

REMARKS BY SENATOR PATTY MURRAY  
**INTRODUCTORY REMARKS ON PIPELINE SAFETY**

Bellingham Field Hearing  
March 13, 2000  
[ 15 minutes ]

I want to thank my colleague, Senator Gorton, for calling this hearing and for lending his leadership to this important cause. Let me also thank our panelists for coming today. I'm eager to hear your comments. I'm going to take what I learn from all of you today back with me to the Senate and use it as we work to change the law.

Today's hearing is one more step in a process to make pipelines safer, and this has certainly been a group effort.

\$ I'd like to thank **Mayor Asmundson**. He has done more than anyone I know to educate the public about pipeline safety and to call for higher safety standards.

\$ I want to thank **Transportation Secretary Rodney Slater** for his sensitivity and for his quick response in stationing a pipeline inspector here in Washington state last year.

\$ And I'd like to thank **Governor Locke** for convening his task force in response to the accident.

But most of all, I'd like to show my appreciation to the families of the victims for being here today. I can't imagine how difficult it must be to live with this tragedy, and I applaud the courage you have shown us all.

I want to tell the families that **I will not stop working until we have changed our nation's laws to make it less likely that another family will**

**experience your loss.** We owe you at least that much.

I wish we didn't have to be here today. I wish this community were whole again. I wish June 10, 1999 was just another pleasant summer day -- instead of a black mark in our memory.

I'll never forget how I first heard about the explosion. That evening, I stepped off a plane from Washington, D.C. into Seatac airport, and my cell phone started ringing almost immediately.

It was my twin sister, who lives here in Bellingham where she works as a middle school teacher.

Her voice was frantic. She said, "Patty, have you heard? Our whole world just blew up!"

At first, I didn't know what she was talking about. Then she told me that a pipeline running directly under the parking lot of her school had blown up. It was just a block away from her classroom, and it took place just hours after the last student had left.

The explosion rocked the school. Since it happened in the weeks just after Columbine, many teachers raced from their classroom fearing the worst. Instead, they encountered a nightmare of a different sort -- a hailstorm of burning branches falling into their school parking lot, singeing their clothing and leaving them in fear.

I know I don't have to recount the events of that day for any of you. You experienced them and were shaped by them, and many of you have shared your own stories with me.

I came to Bellingham a short time after the accident, and I was amazed at the wreckage I saw:

- \$ One and a half miles of creek side were reduced to ashes in an instant.
- \$ A salmon spawning ground I was to have dedicated a few weeks later had been turned into an environmental disaster area.

At first, I thought the explosion was a fluke -- something that hardly ever happened. But then I started to investigate the issue, and I was astonished by what I learned.

*\*[Point to Chart 1: Map of US]*

This map shows a sampling of some of the major pipeline accidents in the past 20 years. It gives you a sense of how far reaching the problem is.

Now I'd like to point out some statistics that show the frequency of pipeline accidents.

*\*[Point to Chart 2: AA Nationwide Problem@]*

Since 1986,

- \$ there have been more than **5,700** pipeline accidents -- *[repeat]* 5,700.
- \$ These accidents have killed **325** people and have injured another **1,500** people.
- \$ They have shattered communities from coast to coast. There are literally hundreds of **Bellinghams@** out there, and there are hundreds more waiting to happen.
- \$ On average, there is one reported pipeline spill in our country every day.

Not only have these accidents destroyed families, they have destroyed the environment. Each year, 6 million gallons of hazardous liquid are released. That's like having an oil spill the size of the Exxon *Valdez* disaster every two years. This environmental damage has been estimated to cost almost \$1 billion.

Now it is true pipelines offer the safest way to move these hazardous materials around. Statistically, they are much safer than using trucks or barges. And each of us relies on pipelines to bring us the fuel we need to heat our homes and power our cars. But none of us should accept the status quo.

Unfortunately, efforts to improve safety haven't worked. Recent events tell the story:

- \$ 1997 witnessed the third-highest net loss of material since the Office of Pipeline Safety -- or OPS -- began keeping records.
- \$ 1998 was the worst year for property damage.
- \$ And 1999 was tied for the second-worst year in fatalities. The changes made so far have not worked. We must do more.

In fact, environmentalists and the National Transportation Safety Board -- the NTSB -- have been complaining about safety problems and lax regulation for years. Specific recommendations from NTSB have gone unheeded and ignored for more than a decade. I find that unacceptable.

That's why a few months ago I asked the Inspector General of the Department of Transportation to investigate the policies and practices of the Office of Pipeline Safety.

On Friday, I received the Inspector General's final report. Not surprisingly they were critical of the lack of pipeline regulation and called on Congress to force OPS to issue long-overdue safety rules. The report also noted we need significant investments in research and development to better test and inspect pipelines.

To date, the Office of Pipeline Safety has failed to address congressional mandates in training, testing and other key areas. While I'm pleased that recently they have committed to fulfilling these congressional requirements, I want them to know they must follow through on their commitment. I believe we can and must do better. And the time to act is now.

I want to make sure that we don't just talk about making pipelines safer. We need to actually make pipelines safer. That's why in January, after researching the issue for several months, I wrote and introduced a bill that will make the changes we need to improve pipeline safety.

*\*[hold up copy of the bill]*

My bill, which is number S.2004, is called the Pipeline Safety Act of 2000. I introduced it on January 26<sup>th</sup>. I appreciate Senator Gorton's support of my bill. I'm also pleased Senators Inouye, Lautenberg, and Bayh have co-sponsored my bill as well.

To gain support for this effort, I went door-to-door and met with many of my colleagues. I told them your stories, and I showed them pictures of Bellingham's pipeline explosion. Then I showed them the statistics and counted off the number of accidents that happened in their own home states.

