



**STATEMENT OF JEFF WIESE
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PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION**

**BEFORE THE
COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON MANAGEMENT, INVESTIGATIONS, AND OVERSIGHT
UNITED STATES HOUSE OF REPRESENTATIVES**

Field Hearing - - Plant City, FL

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Chairman Carney, members of the Subcommittee, thank you for the invitation to speak to each of you today. My name is Jeff Wiese, Associate Administrator of the Pipeline and Hazardous Materials Safety Administration's (PHMSA) pipeline safety program.

We greatly appreciate this Subcommittee's attention to our efforts in advancing safety, which is the top priority of Transportation Secretary Ray LaHood and PHMSA Administrator Cynthia Quarterman.

As the only modal administration within the U.S. Department of Transportation (DOT) that doesn't involve moving people, PHMSA still bears a significant responsibility in ensuring the safety of our most important stakeholders, American citizens. Today, I will speak to the challenges we face in the coexistence of people and pipelines in our communities and the ways we are working to address safety risks.

The nation's pipelines, our energy highways, are a significant part of our country's critical infrastructure and are essential to our economy and our way of life. Over 2.5 million miles of natural gas and hazardous liquid pipelines crisscross the country transporting nearly two-thirds of the energy products we consume annually. Pipelines are by far the safest way to transport such enormous quantities of hazardous products over long distances in short time intervals.

Safety: PHMSA's Primary Mission

Strong oversight has been an important strategy in strengthening pipeline safety. Ensuring the safety of the nation's hazardous liquid and natural gas pipeline network is an enormous task. To assist us in this feat, PHMSA utilizes the help of its state agency partners, giving us the opportunity to employ over 400 additional inspectors to oversee 81 percent of the infrastructure. State and federal inspectors train together to enforce national regulatory pipeline safety standards. We aim to function as a coordinated

workforce to safeguard the American public from the risks pipelines pose. With over 30,000 miles of pipelines in the state, Florida has a significant piece of this critical network right here within its borders. To assist us in our efforts, PHMSA has an agreement with the Florida Public Service Commission to oversee intrastate natural gas pipelines – those that provide gas to homes and businesses. For all other pipelines in Florida, including anhydrous ammonia lines, PHMSA is chartered with the inspection, enforcement, and safety assurance of pipelines. The Federal-State partnership is a crucial component to our safety strategy and our ultimate success.

Over the 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 in which people are hurt or killed is a result of third party damages. This type of damage, which includes vandalism, causes an immediate rupture or damage that later grows to failure. Third party damage most often occurs on natural gas distribution systems located in areas where people live and work, but it also poses a significant threat to larger pipelines such as anhydrous ammonia, natural gas, crude oil and other hazardous liquid pipelines.

Our record in pipeline safety is good. We have seen the number of serious pipeline accidents – those involving death or injury – decline by an average of 30 percent for the ten year period of 1999-2008. In Florida, the state has seen an average of one serious pipeline accident a year over the past five years compared to a national five year average of 41. This data is proof that our strategy of enhancing our oversight is working. Nevertheless, we recognize that one serious pipeline accident per year in Florida is still one too many and our ultimate goal is zero.

Addressing the November 2007 Pipeline Incident

Throughout the country anhydrous ammonia is commonly used as a chemical compound for agricultural fertilizer because of its rich nitrogen composition. The product is also used as an industrial refrigerant for agricultural retailers.

The U.S. contains nearly 4,500 miles of anhydrous ammonia transmission pipelines and PHMSA is the primary safety regulator for all of them. There have been 53 reported accidents on anhydrous ammonia pipelines since 2002 and of these, 15 percent were attributed to vandalism.

As we have seen here in Florida, occurrences with anhydrous ammonia pipelines can result in very tragic consequences. Since the year 2000, Tampa Bay Pipeline Company (TBPC) experienced three incidents involving its anhydrous ammonia pipeline, two of which were caused by vandalism. The most recent incident occurred on November 12, 2007 in which three teenagers drilled a hole into the pipe, immediately releasing product and a vapor cloud into the surrounding area, causing serious injuries to one of the teens and requiring the hospitalization of several fire fighters. In addition to these consequences, 300 people were evacuated from their homes as a safety precaution.

Vandalism to pipeline facilities is considered a deliberate act of sabotage and is therefore a security-related issue. To ensure security related issues concerning pipelines are adequately addressed, PHMSA entered into an Annex to a Memorandum of Understanding with the Transportation Security Administration (TSA) acknowledging TSA's lead role in transportation security. Both agencies possess a shared commitment to a systems risk-based approach and to the development of practical solutions. The Annex recognizes that each agency brings core competencies, legal authority, resources, and expertise to this shared mission of protecting the public, but that the ultimate authority for pipeline security lies with the TSA.

As with any pipeline incident with security implications, PHMSA immediately held discussions with the TSA to identify jurisdictional authority, roles, responsibilities, and possible subsequent actions of each agency to remediate the situation following the November 2007 TBPC failure.

