

STATE OF WASHINGTON
Citizens Advisory Committee on
Pipeline Safety

Committee Members

Bob Beaumier, Chair • Ron Bowen, Vice-Chair
Tim Sweeney • Dave Taylor • Carl Weimer
Robert Oenning • Ron Schmitt • Nick Peelo
Randy Tarter • Jody Morehouse • Ed Cimaroli

December 30, 2014

The Honorable Anthony Foxx
Secretary, U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Foxx:

The Washington State Citizen Committee on Pipeline Safety was formed by our state legislature after a terrible tragedy in Bellingham, Washington in 1999. To our knowledge, we are the only such Governor-appointed pipeline safety citizen advisory committee in the nation. Under Section 24 of the Pipeline Safety Improvement Act of 2002, such committees were provided specific powers to receive timely response from the Secretary of Transportation to pipeline safety recommendations. The specific language in the bill is:

“Within 90 days after receiving recommendations for improvements to pipeline safety from an advisory committee appointed by the Governor of any State, the Secretary of Transportation shall respond in writing to the committee setting forth what action, if any, the Secretary will take on those recommendations and the Secretary’s reasons for acting or not acting upon any of the recommendations.”

We use this ability sparingly because we understand the demands on your time from the tremendous breadth and depth of all your responsibilities.

We write you today to recommend that a series of rulemakings that have been completed by PHMSA, but for some reason have been delayed either in your office or at the Office of Management and Budget at the White House be moved forward as soon as possible. According to a recent presentation by PHMSA to their Technical Advisory Committees¹ those rulemakings include:

- Safety of On-Shore Hazardous Liquid Pipelines (ANPRM Published 10/18/2010)
- Safety of Gas Transmission and Gathering Lines (ANPRM published 8/25/2011)
- Excavation Damage Prevention (NPRM published 4/2/2012)

¹Current Rulemakings in Process, John Gale, Director, Pipeline Standards and Rulemaking Division, PHMSA - http://www.phmsa.dot.gov/staticfiles/PHMSA/DownloadableFiles/Files/Pipeline/Technical_Advisory_Committees/Day%201%20-%20Joint%20Meeting%20-%20October%2021.zip

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- Miscellaneous Rulemaking (NPRM published 11/29/2011)
- EFV Expansion Beyond Single Family Residences (ANPRM published 11/25/2011)
- Operator Qualification, Cost Recovery and Other Pipeline Safety Proposed Changes
- Plastic Pipe

Many of these rulemakings stem from a number of tragic pipeline incidents that have occurred over the past five years, and have been directed by Congress, or the National Transportation Safety Board. There has been much talk about the commitment of ensuring the safety of our nation's pipeline system, but the slowness in getting these rules out after PHMSA has drafted them calls into question that commitment. Citizens, state regulators and the pipeline industry have all spent a significant amount of time commenting on these rules, and the delay creates a good deal of uncertainty that may also delay industry from moving forward on many needed safety fixes.

We ask that you do all you can to get these important rules finalized, and please provide to us a response on when we can expect them, and the reasons for the delay in each rule's release.

Thank you for attending to our recommendation and information request, and for all you do to keep America's transportation network safe.

Sincerely,



Bob Beaumier
Chairman
Washington State Citizens Committee on Pipeline Safety

cc. Washington State Governor Jay Inslee
Washington State Congressional Delegation