

**Remarks of Pipeline and Hazardous Materials Safety Administration  
Acting Administrator Tristan Brown  
Before the Gas Pipeline Advisory Committee and the Hazardous Liquid  
Pipeline Advisory Committee  
Wednesday, October 20, 2021**

- Good morning. Thank you all for being here for the next two days of meetings.
- This is my first opportunity to get a chance to visit with the pipeline advisory committees (PAC) so I'd like to start by commending you all for the work you do and by expressing my appreciation for your willingness to serve on these committees.
- The advisory committees play a key role in the federal pipeline safety rulemaking process. The input that you provide helps us ensure a constructive, in-depth look at our rules and helps inform potential changes to them. Your insight allows us to make more effective rules to govern pipeline safety.
- As you may already be aware, I joined Pipeline and Hazardous Materials Safety Administration (PHMSA) shortly after January 20<sup>th</sup>, and with the assistance of a tremendous team, have hit the ground running. By way of background, I previously served as deputy associate administrator at the Environmental Protection Agency and practiced energy and transportation law in the private sector. I served on the staff of the [now] chair of the Senate Commerce, Science and Transportation Subcommittee on Surface Transportation, addressing transportation safety matters, and previously served on the staff of the Senate Environment and Public Works Committee, working on energy and environmental issues—drafting bills that eventually became law, related to federal advisory committee act committees at EPA and DOT.
- As many of you know, on the pipeline side of the agency, many of our pipeline safety team have been responding to the incident in Southern California that fouled beaches and harmed wildlife throughout the region. PHMSA deployed one of the largest teams we've ever sent to an incident. Our team continues to work closely with the United States Coast Guard, the National Transportation Safety Board, the Bureau of Safety and

Environmental Enforcement and state agencies in recovery efforts. While the incident remains under investigation, it was a vivid and tragic reminder of the need to do all we can to ensure that pipelines operate safely and without releases into the environment.

### **New Leadership, New Statutory Obligations**

- Under Secretary Buttigieg’s leadership, we have been focused on building back better through infrastructure investments, maintaining and strengthening our safety mission, and adopting whole-of-government approaches to climate change mitigation and environmental justice and equity.
- As you know, last year, with broad bipartisan support, Congress enacted a major new pipeline safety reauthorization legislation—the 2020 PIPES Act—which provides an opportunity to make progress on all of these fronts.
- While PHMSA’s mission of safety and environmental protection had largely not changed in nearly a half-century, the new PIPES Act explicitly expanded our mission related to protecting the environment. This was one of dozens of new provisions and mandates from Congress.
- With respect to greenhouse gases (GHGs)—specifically methane—Congress was clear—we must not just reduce these emissions, rather the sector must do all it can to minimize these emissions.
- Under Section 112 of the PIPES Act, Congress requires PHMSA to prioritize completion of our rulemaking on gas transmission and gathering pipelines. This is certainly at the top of our rulemaking agenda, along with publication of the Valve Installation and Minimum Rupture Detection Standards final rule; we anticipate significant movement on these rules in the coming weeks and months.
- Section 113 of the PIPES Act requires that PHMSA issue final regulations requiring certain classes of operators to conduct leak detection and repair programs in order to “(a) meet the need for gas pipeline safety and (b) protect the environment.”
- Another PIPES Act mandate, found in Section 114, is to minimize releases of natural gas from pipeline facilities. This is a tremendously important,

self-executing provision of the law that operators are required to comply with by December 27, 2021.

- As you know, on June 7, 2021, PHMSA issued an advisory bulletin to pipeline and pipeline facility operators, underscoring requirements to minimize methane emissions in their systems. The advisory bulletin directs pipeline operators to update their inspection and maintenance plans to address the elimination of hazardous leaks. Operators are directed to minimize natural gas releases, both fugitive and vented, from pipeline facilities. Also, they are to address replacement or remediation of facilities that historically have been known to experience leaks.
- The PIPES Act also requires that state and federal regulators evaluate these plans no later than December 28, 2022.
- Another mandate is the Leonel Rondon Pipeline Safety Act—this includes Sections 202 through 206 of the PIPES Act. These requirements focus on updates to gas distribution regulations—and will place a substantial onus on state programs to ensure compliance. The rules transpiring from these mandates are expected to apply to operators of more than 2 million miles of gas distribution pipelines. According to the statute, the rule is to focus on managing over-pressurization risks on low-pressure systems, aging infrastructure, and operator practices.
- But we know these are just first steps. Not only do we have to work to reduce GHG emissions and to make sure that the nearly 3 million miles of pipeline are safe to transport current energy commodities, but we also need to ensure that we are focused on developing and building the infrastructure to transport fuels of the future.
- Moving forward, we are considering these mandates in conjunction with how our rulemakings and agency decisions will affect future generations and specifically communities that have traditionally been overlooked and underrepresented. The Administration’s “whole-of-agency” approach to environmental justice intends to ensure that those who are most vulnerable are considered in the work that we all do, in addition to being dedicated to maintaining a strong focus on using transportation as an engine for equity.

- With all these rulemaking activities ahead of us, we look forward to the committees' constructive deliberations to ensure our rules are most effective in enhancing pipeline safety and the protection of our environment.
- And while PHMSA continues to advance pipeline safety through training, regulation, inspection, and enforcement, many of the root causes of incidents are best addressed through research and technological innovation.
- On November 30<sup>th</sup> - December 2<sup>nd</sup>, PHMSA will host a research and development public meeting, focusing on transportation of hydrogen by pipelines, among other R&D areas. As we look to help position the energy sector, and our Nation, to adopt the infrastructure of the future, we hope to engage with many industry stakeholders on new technologies and efficiencies. This includes system upgrades to allow for the transport of hydrogen and other renewables to support our growing economy and create good-paying jobs for American workers.
- I'd be remiss if, after the events of the past several months, I didn't again highlight the need for increased vigilance of cybersecurity threats. In light of the Colonial pipeline system attack, the Biden – Harris Administration—including all levels of the executive branch of government—is working to ensure that appropriate cybersecurity measures are in place and that the industry is taking this threat very seriously. PHMSA's role includes coordination with the Transportation Security Administration (TSA) and other federal agencies to ensure there is a collaborative and efficient approach to monitoring, inspecting, and promulgating regulations related to cybersecurity in the pipeline industry.

### **This week's meetings**

- During these meetings you'll discuss the Notice of Proposed Rulemaking (NPRM) titled: "Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments" that PHMSA published in the Federal Register on January 15, 2021. I encourage you to take advantage of our time together to offer your valuable input and help address rule changes that will meaningfully enhance safety and the protection of our environment. This will help protect both people and the environment while improving the Nation's pipeline system.

- In addition to voting on rule changes, you will also hear lots of updates on what we're working on, some of which I have covered at a high-level. We look forward to engaging with you all as we strive to advance pipeline safety, mitigation of climate change, and environmental justice and equity.

### **Conclusion**

- We've got lots of interesting topics to cover today, so let's get started. Thank you all for joining us and for your commitment to pipeline safety. And special thanks to PHMSA's rulemaking team members for putting these meetings together—and for the herculean effort of moving more than a half-dozen rules already this year.