We investigated the company's response and evaluated the adequacy of their processes, training and equipment to prepare for and respond to threats to their pipeline. Pipeline operators are required by law to have emergency procedures, conduct emergency training, and maintain liaison with local public officials and emergency responders. In addition, to augment our understanding of the company's response activities, PHMSA participated in a multi-agency "After Action" review meeting with emergency responders, law enforcement, Florida transportation and environmental management agencies, local school officials and the media. Finally, PHMSA completed a comprehensive follow-up inspection, examining TBPC well beyond its emergency response issues.

When examining operator compliance, PHMSA looks for more than just fulfillment of routine maintenance requirements. We expect operators to incorporate all Federal and State regulations, including training staff, educating the public, and installing effective emergency response procedures.

During our investigation of the TBPC accident, we found the company's response procedures were inadequate in a number of areas including public awareness, record-keeping, personnel qualification, liaison with public officials, emergency response procedures, and training. As a result of our investigation, PHMSA issued TBPC a Notice of Probable Violation which included a Proposed Civil Penalty of \$398,000 and a Proposed Compliance Order to restore safety assurance and readiness within its pipeline operations.

Keeping Communities Ready to Respond

Looking at the TBPC incident and holding discussions with the Hillsborough County emergency response community, PHMSA decided to increase its efforts in promoting anhydrous ammonia transportation safety in the Tampa area. In late August of 2008, PHMSA hosted its *Emergency Response to Anhydrous Ammonia Transportation Incidents Roundtable* before an audience of emergency response management personnel,

anhydrous ammonia industry stakeholders, and transportation industry representatives to discuss and share safety perspectives and best practices. The workshop further advanced the emergency response community's knowledge of anhydrous ammonia and their understanding of how to appropriately respond to incidents should they occur. In addition, PHMSA worked with the TSA to hold an additional invitation-only workshop for law enforcement and security agencies involved in planning for Super Bowl activities in the Tampa area. The law enforcement community was able to benefit from discussions about pipeline security and threats and vulnerabilities concerning ammonia transportation.

Damage Prevention: Helping communities deal with pipeline safety has always been a priority of PHMSA. At the top of our list remains using the best information available to guide our excavation damage prevention efforts. Working with the Common Ground Alliance and all the underground damage prevention stakeholders, we have supported educating the public on the importance of calling the national 811 phone number, to help prevent damage to pipelines during an excavation. Pipeline operators believe that this number is effective in preventing damage to their facilities, and many are voluntarily adding this number to their permanent pipeline markers. In addition, we target for assistance those states whose risk of construction related damage is the greatest or those states in which the potential for improvement is real. We are putting representatives in the field to help explain the benefits of effective damage prevention and have invested in research to improve excavation location and communications technology so that the one call notification system is more accurate, works faster, and contributes to a safer work place.

Guiding Safe Land Use Decisions: There are other ways to help communities live safely with pipelines. One of the most important of these is guiding communities to make safe land use decisions. Building on the model of the Common Ground Alliance, we have called stakeholders together in a similar model, called Pipeline and Informed Planning Alliance (PIPA). This is a follow-up activity to a mandate of the Pipeline Safety Improvement Act (PSIA) of 2002, and results from a recommendation by the National Academy of Science's Transportation Research Board.

National Pipeline Mapping System: A companion effort is helping communities understand where pipelines are located, who owns and operates them, and what other information is available for community planning. Following the passage of the PIPES Act, PHMSA worked with the Department of Homeland Security/Transportation Security Administration to resolve concerns about security sensitive information. Vital information that communities need for land use, environmental and emergency planning around pipelines is publicly available through PHMSA's National Pipeline Mapping System (NPMS). We continue to work with states, industry and other stakeholders to make the NPMS information more accurate and more useful. Additionally, we have completed a review of thousands of operators' public education programs and provide operators with feedback.

PHMSA works hard to provide communities with the information they need to make informed decisions and live safely with pipelines, but like the ammonia incident, accidents can and do still happen. In almost all instances, it is our firefighters and other emergency officials who are first to arrive at the scene of a dangerous pipeline incident. In light of this, we support the development of training material and educational seminars to help educate emergency responders in how to safely respond to emergency pipeline situations.

Emergency Responder Training Materials: Through our relationship with the National Association of State Fire Marshals (NASFM), PHMSA has gained a better understanding of the informational needs of the fire service and utilized NASFM state contacts to conduct outreach and training for local emergency responders. Our *Pipeline Emergencies* training curriculum and course materials offers a comprehensive, integrated emergency response training program designed to teach emergency responders and pipeline industry personnel to safely respond and effectively manage pipeline incidents. In addition, PHMSA is providing \$500,000 to NASFM this year to support the update of *Pipeline Emergencies*, including new hardcopy training books and DVD material that can be distributed to local fire service personnel. The training material will also include new sections on transportation of alternative fuels via pipelines and how to respond to ethanol pipeline incidents.

Conclusion

As you can see, our expanded partnerships with state and local officials are helping us to strengthen the effectiveness of our safety and prevention efforts.

PHMSA very much appreciates the opportunity to report on our pipeline safety program. We share your commitment to improving safety, environmental protection and reliability of our nation's pipeline system.

Thank you. I would be pleased to answer any questions you have.

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