts and then to put the safeguards in.

Senator YOUNG. Thank you, Senator Markey.

Senator Fischer, you are recognized for questions.

STATEMENT OF HON. DEB FISCHER,
U.S. SENATOR FROM NEBRASKA

Senator FISCHER. Thank you, Chairman Young, for conducting this hearing today.

As the former chairman of this subcommittee I had the opportunity to lead the authorization of PHMSA in both 2015 and 2020. In each case this subcommittee and this full committee worked diligently to reach a bipartisan product that passed the Senate unanimously.

But, unfortunately, following the passage of the PIPES Act in 2020 the Biden administration undercut those bipartisan efforts through a heavy-handed regulatory approach, acting outside the bipartisan congressional intent.

Mr. Rorick and Mr. Black, could you speak to the effects of this approach and steps this committee can take to rectify those impacts?

Mr. LEGER. Absolutely, Senator Fischer. Thank you for the question, and we touched on this a little bit earlier.

The administration—the previous administration really expanded the remit—expanded PHMSA's remit beyond their congressional mandate into environmental issues like climate change.

We talked about the leak detection and repair rule. It is a great example where PHMSA, under the Biden administration, expanded beyond the focus of this committee and PHMSA's role to address safety and look at issues like the social cost of carbon to then expand the purview of that particular rule and thus diluting not only the effectiveness of the rule but then diluting the focus and the resources on issues beyond safety.

Senator FISCHER. Thank you.

Mr. Black.

Mr. BLACK. I have been doing this a while. I remember your leadership on both of those bills. Thank you.

Two things come to mind about the 2020 PIPES Act. First is pipelines. PHMSA was authorized to do pipeline safety technology demonstrations——

Senator FISCHER. And under the Biden administration they did not address the requirement from the law.

Mr. BLACK.—and they ruined it. Absolutely. And you have got the opportunity, sadly and please, to reauthorize that and this time tell them not to do the things that they did wrong.

Second, you had a provision called "operating status" which called upon PHMSA to have regulations unique to pipelines that are idled for market conditions but will one day come onto the market—come back onto the market. It is wasteful to everybody, to PHMSA and to pipeline operators, to be applying rules that do not fit there.

PHMSA never acted on that even though Congress told them to do it and gave them a deadline. So it would help if you would tell them again to do it, and we are encouraged that they might. But it is important, like you say, for PHMSA to do what Congress says.

Senator FISCHER. Thank you.

Mr. Rorick, PHMSA—during the Biden administration they also acted outside that primary mission, as you said, so many of the requirements that they set and enacted under authorities which were not in the law that was passed they duplicated existing authorities that, for example, EPA has or DOE has.

As we move forward as a committee we want to make sure that those safety standards are met, that pipelines remain the safe way to transport these fuels. Do you have any suggestions on what we can do with it?

Mr. RORICK. Yes, ma'am. There are certainly some great opportunities, as we have discussed, to improve and move forward with those unfinished mandates that you all have laid out that PHMSA has yet to fulfill. There are other great opportunities.

As you are well aware, API is a standard setting organization. We have a number of standards that PHMSA directly references in their regulations. In many instances they have referenced standards that are two or three editions old.

That creates conflict within our industry in these standards which move faster than the regulations. We are able to use, as Mr. Young talked about earlier, the latest technologies, the latest engineering practices.

It would be very helpful if PHMSA—and we talked about it in our written testimony—were to be able to move forward with the program to periodically review those regulations and ensure that they are referencing the latest standards, and if they are not then we need to have that dialog to ensure that what industry is talking about doing and what we are using does not conflict with the regulations, as another great example.

Senator FISCHER. Thank you very much.

Thank you, Mr. Chairman.

Senator YOUNG. Thank you, Senator Fischer.

Senator Cantwell, you are recognized for questions.

STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. Thank you, Mr. Chairman. I appreciate this hearing very much.

In 1999 the Olympic Pipeline exploded, killing three people in Bellingham, Washington. In response to this tragedy the Pipeline Safety Trust was created to hold pipeline companies and the government accountable in improving pipeline safety.

So very much appreciate, Mr. Caram, you being here today.

A few years later in 2004, following the increased calls for better oversight, Congress established the Pipeline Hazardous Materials Safety Administration—PHMSA—a new agency dedicated to pipeline safety.

So, however, as we sit here today 26 years later it is clear that we still need to do more because these incidents can have unbelievable impacts.

Over the last 20 years pipeline incidents have caused 257 deaths and more than 1,000 injuries and over $11 billion in damages. Excuse me if this has been brought up in the hearing thus far. I do not know if it has, but this is really important data.

And that is an average of 12 fatalities and 51 injuries and $550 million of property damage per year. So we need to do better.

Just last month in Lexington, Missouri, a 5-year-old boy died when a contractor hit a pipeline that had not been properly marked by a pipeline company, causing a leak and an explosion, and since 2019, the last time the Committee considered pipeline safety, a number of significant issues have merged and I know from your testimony that those have been discussed today.

But I wanted to ask you, Mr. Caram, since just this year we know those averages I just mentioned, but during the Trump administration in the first three months I feel like we have less than two enforcement cases.

Are you concerned about this?

Mr. CARAM. Yes. Thank you for bringing that up.

We are concerned about the drop off of enforcement. This is—we have not seen it in previous administrations. Enforcement cases initiated have generally been consistent throughout administrations regardless of party, and so we are concerned to see this drastic sudden drop off.

Senator CANTWELL. Well, I am sending a letter to Mr. Kochman today asking him about this and asking him about the recent data, and just—you know, I want to do everything we can to prevent and if there is something that has happened that is actually preventing this or we are just not seeing the enforcement.

So we need to understand what is happening. So I will be sending him a letter today asking about enforcement actions.

I also wanted to ask you—my state is very prone to landslides and, certainly, a potential—as we call it, the big one—earthquake.

According to the USGS, 44 percent of the country is at risk, though, of experiencing landslides and people who live in these earthquake prone zones.

So what—they have a, I think, a voluntary standard at PHMSA but what should we be doing to think about this? And I do not know whether that Missouri case had anything to do with land moving or not but——

Mr. CARAM. The Missouri case did not, but many recent pipeline incidents have been caused by these factors called geohazards. I think we have learned a lot more about pipeline failures and we

are attributing more—able to attribute more and more to geohazards.

It is not specifically called out in the regulations. Operators on high-consequence areas are required to identify all potential risks and mitigate against those and that ostensibly would include geohazards.

But we would like to see specific geohazard regulations called out by name and spelled out prescriptively and performance-based throughout the regulations.

PHMSA has issued a voluntary advisory bulletin. The industry has developed a relatively strong standard around geohazard mitigation and it is time to incorporate geohazard regulations.

Senator CANTWELL. Well, we probably did not quite imagine it either until we had Oso, Washington how devastating a landslide could be. It killed 40 people when literally the side of a mountain exploded.

And so I do think with change in conditions we definitely need to think about this. What about material issues, this candy factory in Reading, Pennsylvania killing seven people and injuring 10 others.

NTSB found the cause was a pipe made out of Aldyl A, which, I guess, is subject to failure. What do we need to do to make sure that that kind of material does not exist in pipes?

Mr. CARAM. Yes. Aldyl A plastic has been known to be an issue of material prone to failure for decades. Again, in a voluntary advisory PHMSA bulletin it has been out for quite some time.

In addition to that awful West Reading failure there was a failure in South Jordan, Utah, that killed a 15-year-old boy. We do not know the exact cause, but we do know Aldyl A was also part of that failure.