Few other senators knew much about pipeline safety. Those discussions showed me that for too long, pipeline dangers have been out of sight, and out of mind.

In preparing my bill, I looked at a lot of different ideas. I also reached out to industry groups, federal oversight officials, and local officials. I designed my bill to address five problem areas, and I'd like to spend a moment to review how my bill will address these problems.

*\*[Point to Chart 3: The Solution]*

### *Expand State Authority*

The first way to improve pipeline safety is to give states more authority to oversee pipelines. Unfortunately, states have been virtually shut out of the process when it comes to regulating interstate pipelines.

While interstate activities are the responsibility of the federal government, states should be partners in preventing and responding to accidents. Ideally, states should be able to test and inspect pipelines within their boundaries if they have the expertise and resources to do so.

States like Washington and Virginia have asked for this authority. Other states have received notice that their authority is being stripped from them.

My bill would establish a process that would make it much more difficult for OPS to disapprove or withdraw a state's authority. My bill would give states the ability to address any objections by OPS before their authority is rejected or withdrawn. So the first step in our efforts is to empower states to be partners in the safety process.

### *Improve Inspection and Prevention Practices*

The next thing we can do to make pipelines safer is to improve pipeline

testing. Many pipelines are decades old, and they haven't been inspected since they were first put into the ground. I find that unacceptable. I've talked to many companies that do a good job of testing their pipelines. Unfortunately, the industry has an inconsistent record.

We must ensure pipeline operators are properly testing their pipelines for corrosion, leaks and other problems. That's why we need strong testing and inspection standards. These should include mandatory periodic internal testing, valve monitoring, the use of reliable leak detection devices, and other preventive activities.

For this to work, the operators must be required to take specific action when they discover problems. My bill would require periodic testing at least every five years with an option of more frequent testing if required.

### *Certification*

As we test pipelines, we should make sure the people operating and inspecting them have the skills and training they need. In other fields affecting public safety -- such as aviation -- we have procedures in place to ensure that the people we depend on are properly trained and qualified. My bill would require individual certification of pipeline operators.

### *Invest In New Safety Technology*

Another way to make pipelines safer is to develop the best tools to find problems in pipelines before those problems turn into disasters. Investing in the research and development of new testing and inspection devices may well be the best thing we could do to improve safety.

The lack of good technology is surprising. I didn't know that for many pipelines there are no devices available to do the type of testing that is

needed. I was also surprised to learn that hydrostatic testing can have serious side-effects, such as stressing pipes and creating wastewater that is costly to dispose of. Many of our most dangerous pipelines **B** natural gas lines **B** bend and move in ways that make it impossible for any internal inspection device to accurately detect internal corrosion.

I've been told by OPS and industry representatives that there is some progress toward new technologies to detect problems in all pipelines. That is why my bill encourages more money for research and development, and today, I call on industry to partner with OPS in developing these new technologies.

### *Public Right To Know*

Another way we can reduce the risk of pipeline tragedies is to expand the public's right to know about pipeline hazards. Too many communities are in the dark about what is going on with the pipelines that run under their homes, by their places of work and near their schools.

My bill has a very strong **A**right to know<sup>o</sup> provision that would require operators to inform state, local, and neighboring residents when there are problems with a pipeline. My bill requires companies to provide summaries of testing and inspection data, and my bill makes them tell us what they are doing to correct problems. Current law provides the public with little opportunity to learn what is happening around them. Without new federal legislation, we'll continue to be left in the dark about possible hazards.

### *Increase Funding to Improve Pipeline Safety*

A final key step we must take is to make sure we have the money to improve pipeline safety. It does no good to pass new safety rules unless we

also provide the money to carry them out. My bill provides funding for new state and federal pipeline safety programs. Those are the five key areas my bill will address.

### *Changing the Law*

The next question is: how do we take these ideas and actually put them into law?

First, in Washington, D.C. the Commerce Committee needs to debate a pipeline safety bill. Senator Gorton is on the Commerce Committee, and I look forward to working with him to ensure that a bill is marked up this year.

I've asked for consideration of a bill. I'm pleased that Senator Inouye from Hawaii -- who is the senior Democrat on the subcommittee of jurisdiction -- has called for a hearing and mark-up as well.

I've also personally asked the Secretary of Transportation and the Administration to present their proposal to the Hill. They need to do it very soon. Without meaningful federal legislation, whatever temporary measures we institute will not protect us in the long-run.

I'd also like to mention the legislation that Representatives Metcalf and Inslee have introduced in the House. Their measure is similar to my bill, and I have been asking people to support it. I hope it passes in the House.

In the end, we have learned many lessons from Bellingham and the 5,700 accidents around the country. We have a good idea of what needs to be done. We need greater state involvement, more testing, better testing devices,

and we need to compel OPS to act on congressional directives and give them the tools to enforce the law.

Today must not be the last day of our work to make pipelines safer. Today must be the start. And our work will only be done when we have passed a bill that addresses these critical safety issues. Again, I thank my esteemed colleague Sen. Gorton for bringing us together today to work on this issue.

In closing, let me say we can't undo what happened in June. We still don't know why it happened. But we can learn from it and we can change the law so it doesn't happen again. *<more>*

I hope that in the coming days and weeks we can work together to put the lessons of the Bellingham tragedy into federal law.

- \$ **Never again** should our children be afraid to play outside.
- \$ **Never again** should our environment be scarred by pipeline disasters.
- \$ And **never again** should another community suffer what Bellingham has suffered.

Our work will only be done when families can feel confident that the pipelines near their homes are safe.

Thank you.