

---

**Remarks of Brigham A. McCown  
Deputy Administrator  
Pipeline & Hazardous Materials Safety Administration  
U.S. Department Of Transportation**

**The Florida State Pipeline Safety Meeting  
St. Petersburg Beach, FL**

**As Delivered 12:00 p.m. EST  
June 20, 2006**



**REMARKS FOR BRIGHAM A. MCCOWN  
DEPUTY ADMINISTRATOR  
PIPELINE AND HAZARDOUS MATERIALS  
SAFETY ADMINISTRATION  
FLORIDA STATE PIPELINE SAFETY MEETING  
ST. PETERSBURG BEACH, FL  
- - JUNE 20, 2006 - -**

**Introduction**

Thank you for your gracious introduction and for asking me to be a part of your conference. It is a pleasure to attend this forum with so many stakeholders.

I would like to speak briefly on several topics but before I do, please let me say what a pleasure it is to be back here in Florida, a State in which I have lived most of my adult life.

All of us are here today because we are all dedicated to our common goal of a safer, more reliable, and a more secure transportation system for all Americans.

On behalf of the Bush Administration, Transportation Secretary Norman Mineta, and PHMSA's new Administrator, Admiral Tom Barrett, I would like to thank each of you for your dedication to the safe transportation of hazardous materials.

There is power in your numbers and your alliances. Therefore, those of us at DOT are especially glad to be here because we see opportunities to collaborate with you. Our relationships have been good, but they can be stronger, and better.

On a personal level, it is always refreshing to get outside of the DC beltway. The Bush Administration understands and appreciates the fact that decisions made in DC affect the lives of all Americans and to that end, the best solutions to the challenges we face do not necessarily come from within the beltway.

As many of you probably know, Secretary Mineta began his own distinguished public service as the mayor of San Jose and like him, we believe that in order to adequately address the issues of our nation, we must first open a two-way dialogue with those who know and understand the issues best.

First of all, please allow me to express how excited we are to partner with NASFM and how excited we are to work with our stakeholders present here today. I am encouraged to see members from government as well as from the private sector. In our view, you are equal partners and stakeholders in this process.

You've already heard from PHMSA today so I'll try not to repeat much of what you have already heard. It is worth mentioning again that our mission and goals are the same as yours, but in order to address them satisfactorily, we must be able to understand and appreciate the needs and challenges facing Floridians before we can fulfill our duty of helping to ensure public safety and environmental protection.

Within the Department of Transportation, we know regulatory oversight of industry is important, but we also understand regulation alone is not enough to fulfill our mission. At PHMSA, we rely on our partners – state fire marshals, law enforcement, the nation's fire service and other emergency responders, local, state and federal agencies, and others – to keep us safe and assure the public of their safety.

I hope all of you are as charged as we are with the momentum to ensure the pipeline and hazardous materials industries are safer today than they were yesterday, and safer tomorrow than they are today.

A brief moment ago, I mentioned how pleased we are with having you as our partners in safety. Well it's true. 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.

By working together we have saved lives by basing our regulatory programs on risk assessment in order to assess and minimize risks when incidents do occur, we believe we should do all we can to mitigate the consequences of any release.

So our purpose for being here today is three-fold: First we are here to listen. Second, we are here to ask how we can better deliver our programs, and third, we are here to report on and share what we have learned. At PHMSA we want to hear more about how we can help you in your efforts to help us further advance pipeline and hazardous materials transportation safety.

### **Emergency Response and Preparedness**

I am pleased to announce 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. Our dedicated federal civil servants 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.

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 having every public emergency response vehicle, including fire fighting, police, and rescue squad vehicle, carry a copy of the ERG. 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.

We have worked with you to prepare America's heroes to respond safely to pipeline incidents and help reduce the number and severity of incidents. In less than 15 months, we made great strides in advancing our fire service training curriculum. We provided training to approximately 5,000 trainers in 31 States and distributed over 13,000 textbooks, 5,000 instructor guides and 6,000 training videos.