I think we know enough and we have seen enough failures that it is time to have operators find all of this Aldyl A and take it out of their system.

Senator CANTWELL. Thank you. Thank you.

All of these statistics, Mr. Chairman, are just striking to me that we still have this much—you know, 12 fatalities, 51 injuries, and $550 million in property damage every year. It is too many.

So I look forward to working with you and the Chairman on these issues. Thank you.

Senator YOUNG. Well, likewise. Thanks so much, Senator Cantwell, for your leadership on this and so many other important issues.

Senator Peters earlier brought up the issue of cybersecurity and I am glad he did. PHMSA is a pipeline safety regulator. TSA is, however, the primary regulator of pipeline security including cybersecurity.

While both agencies have distinct roles, I want to know from our witnesses, any that wish to speak on this topic, do you think there could be better coordination between TSA and PHMSA or, perhaps, other agencies?

Mr. LEGER. So I can speak to that, Senator, and you bring up a great point. We have seen over the last few years that TSA has really increased their oversight on cybersecurity issues.

They worked extremely well with the industry to not only address threats or address incidents when they occur but really proactively address the threats as well.

There is always opportunities for better improvement on coordination and collaboration between the agencies and, frankly, between the private and the public sector and so we would look forward to working with both of those agencies to do that.

Senator YOUNG. I expect all of you will agree that there are opportunities for better coordination—there is in every organization so I—but any specific recommendations folks can think of that—OK, great.

What role should the Federal Government have in pipeline security and what are operators doing right now on this issue, if anything?

Mr. BLACK. Pipeline security and cybersecurity are both very important. TSA is on the case. Pipeline operators are looking at TSA guidelines or having visits from TSA inspectors, and we know that it is an important part of maintaining the operations of pipelines.

Mr. LEGER. We have active physical security and cybersecurity programs in place that are actually protecting our facilities.

Senator YOUNG. OK. I will continue to educate myself on this issue. I know that other members will be emphasizing the importance of this.

I mean, pipelines, after all, they are critical security to our economic security, to our national security, and so the Federal Government has an inherently important role here.

Yes, Mr. Black.

Mr. BLACK. I thought of one way that Congress can help on security, right. Senator Cruz talked about loopholes that are not deterring those who might damage a pipeline, right?

The pipeline safety laws against damaging pipelines do not cover when a pipeline is in preoperational status and does not cover attacks that do not damage at the time.

We know that if something was damaged before it was constructed and it came into operation there could be an incident hurting people, the environment, and the perpetrators if they are still there.

We also know that there can be valve turning that does not cause damage then but can weaken the pipeline and later contribute to a rupture.

Senator Cruz talked about a Sheehy bill that he co-sponsored. I encourage the Committee to look at this. That is a way that the Senate can help secure pipelines from attacks.

Senator YOUNG. Absolutely. Well, I will consult with both Senators Cruz and Sheehy on that. It sounds like an area of vulnerability that we may need to button up.

You know, the last thing I would like to discuss with you is outdated rulemakings. The PIPES Act of 2020, which Senator Fischer showed great leadership on, that reauthorization required PHMSA to hold a gas pipeline advisory committee, or GPAC, meeting on the class location rule.

While GPAC has meant to address class location PHMSA has yet to complete this rulemaking, probably unsurprising since PHMSA did not have a Senate confirmed leader over recent years.

If it was finalized, pipeline companies could employ modern inspection technologies to prove the safety of existing infrastructure when population changes occur nearby instead of outdated, expensive, and environmentally unhelpful methods.

Mr. Rorick, do you think that this rulemaking would improve safety and avoid disruptions to communities by employing modernized practices?

Mr. RORICK. Absolutely, Senator, and thank you for bringing up that critical issue.

Since that rule—since the original requirements were developed they were very prescriptive in their approach, and as we have talked a lot about technology and as you focused a lot about technology it has advanced rapidly.

The rules—the way they are written require when certain criteria are met for those pipes to automatically be pulled out of service and replaced.

In many instances those pipes do not need to be pulled out of service and the latest technologies that we have can assess those pipelines in a way that is less invasive, and we can make those determinations that many of those pipelines do not have to be pulled out.

Unnecessarily pulling out pipeline increases risk for the workers. It creates disruption in service. There is—a study was recently completed that shows that the amount of pipe that is replaced and the gas that has to get blown down from those service—in other words, we have to clear that gas so that we can replace that pipe—there is enough gas that is released on an annual basis to provide energy for 10,000 homes.

That is unnecessary risk, unnecessary interruptions to energy deliverability that we can avoid, and unnecessary costs for the industry where we can redirect those attentions to other safety issues that really demand our attention.

Mr. CARAM. Chair Young, may I just quickly add something?

Senator YOUNG. You may, sir. Yes.

Mr. CARAM. Thank you. I just want to provide a little context there and just remind everyone what we are talking about.

This is—we have different standards on pipelines based on how—the population density around that pipeline and in a very rural area it is generally thinner walled pipe and the more populated the area the stronger the pipe needs to be.

So when we are talking about class location change we are talking about when a neighborhood or population has built up around this pipeline that was—has the thickness set for a very rural area.

So while we do not oppose some, you know, reforms to class location and the class location rule process, we just want to caution this is a very sensitive issue and could be—we have some serious safety issues and so we appreciate care and concern on that.

Senator YOUNG. Thank you, Mr. Caram.

That will be—we will keep that thought in mind as well. Thank you so much.

Well, listen, were there things—before we close here today were there any particular points that our witnesses who offered very intelligent testimony today wished to make throughout the course of this hearing but did not have the opportunity?

I will give you an opportunity. Thirty seconds each if any—like, Mr. Rorick?

Mr. RORICK. Yes, we have a list of items that the Committee—that we would welcome the Committee to consider. We have got them written down in a pamphlet here.

We will be happy to share those with you. But there are a number of issues that we would be happy to discuss with you further.

Senator YOUNG. We will give everyone that opportunity until the end of the day on Thursday, June 5, to respond to our questions and to make additional submissions that can go into the record.

But, Mr. Black, anything right now?

Mr. BLACK. We encourage you to reauthorize pipeline safety demonstration pilot projects, to fix the special permit process, to deter attacks and improve criminal penalties and reauthorize the pipeline safety laws.

This committee has an important role in assuring the public that the laws and regulations are good. Thank you for acting on it.

Mr. LEGER. I concur with everything that my panelists have said, but I would add the creating a voluntary information sharing system—we did not talk about that—and I believe that is a best practice. It is something that we do as a utility and I think when you—you know, for us, like, it was mentioned earlier about SMS.

We are reaching out outside of the utility industry to talk about airlines on SMS. Just different perspectives, different things that you can learn to only make us all better.

Senator YOUNG. I am glad you brought that up.

Mr. Caram.

Mr. CARAM. Thank you, Chair Young.

I just want to refocus a bit. There was a lot of time spent talking about these unsafe terror attacks which, of course, we do not support those creation of unsafe conditions on pipelines.

But all the fatalities we have talked about today, you know, the vast majority, if not all, of the 3,000 reportable incidents that have happened over the last five or six years those are not attributable to this.

And so I just want to refocus on the conditions that are causing these fatalities and failures.

And the last thing I will say, I think, is the—a big low-hanging fruit following an NTSB recommendation would be the required adoption of in-home methane detectors will undoubtedly save lives and make a big difference.

Senator YOUNG. Thank you.

