

REMARKS FOR VADM THOMAS J. BARRETT, USCG (Ret.)
ADMINISTRATOR
PIPELINE AND HAZARDOUS MATERIALS
SAFETY ADMINISTRATION
NASFM MEETING
COLLEGE STATION, TX
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(AS PREPARED)

Thank you Paul Maldonado, for that wonderful introduction and to each of you in the audience for having me here today.

First of all let me say how delighted I am to be here with each of you. The Bush Administration, Acting Transportation Secretary Maria Cino, and our team at PHMSA all enjoy having you as our partners in fulfilling our commitment to ensuring public safety and environmental protection.

We soon hope to welcome the arrival of Mary Peters, who has been nominated by the President to serve as the new Secretary of Transportation. Not only is she another great advocate of maintaining the Department's relationship with each of you, but she is exceptionally experienced and capable and previously made great contributions to the Department as Administrator of the Federal Highway Administration.

Within the Federal government, and the Department of Transportation in particular, regulatory oversight of our respective jurisdiction is important, but we all know regulation alone is not enough to fulfill our safety mission. The Department and PHMSA relies on our partners in safety such as you – state fire marshals and the U.S. fire service, in addition to state and local officials to help us effectively carry out our safety mission to protect the public.

Your work with us over the past few years is recognized and appreciated. As partners we have built additional bridges to protect the fire service community and the public. Delivering the fire training curriculum was a first step and we have seen great results. In less than 15 months, we made great strides in providing training to approximately 5,000 trainers in 31 states and distributed over 13,000 textbooks, 5,000 instructor guides and 6,000 training videos.

Other initiatives that are underway continue to emphasize the importance of our partnership. Your assistance has been invaluable in developing procedures and appropriate training for emergency responders to deal with hydrogen related emergency situations.

As great as partnerships can be we need to recognize that even healthy partnerships can be tested from time to time. To see progress, input should be shared up front and not at the end. We must bring all of our issues to the table to provide for open, results-oriented communication. Sharing information is important to gather insight from all stakeholders to make informed decision. Being a data driven organization, from time to time we may disagree on an outcome. This is okay, as it's the test of a healthy relationship.

Our partnerships help us in continuing to prepare communities to become the corridors of tomorrow. What I mean by this is we have a great deal of work underway to protect our lifelines—the underground infrastructure. All of the vital resources we depend on – our energy supplies, our telecommunications, our data lines – exist as part of this underground network.

We have learned that the success of our efforts to constantly improve safety is multiplied by sharing responsibility and accomplishments with our stakeholders, both within the federal family and with states and communities.

Your support and assistance in continuing to provide training to the fire service community and working with the Common Ground Alliance is invaluable. In early spring we will see the fruits of this labor with the announcement of the nationwide the 811 Damage Prevention Campaign which is centered around protecting our vital underground lifelines and bringing awareness to those that work near and on the infrastructure.

Any strategy to enhance safety should include mitigating the risks or consequences of an emergency. At PHMSA we have been able to save lives through a “systems safety,” or risk management regulatory framework to minimize the possibility of an incident. Again, not only is this done through partnerships with up front stakeholder input, but by holding top leadership accountable for safety performance of lower level staff, identifying and supporting innovative best practices and technology development, and showing organizational transparency, both internally and externally.

Our integrity management program is having positive results. The number of serious incidents in which people or the environment are harmed is steadily declining, particularly on oil pipelines. NASFM played a key role in helping pipeline operators identify high consequence areas, particularly “identified sites,” that are part of our natural gas integrity management program.

But even the best regulations don't always prevent accidents. The ultimate responsibility for safety rests first with the operator. The integrity management program allows

operators to have a better understanding of the condition of their pipelines and mitigate risks before an incident occurs.

Although we have found that some operators have improving safety programs to sustain improved performance in the future, we sometimes find an operator's performance lagging behind. When this happens we take action by intervening with operator executives to prevent accidents, usually before they happen, and not just respond after the fact. We make full use of all our enforcement options, including civil penalties at the higher level authorized under the Pipeline Safety Act of 2002. We are currently looking at ways to provide better transparency to this process and welcome your thoughts.

In the past few years, PHMSA has taken a hard look at incidents, their causes and what can be done to prevent them. One thing is clear--the leading cause of incidents (42 percent of total) in which people are hurt or killed is construction-related damage causing an immediate rupture or damage that later grows to failure. This occurs most often on the distribution systems that run through the neighborhoods where people live and work.

This part of the nation's pipeline system is almost entirely under the jurisdiction of States, our other partners in pipeline safety. These incidents are almost entirely preventable. We cannot succeed without enlisting the help of State and local officials and the full range of public safety stakeholders who share an interest in protecting all underground infrastructure.

In addition to NASFM and the states, we also share a partnership with the Common Ground Alliance (CGA) on all damage prevention efforts. CGA has been helping to pave the way to lead stakeholders to share responsibility for damage prevention.