In addition, with the increased number of proposed liquefied natural gas (LNG) facilities across the nation, we have begun efforts to educate first responders on LNG-specific risks and how to manage those risks.

### **Alternative Fuels**

The use of alternative fuels is increasing around the country as Americans look for ways to reduce petroleum consumption and harmful emissions. Automotive technologies have advanced to accept cleaner agricultural-based fuels, such as ethanol and bio diesel, for flexible-fuel vehicles.

I know Governor Bush is very interested in expanding Florida's role in fulfilling the projected needs to our nation when it comes to ethanol and we need to do a better job anticipating these changes to help you prepare for the challenges associated with new technologies.

I would also be remiss if I did not say that even in light of new technologies; we must also be better positioned to help address urban and suburban growth in our communities.

Working closely with the International Association of Fire Chiefs (IAFC), PHMSA issued a Safety Alert on April 26 providing guidance for responding to incidents involving fuel mixtures composed of ethanol and gasoline in various concentrations.

While I wish we had it out sooner, this action helped assure first responders are well-informed on recommended handling of new E85 fuels. PHMSA is also exploring possible changes to shipping descriptions or other hazard communication requirements for alcohol/gasoline fuel mixtures. Our goal is to ensure first responders nationwide can readily identify these mixtures and more rapidly refer to guidance specifying the use of alcohol-resistant foam.

## **Pipeline Safety Legislative Proposal**

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 industry has seen many changes since the passage of this act and for those industry and state stakeholders present today, we also hear your concerns about the burdens these regulations have placed on you, and we are committed to an ongoing process to ensure that our regulations are based on quantifiable cost/benefit risk analyses and are narrowly tailored. In other words, we are not here to over-regulate.

Just two weeks ago, Secretary Mineta submitted to Congress the Administration's legislative proposal to further improve pipeline safety. The "Pipeline Safety and Reliability Improvement Act of 2006," looks to build on our accomplishments in pipeline safety to date by creating incentives for states to improve their damage prevention programs. We are also proposing legislation that will help 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.

Last year's devastating Gulf storms taught us all a valuable lesson about preparedness and our ability to respond to emergency situations. The Department, PHMSA, and the nation all soon realized just how vulnerable pipelines can be to natural or man-made disasters and so our proposal also seeks to assist pipeline operators in communicating with state and local officials involved in recovery.

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 would establish 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.

Through the proposal, the Administration recognized the vital role our pipeline transportation system – “America’s Energy Highways” – plays in maintaining national security and economic stability.

### **Partners in Safety**

We are also seeking expanded authority to assist in the environmental permitting processes, not just for pipeline repair, but for constructing new pipelines, and to also safely site the new infrastructure we will need to keep our economy growing. One of the greatest successes this country has seen in recent years is that of our expanding economy. We are enjoying an unprecedented level of growth and vitality but with success comes new challenges and we must ensure the public has confidence in our ability to safely deliver the energy supplies our nation needs to continue our growth.

Just last month Secretary Mineta declared an all out war on congestion. Virtually every major metropolitan area has seen unprecedented growth, and as a result, our infrastructure has been strained. We must tackle these real problems to ensure our transportation system remains the best in the world. To that end we believe that congestion is not inevitable, it is simply the result of poor policy decisions and we are committed to reversing this trend. Time is a valuable commodity, and whether it is delays in getting home at night, or in delivering goods to market, we must successfully address this challenge.

### **Closing**

We need to continue to work together on our mutual goals. Our ultimate goal is ZERO – zero deaths, zero injuries, zero releases to the environment, and zero operating errors.

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.

We are in position today to raise public confidence about the safety of our transportation system. We will assure new pipelines are built and operated safely, and hazardous materials shipments are done safely.

We are in position today to answer the public's questions and to conduct a dialogue that assures the needs and concerns of local communities regarding pipelines and hazardous materials are addressed. To do this we will need your help to serve up the questions and create the forums for engagements.

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.

Thank you again for having me today.