Thanks again to all our witnesses for their testimony here today. Senators will have until the close of business on Thursday, May 22, to submit questions for the record. The witnesses, again, have until the end of the day Thursday, June 5, to respond to those questions.

This concludes today's hearing. The Committee stands adjourned.

[Whereupon, at 11:37 a.m., the hearing was adjourned.]

A P P E N D I X

GPA MIDSTREAM ASSOCIATION
May 13, 2025

Chairman TODD YOUNG,
Dirksen Senate Office Building,
Washington, DC.

Ranking Member GARY PETERS,
Dirksen Senate Office Building,
Washington, DC.

Re: Subcommittee on Surface Transportation, Freight, Pipelines, and Safety hearing titled "Pipeline Safety Reauthorization: Ensuring the Safe and Efficient Movement of American Energy"

Dear Chairman Young and Ranking Member Peters,

On behalf of GPA Midstream (GPA or the Association), we appreciate the opportunity to submit comments on this important hearing, which will review pipeline safety regulations and operations at the Pipeline and Hazardous Materials Safety Administration (PHMSA) and evaluate what policy priorities should be included in an upcoming PHMSA pipeline safety reauthorization. We are grateful for the Subcommittee's work towards developing pipeline safety legislation.

GPA Midstream has served the U.S. energy industry since 1921 and represents more than 50 domestic corporate members that directly employ 57,000 employees engaged in the gathering, transporting, processing, treating, storage, and marketing of natural gas, natural gas liquids, crude oil and refined products, commonly referred to as "midstream activities." The work of our members indirectly creates or impacts an additional 400,000 jobs across the U.S. economy. In 2023, GPA Midstream members had an economic impact of $206.2 billion through operating more than 506,000 miles of gas gathering pipelines, gathering more than 91 billion cubic feet per day of natural gas, and operating more than 365 natural gas processing facilities that delivered pipeline quality gas into markets across a majority of the U.S. interstate and intrastate pipeline systems.

Safety is Paramount

Pipeline safety is the top priority of GPA's members. According to the U.S. Department of Transportation, pipelines are the safest way to transport crude oil, refined products, and natural gas over the long distances necessary to deliver energy to everyone who needs it.[1] Midstream companies invest in technological advancements that significantly increase pipeline safety through monitoring operating conditions and product flows. GPA's members are focused on ensuring regulatory compliance and collaborate with other industry stakeholders on proactive, voluntary efforts to further the safety of their assets.

Unleashing American Energy

GPA is appreciative of the Subcommittee's support of pipelines playing a key role in unleashing America's energy independence and ensuring Americans have access to reliable and affordable energy. We look forward to working with all of Congress, as well as the Administration to restore American energy independence. Practical public policy can be implemented to allow for America's energy dominance.

Key Issues and Recommendations

1. *Remove duplicative in-plant piping oversight*
   - GPA asks the Subcommittee to use this opportunity to align gas and liquid in-plant piping exceptions and confirm that all piping within a plant bound-

[1] "Data and Statistics Overview." PHMSA's Office of Pipeline Safety (OPS). *https://www.phmsa.dot.gov/data-and-statistics/pipeline/data-and-statistics-overview.*

ary qualifies as in-plant piping and should not be subject to PHMSA oversight.

Many GPA members operate processing, refining, and other types of plant facilities. These facilities include gas piping on plant grounds that serves plant facilities, or transfers gas among adjacent or nearby plants. While the U.S. Code includes exemptions for hazardous liquid in-plant piping systems at production, refining, or manufacturing facilities, gas in-plant piping does not have the clarity of similar exemptions.

In-plant gas piping systems are a low risk to the public, which supports their exemption from PHMSA regulation. The systems are mostly located within plant boundaries and often operate at lower pressures than cross-country, PHMSA regulated pipelines. Additionally, plant facilities are often subject to other safety regulatory programs, such as the Occupational Safety and Health Administration's (OSHA's) Process Safety Management (PSM) requirements.

2. *Appropriate representation on the Gas Pipeline Advisory Committee (GPAC):*
   - GPA asks that the Subcommittee provide direction to PHMSA to ensure appropriate stakeholders are included in the conversation of regulatory actions that impact gathering and processing.

   PHMSA utilizes two technical safety standards committees in its rulemaking efforts, and GPA is appreciative of how these groups support this work. However, during recent rulemaking efforts, which have had significant impacts on the gathering lines GPA members operate, there has been no representation from a stakeholder focused on operation of gathering lines.

   Given the potential for certain rulemakings to substantially impact GPA members, either positively or negatively, representation should be afforded to an operator engaged in gathering and processing.
3. *Longer Reauthorization Period:*
   - GPA requests the Subcommittee reauthorize PHMSA for a longer period.

   PHMSA plays a critical role in ensuring the safe transportation of natural gas and liquids across the United States. Extending its authorization for a longer time would provide an opportunity for the regulator to complete Congressional mandates before being given other obligations. A longer reauthorization period could also unleash technology adoption and utilization of innovation. While innovation can happen quickly, there needs to be proper time allotted, whether for technology to advance or the market to adopt. Providing more time between reauthorizations will ensure technology can mature to a point for operators to be comfortable to incorporate in their operations. Lastly, a longer authorization window allows industry stakeholders to gain experience and ensure compliance with new requirements, ultimately benefiting public safety.

Conclusion

Reauthorizing pipeline safety programs is vital for protecting our communities. GPA urges the Subcommittee to consider the recommendations outlined above to support PHMSA's work. Thank you for allowing us to provide this input, and we are happy to be a resource as the legislative process progresses.

ASSOCIATED GENERAL CONTRACTORS OF AMERICA
May 19, 2025

Chairman TODD YOUNG,
Subcommittee on Surface
Transportation, Freight, Pipelines,
and Safety,
United States Senate,
Wahington, DC.

Ranking Member GARY PETERS,
Subcommittee on Surface
Transportation, Freight, Pipelines,
and Safety,
United States Senate,
Washington, DC.

RE: AGC Statement for the Record for the Hearing Entitled "Pipeline Safety Reauthorization: Ensuring the Safe and Efficient Movement of American Energy"

Dear Chairman Young and Ranking Member Peters:

On behalf of the Associated General Contractors of America—the leading association in the construction industry representing more than 28,000 firms, including America's leading general contractors and specialty-contracting firms—I thank you

for holding the hearing entitled, "Pipeline Safety Reauthorization: Ensuring the Safe and Efficient Movement of American Energy."

AGC members are engaged in utility construction, including water and wastewater facilities and pipelines, energy generation and transmission, and telecommunications infrastructure. For pipeline construction, this includes maintenance and repair, excavation, tunneling, boring and site preparation. Contractors are on the front lines of pipeline safety, and reauthorizing Pipeline and Hazardous Materials Safety Administration (PHMSA) would ensure the continued support of important safety programs related to our Nation's pipeline infrastructure.

Robust Funding for State One-Call Notification Programs

AGC urges robust funding for state One-Call Notification Programs, which are key in mitigating damages from excavation nationwide and ensuring timely locates. According to a *survey of AGC members* published in January 2025, contractors are aware of 811 requirements and the local laws they are required to follow. However, 87 percent of contractors report that it takes longer than one business day for locators to arrive at job sites to mark underground utility lines, including gas and other hazardous materials pipelines, while one-quarter of respondents' state that it takes five or more business days for location crews to arrive and mark utilities.

