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## Washington State Citizens Committee on Pipeline Safety

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The Honorable Ralph M. Hall  
Chair, Subcommittee on Energy and Air Quality  
2125 Rayburn House Office Building  
Washington, D.C. 20515

March 29, 2006

**Subject: Reauthorization of the Pipeline Safety Improvement Act of 2002**

Dear Mr. Chairman:

My name is Katie Hansen and I am the Chair of the Washington State Citizens Committee on Pipeline Safety. The Citizens Committee is appointed by the Governor and includes a balanced group of representatives from industry, citizens, and local government. It was established by state law to advise state agencies, federal and local government agencies, and officials on matters relating to pipeline safety.

The Pipeline Safety Improvement Act of 2002 is vitally important to pipeline safety and its reauthorization is critical. While the 2002 legislation has made significant strides in improving pipeline safety, there is still much more to do. I am writing to you on behalf of the Citizens Committee on Pipeline Safety to urge you to consider the following list of topics as you begin the reauthorization process, and ask that you share these thoughts with other committee members.

1. **The state inspection programs should be more integrated into the federal inspection process and should be adequately funded.** State inspection programs are a vitally important part of PHMSA's inspection capacity. States oversee 89% of the pipelines in the United States yet receive only 28% of the total funding appropriated by Congress. These state programs are the first line of defense at the community level in the area of pipeline safety. The importance of state inspection programs cannot be understated. PHMSA does not have the capacity to oversee inspections of all the pipelines in the country without the assistance of these state inspection programs. While granting money to state inspection programs is important, PHMSA support of state programs goes further. States must become a more collaborative partner in the federal inspection process. State inspectors have important resources at their disposal and are the most knowledgeable in regards to local conditions and issues. Although it is important to provide adequate resources for the federal pipeline safety program, we urge you to increase grant funding

to delegated state programs, and to also focus on improving communications with state inspection programs thereby bolstering state participation in the federal process.

2. **Many States need their own Citizens Committee for Pipeline Safety.** Currently, Washington State is the only state with such a committee of operators, citizens and local government working in partnership to advance pipeline safety. This common meeting point facilitates each side in hearing others' positions and has brought to light some surprising common goals among the participants. We have no counterparts in the nation and yet the need for education and collaboration exists everywhere. We urge you to encourage the creation of Citizens Committees for Pipeline Safety in the many states where pipelines play a vital role in energy transportation. One way to provide such encouragement would be the reauthorization of the Pipeline Safety Improvement Grants and associated funding that was originally authorized in the 2002 Act. These grants would provide a valuable source of startup funding for states to get a Citizens Committee up and running.
3. **PHMSA, not FERC, should have oversight over design, testing and inspection standards during construction of new pipelines.** FERC is a siting agency, well-versed in the subtleties of permitting; however FERC is not a true pipeline safety agency. FERC has neither the unique experience nor the resources to focus on assuring the safety of pipelines as they are being designed, installed, or tested during construction, a critically important phase of a pipeline's lifecycle. It is only after the pipeline has been approved to operate that PHMSA can inspect it. This sequence is not effective: pipeline design plans should be reviewed and construction inspected by PHMSA or its state agents, during the construction process, not after the fact. We urge you to allocate responsibility for overseeing design review, testing, and construction inspection to PHMSA, the organization with the specific expertise in pipeline safety.
4. **PHMSA must make its inspection process more transparent to increase fairness and trust between operators, regulators and the public.** The federal inspection process gives no timely feedback, good or bad, to an operator about the condition of its pipelines. The best response that an operator can hope for is that inspectors will not provide any feedback. In situations where there is dialog between operator and PHMSA about the inspection findings, that dialog, in the form of letters, for example, is never made public. By contrast in Washington State, the state inspection process is substantially more transparent. Operators and the public are made aware of the findings of inspections in a timely manner. Discussions about those inspections are also made public. Operators know where they stand with an enforcement action, and can plan for mitigation or corrections as required. The public can monitor the inspection of pipelines and develop a level of comfort and confidence in the regulatory process. Transparency of inspections benefits all parties. Keeping inspections under a shroud of secrecy only perpetuates the image that PHMSA is ineffective or unduly influenced by the pipeline industry. We urge you through the reauthorization process to mandate that the PHMSA inspection process become completely transparent to all parties and the public.

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The Citizens Committee is supportive of the many changes that have taken place at PHMSA through Congress' efforts. Thank you for considering these comments. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Katherine M. Hansen".

Katie Hansen  
Chair, Citizens Committee for Pipeline Safety  
P.O. Box 47250  
Olympia, WA 98504-7250

cc: Washington State Congressional Delegation  
Governor Christine Gregoire  
Washington Utilities and Transportation Commission