Over the last year we have been working with them to implement the most important new tool in our assault on third-party damage to pipelines, three-digit dialing. The Federal Communications Commission responded favorably to our request for a single three-digit number usable for "one call" anywhere in the U.S. The ability to dial "811" provides a single uniform action that all Americans can take to improve safety. The campaign to unveil this number nationwide will take place next Spring. Both CGA and NASFM are to be thanked for the accomplishment of this important safety initiative.

All of this work to improve the underground infrastructure couldn't be done without the partnerships that have been formed over the year. Earlier this year we submitted to Congress the "Pipeline Safety and Reliability Improvement Act of 2006". We are hoping this piece of legislation will give us additional authority to provide our State partners with greater resources to help in protecting the communities that we live in. Hearings have

been held in Congress and they are moving quickly to give us the authority and resources to continue to build our program.

We are also working on ways to further prevent pipeline incidents. Since the passage of the Pipeline Safety Improvement Act of 2002, the country has seen significant improvements in pipeline safety.

Our thanks go out to each of you and our other partners in safety for your help in accomplishing these improvements. Safety is, and will continue to be, our top priority.

The legislation that Congress is considering builds on our accomplishments in pipeline safety to date by creating incentives for states to improve their damage prevention programs. It also helps in environmental and infrastructure protection and planning. We believe we should identify good programs as models, but we also believe we should empower states and localities to choose those improvements that work best for them.

While we have made great strides in pipeline safety, we are focused on ways we can prevent damage to pipelines from excavation activities. The proposed bill establishes a state grant program to provide incentives to states to develop more effective damage prevention programs. PHMSA and state agencies would also gain the authority to conduct civil enforcement actions against anyone who fails to contact “One-Call” prior to digging. We are looking for ways to leverage affordable technologies, like GPS, to prevent incidents and to cover the rate of required call outs for operators.

As I stated earlier, our “system of systems” approach is working. The number of significant pipeline incidents – those resulting in severe consequence to people – have been trending steadily downward. When one stops to consider the sheer volume of products delivered, we recognize that our pipeline infrastructure delivers liquid and gas products safer than any other mode of transportation.

Unfortunately we don’t have the same good news for hazardous materials by other modes of transportation. In 2005, the number of reported hazardous materials incidents was the highest it had been since 2001. More importantly, the number of deaths and injuries resulting from these incidents also showed an increase over the previous years. We need your help and assistance in improving these statistics.

While we do not have all the answers, we are working hard to expand our “grass roots” initiative in taking education programs directly to state and local organizations. We need your expertise to further identify and recommend what training should be offered and who needs it most—we welcome your input and look forward to hearing from you.

Ensuring the safety and preparedness of America's emergency responders is an important goal of PHMSA and the Department of Transportation. You already know PHMSA publishes and distributes the Emergency Response Guidebook (ERG) free of charge. For years the ERG has been an important asset for first responders to use during the initial phase of a hazardous materials transportation incident.

Since 1976, PHMSA has urged the placement of a copy of the ERG in every public emergency response vehicle, including fire fighting, police, and rescue squad vehicles. As we develop the 2008 version of the ERG, we seek feedback from you on your experiences and how we can improve this next edition to fit the needs of the emergency response community. For the first time, the 2008 ERG will be expanded to include a response section applicable to pipeline incidents.

In the coming months PHMSA will be releasing two essential documents outlining our vision for enhancing safety in our draft Strategic and Business Plans. Our Strategic Plan will address safety in pipeline and hazmat program issues, emergency response, and public outreach. Our Business Plan will describe the implementation and operational details of important issues discussed in the Strategic Plan. Similar to how we develop new regulations, we will be welcoming comments from our stakeholders on both to tell us if we're headed in the right direction.

Being a data driven entity we want to continue to work with you to talk about and address the facts. At PHMSA we analyze the data we collect to identify areas needing a heightened focus, address rising problems early and to help shape public debate around data and facts. The data shows us who's implementing the best of best practices, who are the good companies and who needs help in rising up to the industry standard.

When meeting with company executives we remind them of their responsibility of being the first in line for safety assurance. As members of our nation's fire service, you too are leaders within the communities you work. Your voices are key to ensuring the public stays committed and focused on following safety guidelines to mitigate risks.

Our outreach efforts with the fire service community has been an asset in preparing and educating state and local officials about the need for, and safety of, pipelines and hazardous materials transportation, and the importance of implementing pipeline damage and hazardous spill prevention techniques.

The Department of Transportation and PHMSA stand ready and willing to work with you. We offer our capability to address the public's need for safe pipeline and hazardous materials transportation, as a regulator and an advocate.

Our ultimate goal is ZERO – zero deaths, zero injuries, zero releases to the environment, and zero operating errors.

Thank you again for having me today.