Supporting One-Call Notification programs through PHMSA reauthorization will ensure that underground pipeline lines have more support to be correctly and expeditiously marked, mitigating challenges and weaknesses that could cause a critical accident.

Require Vertical Line Locating, Marking and Mapping

Congress should require vertical line marking in the reauthorization of PHMSA, which would improve safety planning and operations for contractors, locators and pipeline operators. PHMSA reauthorization has previously included strict requirements for the correct marking of horizontal utility and construction lines, which locate underground infrastructure systems. While these lines make it easier for contractors and utility locators to know where utilities are, horizontal markings do not indicate their depth. Requiring vertical line markings allows locators and contractors to see how deep utilities are buried, improving the safe development of pipelines and ensuring safety efforts are strictly implemented throughout all levels of the construction process. Additionally, Congress should require vertical lines be mapped by locators and made publicly available for all pipeline stakeholders. Requiring and publishing vertical maps will allow contractors to see the depth of utility lines and pipelines that need to be expanded, better preparing them for work and mitigating damage that could arise due to conducting digging activities that can severely damage pipes at improper vertical depths.

AGC thanks the subcommittee for holding this important hearing and looks forward to working with its members on the reauthorization of PHMSA. Congress must ensure that the construction and safety of our pipeline system remains efficient.

Sincerely,

ALEX ETCHEN,
Vice President, Government Relations.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO ROBIN RORICK

PHMSA Inspector Resources

Not only does PHMSA need trained pipeline safety inspectors, but it needs engineers and scientists who understand how pipelines work. The result will be improved safety requirements and more oversight over the pipeline industry.

Question 1. Do you believe PHMSA should be hiring additional experts?

Answer. Safety is our industry's top priority, and API agrees a PHMSA that is properly resourced with individuals with necessary levels of competency and knowledge of operations under their remit is critical. In particular, pipeline safety inspections require a significant understanding of engineering technologies and processes, and API supports PHMSA's efforts to recruit a qualified and capable workforce.

Question 2. Federal pipeline safety officials' ability to make more money in the industry, how can we better retain and recruit these highly skilled employees?

Answer. PHMSA struggles to retain quality inspectors under current government personnel rules and pay scales, especially when competing with industry for quality employees. Congress may want to consider an approach to allow inspectors to be in a more competitive service pay scale.

Question 3. States are currently only reimbursed for 55 percent of their pipeline inspection activities. Do you think Congress should provide increased funding for state inspectors?

Answer. Under current regulation, PHMSA has the ability to reimburse states up to 80 percent of the total cost of the personnel, equipment, and activities reasonably required by the State agency for conducting its pipeline safety or underground natural gas storage program during a given calendar year. With PHMSA's authority to reimburse up to 80 percent under its current program, API would support funding with the use of appropriated funds and coordinate with state-based resources to improve efficiencies in the inspection program.

Criminalizing Pipeline Protests

As you testified at the hearing, you support criminal penalties for the unauthorized turning of valves on pipelines, which can present a safety risk. The Safe and Secure Transportation of American Energy Act goes further than unauthorized valve turning and would sentence individuals found to be "disrupting or preventing the construction of pipelines."

Question 1. Do you think the Standing Rock protesters were disrupting or preventing the construction of the Dakota Access Pipeline?

Answer. Any vandalism, attacks on or damage to construction sites and other activities that disrupt service, inspection protocols and jurisdictional issues should be considered criminal and penalized accordingly. Vandalism or damage to construction sites or equipment and materials significantly increases the risk of harm to the pipeline and those operating at the facility. Importantly, this activity could also lead to an incident from damage caused by these events, potentially causing a safety hazard to the public and/or the environment. As such, this type of activity should be penalized criminally.

Question 2. Do you think landowners and lawmakers fighting eminent domain for new carbon pipelines in South Dakota are preventing the construction of pipelines?

Answer. Most of the time, agreements over an easement can be reached voluntarily between the landowner and pipeline operator, with eminent domain only utilized as a last resort. For decades, eminent domain has and continues to be imperative to U.S. economic growth and critical infrastructure development, enabling the construction of highways, dams, airports, railroads, telephone, electricity lines and more. These projects have become the integrated infrastructure system Americans rely on daily to communicate with distant relatives, heat our homes, transport food, and provide clothing and other essential needs.

API supports two-way engagement between a pipeline operator and landowner, based on transparency, respect, reciprocity, inclusiveness, and accessibility. In 2024, API published the first edition of Recommended Practice 1185, *Pipeline Public Engagement,* in partnership with regulators and public stakeholders, to support operators creating long-term, meaningful, and durable community relationships on both planned and existing pipelines.

Question 3. Do you support the Safe and Secure Transportation of American Energy Act, which could easily be interpreted as criminalizing protests and any other action that could be seen as disrupting or preventing construction?

Answer. API supports the criminalization of behavior that causes safety hazards to people and the environment, and the protection of critical facilities and equipment. The right to free speech and protest is one of the many foundational tenets that makes our country exceptional, and our position does not infringe on that foundational right. The Safe and Secure Transportation of American Energy Act clearly delineates lawful protest with criminal behavior that could damage a pipeline or lead to an incident.

Carbon Dioxide Pipeline Safety

On the last day of the Biden administration, the Pipeline and Hazardous Materials Safety Administration proposed new safety requirements for Carbon Dioxide pipelines. However, the Trump administration has rescinded that proposal, continuing to leave communities vulnerable to incidents like the 2020 Sataria, Mississippi carbon dioxide leak that forced the evacuation of a town and hospitalized 40 people.

Question 1. States like California and Illinois have banned new carbon pipelines until DOT issues safety requirements. Are you concerned that the delay of these requirements will prevent your members' ability to build new pipelines?

Answer. There are currently over 5,000 miles of pipeline that have been operating safely for decades under existing PHMSA regulations. Although API supports a review and potential update to current regulations, they have a long-standing proven

track record in ensuring pipelines transporting CO_2 are constructed and operated safely. Also, API expects to publish an industry consensus standard on the transportation of CO_2 by pipeline later this year, which could be incorporated into PHMSA regulation by reference and strengthen the existing regulations with updates that further enhance the current regulatory framework for safe transportation of CO_2 by pipeline.

Question 2. Did you have concerns with the Biden administration's proposal? If so, what concerns did you have?

Answer. Yes, API does have concerns with the proposal as presented in the unofficial copy of the NPRM that was released by PHMSA in January 2025. While the NPRM included improvements to the regulations that API supports—conversions of service, fracture propagation and control, dispersion modeling, and other topic areas—several of the proposed changes are overreaching and some items were included in the proposal that do not relate to transportation of CO_2 by pipeline and should be the subject of separate rulemaking. API expects to work with PHMSA pending any future rulemaking to address opportunities for improvement.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. EDWARD MARKEY TO ROBIN RORICK

Incomplete Regulations:

Question 1. There are at least six incomplete congressionally mandated regulations currently stalled at PHMSA, including on carbon dioxide pipelines, leak detection and repair, and liquefied natural gas. Do you think these rules—which you initially supported and, based on your testimony, continue to support—should be finalized?

Answer. API continues to support comprehensive, bipartisan efforts to help make our Nation's pipeline network safer as it provides reliable energy supply to every community in America. It is thus imperative that the regulatory environment remains cognizant of and responsive to both current and potential future safety challenges faced by operators. That said, API applauds PHMSA's efforts to date to advance regulatory reform and consider rulemakings that recognize the important role that leading industry practices, innovation and technology play in advancing safety including repair criteria and LNG safety. API would also support additional efforts by PHMSA to move forward with Congressionally mandated rulemakings, ensuring they are fit for purpose, meet the intent of Congress, and ultimately advance safety.

