



U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration



PHMSA Reauthorization



PHMSA Reauthorization

- Previous reauthorization (PIPES Act) ran through end of FY2010
- DOT sent basic reauthorization proposal to Congress in September 2010.
- 2011 DOT appropriations bill authorized PHMSA's FY2011 expenditures
- San Bruno and Yellowstone incidents are prompting Congress to consider major new mandates



PHMSA Reauthorization

- DOT's September 2010 proposal would have continued to build on existing pipeline safety initiatives
- Themes:
 - Strengthening Enforcement
 - Closing remaining regulatory gaps
 - Enhanced data collection and greater emphasis on oversight of new construction



PHMSA Reauthorization

- Senate Commerce Committee took DOT proposal and added items to it to create S.275, the “Pipeline Transportation Safety Improvement Act of 2011” (PTSIA)
- Significant new mandates in PTSIA include:
 - Sec. 4 Offshore gathering lines (liquid)
 - Sec. 5 Automatic and remote shut-off valves (gas and liquid)
 - Sec. 6 Excess flow valves
 - Sec. 8 Public Education and Spill Response Plans
 - Sec. 10 Leak detection systems
 - Sec. 22 Study of tar sands crude oil
 - Sec. 27 Maximum allowable operating pressure



PHMSA Reauthorization

- House Energy and Commerce Committee took DOT proposal and added items to it to create the “Pipeline Infrastructure and Community Protection Act of 2011” (PICPA)
- Significant new mandates in PICPA include:
 - Sec. 4 Offshore gathering lines (liquid)
 - Sec. 5 Automatic and remote shut-off valves (gas and liquid)
 - Sec. 6 Excess flow valves
 - Sec. 7 Integrity Management and Class Location
 - Sec. 10 Leak detection systems
 - Sec. 21 Study of diluted bitumen
 - Sec. 26 Administrative enforcement process
 - Sec. 27 Maximum allowable operating pressure
 - Sec. 28 Cover over buried pipelines



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- House Transportation and Infrastructure Committee is now engaged as well but as far as we are aware has not yet produced a draft bill.



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- Some issues in House and Senate bills:
 - Whether higher civil penalties should potentially apply to violations occurring in a HCA (in addition to violations causing deaths and injuries)
 - Whether there should be an absolute prohibition on states receiving damage prevention grants if they have any exemptions from one call
 - Whether automatic and remote shut-off valves should be required for newly constructed pipelines only or for existing pipelines as well
 - Whether PHMSA should be required to prepare, maintain, and post detailed spill response plan summaries online
 - What the appropriate threshold is for design review cost recovery authority
 - MAOP verification requirements and reporting of excursions