Staffing:

Question 2. PHMSA has long been an underfunded agency, with not enough staff to properly ensure pipeline safety. Given the agency has just over a few hundred employees, even small cuts can have a significant impact. Given PHMSA's mission to protect people and the environment by advancing the safe transportation of energy and other hazardous materials, do you support enforceable staffing requirements for PHMSA to ensure the agency can keep communities safe?

Answer. Safety is our industry's top priority, and API agrees that PHMSA should be properly resourced with individuals with necessary levels of competency and knowledge of operations under their remit. In particular, a high-quality inspection workforce is critical in conducting ever more sophisticated inspections of performance-based regulations.

Criminalization:

Question 3. Under existing law, it is already a felony to damage or destroy a pipeline. There are proposals to expand criminal penalties to "disrupting" or "preventing" a pipeline. Do you agree "disrupting" or "preventing" are too broad given the following examples?

A. local landowner who refuses to sell farmland, ranchland, or private property to a pipeline company or opposes an eminent domain action count

B. A concerned citizen speaking up at a local hearing in opposition to a pipeline

C. An individual who writes an op-ed or posts on social media about their opposition to a pipeline

D. A lawyer who files a lawsuit challenging a pipeline's permit or zoning approval

E. A community member who reports environmental pollution or a hazardous waste spill to local authorities

F. A pipeline employee who raises concerns about workplace safety

Answer. Any vandalism, attacks on or damage to construction sites and other activities that disrupt service, inspection protocols and jurisdictional issues should be considered criminal and penalized accordingly. Easement negotiations, public hearings, media posts or safety reporting are lawful expressions of First Amendment rights to free speech, which API does not believe should be included in this provision. However, any vandalism or damage to construction sites or equipment could increase the risk of an incident that could, in turn, cause a safety hazard to the public, pipeline personnel or the environment, and this should be penalized criminally.

Most of the time, agreements over an easement can be reached voluntarily between the landowner and pipeline operator, with eminent domain only utilized as a last resort. For decades, eminent domain has and continues to be imperative to U.S. economic growth and critical infrastructure development, enabling the construction of highways, dams, airports, railroads, telephone, electricity lines and more. These projects have become the integrated infrastructure system Americans rely on daily to communicate with distant relatives, heat our homes, transport food, clothing and other essential needs.

API supports two-way engagement between a pipeline operator and landowner, based on transparency, respect, reciprocity, inclusiveness, and accessibility. In 2024, API published the first edition of Recommended Practice 1185, *Pipeline Public Engagement,* in partnership with regulators and public stakeholders, to support operators creating long-term, meaningful, and durable community relationships on both planned and existing pipelines.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO ANDREW J. BLACK

PHMSA Inspector Resources

Not only does PHMSA need trained pipeline safety inspectors, but it needs engineers and scientists who understand how pipelines work. The result will be improved safety requirements and more oversight over the pipeline industry.

Question 1. Do you believe PHMSA should be hiring additional experts?

Answer. Yes. Pipeline safety regulation is a technical field dependent on expertise and experience. Engineering or science backgrounds are needed to understand the physical and environmental stresses placed on pipelines. Additional PHMSA personnel expert in pipeline engineering with experience operating pipelines would benefit the quality and timeliness of PHMSA regulatory actions.

Question 2. Federal pipeline safety officials' ability to make more money in the industry, how can we better retain and recruit these highly skilled employees?

Answer. PHMSA can attract and retain highly skilled employees with new authority to hire and compensate personnel at competitive levels. In the past, DOT personnel restrictions prevented PHMSA from hiring technical experts at higher GS levels. Congress can provide such authority directly to PHMSA. Congress can also provide authority to PHMSA directly, and not through the Office of Personnel Management, to compensate technical experts above the GS scale using mechanisms similar to those employed by DOJ or SEC for legal or financial employees.

Question 3. States are currently only reimbursed for 55 percent of their pipeline inspection activities. Do you think Congress should provide increased funding for state inspectors?

Answer. LEPA does not have a position on state inspection reimbursement levels.

Criminalizing Pipeline Protests

As you testified at the hearing, you support criminal penalties for the unauthorized turning of valves on pipelines, which can present a safety risk. The Safe and Secure Transportation of American Energy Act goes further than unauthorized valve turning and would sentence individuals found to be "disrupting or preventing the construction of pipelines."

Question 1. Do you think the Standing Rock protesters were disrupting or preventing the construction of the Dakota Access Pipeline?

Answer. Multiple news outlets documented some Dakota Access construction protesters engaging in physical or violent activities such as blocking roadways, chaining persons to vehicles, setting fires, throwing objects at law enforcement or discharging firearms. Each of these activities fits within a definition of "disrupting or preventing" construction. To the extent the Senator feels there are peaceful, legal, First Amendment free speech activities that could fall under interpretations of "disrupting or preventing", LEPA is supportive of clarifying language.

Question 2. Do you think landowners and lawmakers fighting eminent domain for new carbon pipelines in South Dakota are preventing the construction of pipelines?

Answer. A reasonable person could not interpret landowners and lawmakers fighting eminent domain through free speech, legislating or legal challenges as preventing construction of a pipeline. Additionally, no activity occurring during the planning, approval or permitting of a pipeline before its construction could reasonably be interpreted as preventing the construction of pipelines.

Question 3. Do you support the Safe and Secure Transportation of American Energy Act, which could easily be interpreted as criminalizing protests and any other action that could be seen as disrupting or preventing construction?

Answer. LEPA supports the Safe and Secure Transportation of American Energy Act, which establishes that criminal penalties apply to "damaging, destroying, vandalizing, tampering with, disrupting the operation or construction of, or preventing the operation or construction" of a pipeline. LEPA disagrees a reasonable person could easily interpret it as criminalizing protests, not least because peaceful protests are protected under the First Amendment to the U.S. Constitution. LEPA would oppose legislation that allows physical or violent protest of pipeline construction. To the extent the Senator feels the language of the bill could infringe on a citizen's right to protest peacefully, LEPA is supportive of making that clarification.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO ANDREW J. BLACK

Artificial Intelligence & Pipeline Safety

It is critical that we explore every avenue to reduce potential risks and prevent future pipeline failures. One way of doing this is through the improvement and adoption of technology. You mentioned in your testimony that you are employing artificial intelligence in pipeline maintenance and safety.

Question 1. How is AI currently being employed with pipelines?

Answer. Pipeline operators are currently using artificial intelligence to detect leaks. Examples include using AI to monitor cameras at facilities to detect equipment failures that result in a leak. Operators are also using AI to scan imaging collected from aerial surveillance to detect signs of a pipeline leak or encroachment on a pipeline right of way that may present a hazard. LEPA would welcome the Senator's support of provisions to ensure pipeline operators can fully leverage advanced technology, including AI, to improve pipeline safety. Examples include clarifying that pipeline operators can use drones and satellites to monitor their rights of way and reauthorizing the technology pilot program to demonstrate the effectiveness of new technologies.

Question 2. How else might this technology be used to enhance pipeline safety in the future?

Answer. Pipeline operators are exploring the use of machine learning and artificial intelligence to improve pipeline safety. Pipeline operators collect a tremendous amount of data from their operations and inspection technology. Machine learning has the potential to detect signs of a potential problem otherwise imperceptible to current techniques. For example, pipeline operators hope to use machine learning to sift through operations data on flow rate, pipeline pressure, valve status and pump status to detect the signals or signs of small leaks otherwise imperceptible through pressure drops or flow changes. Pipeline operators also hope to sift through inline inspection tools that generate terabytes of data as they scan pipe walls to detect signs of corrosion or cracking earlier than currently possible. LEPA would welcome the Senator's support of PHMSA research and development in these areas.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. EDWARD MARKEY TO ANDREW J. BLACK

Incomplete Regulations:

Question 1. There are at least six incomplete congressionally mandated regulations currently stalled at PHMSA, including on carbon dioxide pipelines, leak detection and repair, and liquefied natural gas. Do you think these rules—which you initially supported and, based on your testimony, continue to support—should be finalized?

Answer. LEPA supports the proposal and finalization of a rulemaking that provides targeted updates to PHMSA's CO_2 pipeline regulations. LEPA does not have

positions on the methane monitoring and mitigation rule or LNG rule, which are outside the scope of LEPA.

Staffing:

Question 2. PHMSA has long been an underfunded agency, with not enough staff to properly ensure pipeline safety. Given the agency has just over a few hundred employees, even small cuts can have a significant impact. Given PHMSA's mission to protect people and the environment by advancing the safe transportation of energy and other hazardous materials, do you support enforceable staffing requirements for PHMSA to ensure the agency can keep communities safe?

Answer. LEPA supports PHMSA having the staff necessary to fulfill its pipeline safety mission. More important than the number of PHMSA staff is the qualifications of its staff. Pipeline safety regulation is a technical field dependent on expertise and experience.

Engineering or science backgrounds are needed to understand the physical and environmental stresses placed on pipelines. Additional PHMSA personnel expert in pipeline engineering with experience operating pipelines would benefit the quality and timeliness of PHMSA regulatory and enforcement actions.

PHMSA can attract and retain highly skilled employees with new authority to hire and compensate personnel at competitive levels. In the past, DOT personnel restrictions prevented PHMSA from hiring technical experts at higher GS levels. Congress can provide such authority directly to PHMSA. Congress can also provide authority to PHMSA directly, and not through the Office of Personnel Management, to compensate technical experts above the GS scale using mechanisms similar to those employed by DOJ or SEC for legal or financial employees.

Criminalization:

Question 3. Under existing law, it is already a felony to damage or destroy a pipeline. There are proposals to expand criminal penalties to "disrupting" or "preventing" a pipeline. Do you agree "disrupting" or "preventing" are too broad given the following examples?

A: A local landowner who refuses to sell farmland, ranchland, or private property to a pipeline company or opposes an eminent domain action count

B: A concerned citizen speaking up at a local hearing in opposition to a pipeline

C: An individual who writes an op-ed or posts on social media about their opposition to a pipeline

D: A lawyer who files a lawsuit challenging a pipeline's permit or zoning approval

E: A community member who reports environmental pollution or a hazardous waste spill to local authorities

F: A pipeline employee who raises concerns about workplace safety

Answer. Pipeline protests at operating facilities or construction sites have included protesters engaging in physical or violent activities such as blocking roadways, chaining persons to facilities or vehicles, setting fires, throwing objects at law enforcement or discharging firearms. Each of these activities fits within a definition of "disrupting or preventing" construction.

A reasonable person could not interpret concerned citizens, landowners and lawmakers opposing or protesting a pipeline through free speech, legislating or legal challenges as disrupting or preventing construction of a pipeline. Additionally, no activity occurring during the planning, approval or permitting of a pipeline before its construction could reasonably be interpreted as preventing the construction of pipelines. Likewise, no reasonable person would consider a whistle-blower in good faith reporting a safety concern as disrupting or preventing construction.

To the extent the Senator feels there are peaceful, legal, First Amendment free speech activities that still could fall under interpretations of "disrupting or preventing", LEPA is supportive of clarifying language.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TODD YOUNG TO RICHARD LEGER

Safe Digging

I recently introduced a resolution designating April as National Safe Digging Month, to build awareness of safe digging practices that protect homeowners and utility workers from damaging underground utility lines during excavation projects. Excavation damage to underground infrastructure, not only pipelines but other critical systems like water and broadband, is both dangerous and costly. The One Call/811 system was created to prevent that damage by connecting excavators with un-

derground utilities before digging. Yet since then, 81 percent of excavation damage incidents involving pipelines have been caused by third party excavators. Even with PHMSA's 2015 final rule intended to evaluate state 811 programs and enforce minimum Federal standards, significant excavation related incidents continue to occur.

Question 1. Mr. Leger, given these persistent risks and need for consistent enforcement, what should be done to strengthen the One Call/811 program and ensure states are effectively preventing excavation damage across all underground utilities?

Answer. A regulatory framework for incentivizing prevention of excavation damage already exists in the Code of Federal Regulations (49 CFR 198—Regulations for Grants to Aid State Pipeline Safety Programs).

Congress should direct PHMSA to amend Part 198 to update State One Call program requirements (§ 198.37), enhance damage prevention program effectiveness criteria (§ 198.55), and require recipients of One Call grants (§ 198.35) to implement the best practices of effective One Call programs identified in the 2023 AGA white paper *Working with Other Stakeholders to Advance Pipeline Safety in Damage Prevention.* Effective state One-Call program elements include:

1) Size/scope of One-Call ticket requirements (*i.e.,* min/max) for standard infrastructure locate requests (possible process exceptions for special large project tickets)
2) Longevity of One Call ticket requirements (*i.e.,* min/max) for standard locate requests (possible process exceptions for special Large Project Tickets)
3) Tolerance (hand-dig only) zone horizontal dimension requirements
4) Tolerance zone requirements
5) Emergency excavation notification requirements
6) Excavator responsibilities explained
7) Definitions of "excavator"/"excavation"
8) White-lining requirements
9) Positive response requirements
10) Locatability of newly installed underground facilities
11) Sewer line marking requirements
12) Effective, active, meaningful enforcement of state dig laws
13) Specific qualifications/requirements for excavators performing trenchless excavation activities that are not subject to pipeline construction requirements in 49 CFR 192/195

Legislative language that sought to codify these recommended excavation damage prevention best practices was included in H.R. 6494, the *Promoting Innovation in Pipeline Efficiency and Safety Act of 2023* (Section 18) and H.R. 7655, the *Pipeline Safety, Modernization, and Expansion Act of 2024* (Section 15), pipeline safety bills that passed the House Transportation and Infrastructure Committee and Energy and Commerce Committees respectively, last Congress. In the 119th Congress, we look forward to working with the Senate Commerce Committee, as well as your House counterparts, to ensure that common sense and critical excavation damage prevention provisions become law.

Question 2. Mr. Leger, as an operator across several states, what challenges do you face in working with different state 811 programs, and what policy changes would help reduce excavation damage across your service areas?

Answer. CenterPoint Energy has firsthand experience with the various maturities of state programs in the areas in which it operates. CenterPoint reaffirms the necessity for One Call (Dial 811) programs to have a prescriptive framework of core program requirements, ticket scope/longevity, and excavator accountability. CenterPoint Energy's exposure to multiple state programs provides us an opportunity to attest that those programs with equal excavator accountability typically experience lower rates of damage to pipelines.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO RICHARD LEGER

PHMSA Inspector Resources

Not only does PHMSA need trained pipeline safety inspectors, but it needs engineers and scientists who understand how pipelines work. The result will be improved safety requirements and more oversight over the pipeline industry.

Quesstion 1. Do you believe PHMSA should be hiring additional experts?

Answer. While AGA supports a properly staffed and capable regulator in PHMSA, natural gas distribution pipeline operations in the United States are primarily overseen by state-level pipeline safety programs, and not directly by PHMSA inspectors. States account for about 75 percent of all pipeline safety inspectors in the country and, as state regulated entities, natural gas utilities support appropriate staffing of these state programs because they are critical partners in public safety and energy infrastructure reliability.

Question 2. Federal pipeline safety officials' ability to make more money in the industry, how can we better retain and recruit these highly skilled employees?

Answer. AGA and AGA member utilities maintain a long-term positive, productive and technically capable partnership with our Federal pipeline safety partners at PHMSA. While we have very little insight on the Federal government's ability to recruit and retain talent, we urge Congress to provide PHMSA with the resources and personnel necessary to provide effective pipeline safety oversight.

Question 3. States are currently only reimbursed for 55 percent of their pipeline inspection activities. Do you think Congress should provide increased funding for state inspectors?

Answer. As AGA members are primarily state regulated entities, AGA and AGA members do not take a position on specific Federal funding for state pipeline safety activities and personnel beyond ensuring that combined state and Federal funding is sufficient for states to operate successful safety programs.

With regard specifically to state excavation damage programs (*i.e.,* Dial-811 or "call before you dig" programs), AGA believes it is appropriate that Federal funding be contingent on the effectiveness of those programs. 49 CFR § 198 provides a reasonable framework for conditioning grants to state pipeline safety programs. We believe Congress should direct PHMSA to amend Part 198 to update State One Call program requirements (§ 198.37), enhance damage prevention program effectiveness criteria (§ 198.55), and require recipients of One Call grants (§ 198.35) to implement the elements of effective One Call programs identified in the 2023 AGA white paper *Working with Other Stakeholders to Advance Pipeline Safety in Damage Prevention.* These elements include:

1) Size/scope of One-Call ticket requirements (*i.e.,* min/max) for standard infrastructure locate requests (possible process exceptions for special large project tickets)
2) Longevity of One Call ticket requirements (*i.e.,* min/max) for standard locate requests (possible process exceptions for special Large Project Tickets)
3) Tolerance (hand-dig only) zone horizontal dimension requirements
4) Tolerance zone requirements
5) Emergency excavation notification requirements
6) Excavator responsibilities explained
7) Definitions of "excavator"/"excavation"
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10) Locatability of newly-installed underground facilities
11) Sewer line marking requirements
12) Effective, active, meaningful enforcement of state dig laws
13) Specific qualifications/requirements for excavators performing trenchless excavation activities that are not subject to pipeline construction requirements in 49 CFR 192/195

Legislative language that sought to codify these recommended excavation damage prevention best practices was included in H.R. 6494, the *Promoting Innovation in Pipeline Efficiency and Safety Act of 2023* (Section 18) and H.R. 7655, the *Pipeline Safety, Modernization, and Expansion Act of 2024* (Section 15), pipeline safety bills that passed the House Transportation and Infrastructure Committee and Energy and Commerce Committees respectively, last Congress. In the 119th Congress, we look forward to working with the Senate Commerce Committee, as well as your House counterparts, to ensure that common sense and critical excavation damage prevention provisions become law.

Criminalizing Pipeline Protests

As you testified at the hearing, you support criminal penalties for the unauthorized turning of valves on pipelines, which can present a safety risk. The Safe and Secure Transportation of American Energy Act goes further than unauthorized

valve turning and would sentence individuals found to be "disrupting or preventing the construction of pipelines."

Question 1. Do you think the Standing Rock protestors were disrupting or preventing the construction of the Dakota Access Pipeline?

Answer. The Dakota Access pipeline is an upstream pipeline that transports crude oil. AGA member company natural gas utilities were not involved in the planning or construction of the Dakota Access Pipeline and do not receive any product from it currently. As such, we do not have any relevant experience to share about how the pipeline was planned and built and what impact any protests had on that process.

Question 2. Do you think that landowners and lawmakers fighting eminent domain for new carbon pipelines in South Dakota are preventing the construction of pipelines?

Answer. AGA member natural gas utilities do not plan, permit, construct or operate CO_2 pipelines. As such, we do not have any relevant experience to share about how upstream oil and refined product pipeline companies pursue building CO_2 pipelines or the related eminent domain challenges they may face as part of the process.

Question 3. Do you support the Safe and Secure Transportation of American Energy Act, which could easily be interpreted as criminalizing protests and any other action that could be seen as disrupting or preventing construction?

Answer. Broadly speaking, pipeline construction involves highly technical and controlled activities. Uninterrupted and timely execution of construction tasks is vital to ensuring the safe operation of a pipeline, and requires skilled labor and appropriate worker qualification, reliable operation of construction equipment and, importantly, a safe and secure working environment. Disrupting or interfering with this process can have grave consequences on worker and public safety, both during construction and during future operations.

More specifically, the *Safe and Secure Transportation of American Energy Act* has limited application to local natural gas utilities. In short, the legislation, would increase criminal penalties on those who knowingly and willfully damage, destroy, vandalize, tamper with, disrupt or prevent the construction of or operation of interstate pipelines or intrastate pipelines engaged in interstate or foreign commerce. AGA member natural gas utilities do not operate interstate natural gas pipelines and those intrastate gas pipelines our companies do operate are intended to serve in-state natural gas utility customers.

While the *Safe and Secure Transportation of American Energy Act* has limited applicability for natural gas utilities, AGA notes that criminal attacks on natural gas utility property, equipment and facilities continue to occur. These activities are not only hazardous to public safety and utility company employees, they threaten an LDC's ability to deliver natural gas to thousands of homes, government and military facilities, and other critical infrastructure customers. AGA supports increased criminal penalties on individuals who intentionally damage, destroy or impair pipelines and pipeline facilities, or disrupt their safe operation, including those under construction.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO RICHARD LEGER

Updating Aging Pipeline Infrastructure

The use of aging cast iron pipes presents a safety risk in the transport of natural gas. You mention in your testimony that CenterPoint is on track to eliminate cast iron and bare steel from its system by the end of 2026.

Question 1. Can you expand on how CenterPoint has been able to make progress modernizing its systems?

Answer. CenterPoint Energy uses probabilistic modeling to help evaluate risk associated with different types of assets and assist with prioritizing our modernization efforts. Using this risk-based approach, we develop replacement programs with dedicated timelines and discuss them with our regulators so they are aware of our intent and prioritization of modernization of our system. Because these replacement programs are capital-intensive and require upfront investment by the utilities, having efficient rate recovery mechanisms and constructive regulatory relationships support the ability of the utilities to proactively modernize their systems.

Question 2. How can we ensure other companies modernize their pipelines quickly and safely?

Answer. It would be ideal if states, counties and local municipalities can respond in a timely fashion and grant permits to utilities so that they can perform the work

necessary in the public right of way, with the least amount of disruption possible to the local community. Additionally, effective rate recovery mechanisms can aid in facilitating the replacement of legacy infrastructure such as cast iron and bare steel pipelines.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. EDWARD MARKEY TO RICHARD LEGER

Incomplete Regulations:

Question 1. There are at least six incomplete congressionally mandated regulations currently stalled at PHMSA, including on carbon dioxide pipelines, leak detection and repair, and liquefied natural gas. Do you think these rules—which you initially supported and, based on your testimony, continue to support—should be finalized?

Answer. Generally speaking, AGA continues to believe that PHMSA should work expeditiously to fulfill Congress's existing regulatory mandates. Specifically, AGA and its members are looking forward to continuing our work with PHMSA on finalizing a leak detection and repair rule that is reasonable, technically feasible, and consistent with the plain language and intent of Section 113 of the PIPES Act of 2020. Additionally, AGA members support PHMSA's efforts to finalize critical updates to modernize 49 U.S.C. part 193, pertaining to liquified natural gas. We note that PHMSA has recently issued an Advanced Notice of Proposed Rulemaking regarding reforms to part 193 and we look forward to supporting PHMSA on this rulemaking process by providing feedback that leads to a risk-based regulatory approach for LNG facilities.

Staffing:

Question 2. PHMSA has long been an underfunded agency, with not enough staff to properly ensure pipeline safety. Given the agency has just over a few hundred employees, even small cuts can have a significant impact. Given PHMSA's mission to protect people and the environment by advancing the safe transportation of energy and other hazardous materials, do you support enforceable staffing requirements for PHMSA to ensure the agency can keep communities safe?

Answer. As AGA members are primarily state regulated entities, AGA does not take a position on specific PHMSA budgeting and personnel matters beyond ensuring that combined state and Federal funding is sufficient for states to operate successful pipeline safety programs. While AGA supports a properly staffed and capable regulator in PHMSA, natural gas distribution pipeline operations in the United States are primarily overseen by state-level pipeline safety programs, and not directly by PHMSA inspectors. States account for about 75 percent of all pipeline safety inspectors in the country, and, as state regulated entities, natural gas utilities support appropriate staffing of these state programs because they are critical partners in helping keep our infrastructure and our customers safe.

Criminalization:

Question 3. Under existing law, it is already a felony to damage or destroy a pipeline. There are proposals to expand criminal penalties to "disrupting" or "preventing" a pipeline. Do you agree "disrupting" or "preventing" are too broad given the following examples?

A: A local landowner who refuses to sell farmland, ranchland, or private property to a pipeline company or opposes an eminent domain action count

B: A concerned citizen speaking up at a local hearing in opposition to a pipeline

C: An individual who writes an op-ed or posts on social media about their opposition to a pipeline

D: A lawyer who files a lawsuit challenging a pipeline's permit or zoning approval

E: A community member who reports environmental pollution or a hazardous waste spill to local authorities

F: A pipeline employee who raises concerns about workplace safety

Answer. AGA respectfully suggests that the examples given reflect common, constitutionally protected activities that landowners, impacted citizens, and activists may engage in to oppose pipeline use and pipeline construction. None of these examples directly disrupt or prevent safe pipeline operations, including construction or maintenance. Activities that physically damage pipelines or prevent access to pipeline infrastructure or facilities can prevent gas utilities from running safe pipeline construction and maintenance operations and prevent operators from performing critical safety functions such as leak detection and repair and emergency gas leak

response. Gas utilities operate 2.3 million miles of local distribution pipelines providing service to more than 189 million Americans. Physical disruption to the construction, operations, or maintenance of pipelines or pipeline or pipeline facilities, may threaten the safety of the public and pipeline workers, both at the time of the act and during future operations.

Unfortunately, criminal attacks on natural gas utility property, equipment, and facilities continue to occur. These activities are not only hazardous to public safety and gas utility company employees, they can also threaten natural gas local distribution companies' ability to deliver natural gas to thousands of homes, 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, or disrupt their safe operation, including those under construction.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO BILL CARAM

PHMSA Inspector Resources

Not only does PHMSA need trained pipeline safety inspectors, but it needs engineers and scientists who understand how pipelines work. The result will be improved safety requirements and more oversight over the pipeline industry.

Question 1. Do you believe PHMSA should be hiring additional experts?

Answer. PHMSA urgently needs to hire additional experts in several areas across the agency, including inspectors, engineers, scientists, and other professionals. First, as evidenced by the recent Advanced Notice of Proposed Rulemakings, PHMSA is seeking stakeholder input on cost of compliance to facilitate rulemaking efforts. PHMSA needs more economists on the standards and rulemaking team to independently produce this information. Relying on the industry it regulates to provide this information, when they have a clear interest in the results of the process, is problematic.

Second, PHMSA just experienced a talent drain because of Reductions in Force efforts. We don't know the full impact yet, but we do know that these reductions hit two areas particularly hard. One is the Community Liaison program, PHMSA's public engagement department. Based on PHMSA's website, this department went from 10 before the reductions in force[1] to three.[2] The service area for these Community Liaisons is the entire country and there are three people, including the Program Manager. This dramatic reduction compromises PHMSA's ability to engage with communities, particularly around incidents and emergency response. Another area hit particularly hard is PHMSA leadership. Though not officially announced, as far as we know, two of the top three leaders at PHMSA's Office of Pipeline Safety have left. Other senior leaders whose roles supported the Office of Pipeline Safety have also retired. PHMSA needs to be hiring to backfill positions and develop future leaders.

Finally, Congress has incentivized a buildout of non-hydrocarbon pipelines such as carbon dioxide and hydrogen. While some mileage of these types of pipelines currently exists, they are relatively rare and rural. These products possess unique properties and pose unique risks compared to hydrocarbon pipelines and require specialists, including engineers and scientists, to modernize regulations, drive productive research and development, conduct effective inspections, and issue meaningful enforcement.

Question 2. Federal pipeline safety officials' ability to make more money in the industry, how can we better retain and recruit these highly skilled employees?

Answer. Pipeline Safety Trust agrees that compensation is one of the most important methods for retaining and attracting talented employees. While compensation is crucial, PHMSA also faces competition from industry in terms of career advancement opportunities and resources. However, pay flexibility would be the most immediate and impactful step Congress could take. We encourage Congress to authorize the Secretary, in Section 60101 of title 49, the ability to establish higher rates of pay for the employees of PHMSA. One way of achieving this would be to mirror the language used in the Consolidated Appropriations Act, 2012 (Public Law 112–74, 125 Stat. 1012) for the employees of the Department of the Interior in the applicable job series described in the subsection. Additionally, Congress could carve out flexi-

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[1] *https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2024-03/PHP-Org-Chart-March-24-2024.pdf*

[2] *https://primis.phmsa.dot.gov/comm/cats.htm*

bility for the administration such as allowing up to 30 percent, for example, above the rate of pay normally scheduled for the applicable employee.

Question 3. States are currently only reimbursed for 55 percent of their pipeline inspection activities. Do you think Congress should provide increased funding for state inspectors?

Answer. State programs carry out inspections on more than 85 percent of the Nation's pipeline system. They are beyond critical to pipeline safety. The last numbers we have (2023) show Federal funds only reimbursing less than 55 percent of state program activities, even though PHMSA has the authority to reimburse up to 80 percent. Underfunded state programs can create inspection and enforcement gaps that directly impact public safety. Congress has not authorized or appropriated PHMSA enough resources to cover its fair share of state program funding, and the program has not been fully appropriated. However, last fall, Congress made a big step towards properly funding these programs with a large increase in appropriations. Even with this large increase, PHMSA will still fall short of meeting the 80 percent target. On top of this, state programs are facing many of the same issues that face PHMSA. Many states are seeing an expansion of authority with gathering lines coming under regulations for the first time and a potential buildout of carbon dioxide and hydrogen pipelines. State programs also face similar recruitment and retention issues with the pipeline industry often offering employees more money. Congress must provide more funding to state programs to make a meaningful difference in pipeline safety.