

Pipeline Safety

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January 18, 2010

Dear Representative Hunt:

House Bill 2617, which would eliminate certain boards, commissions, and advisory committees, was recently introduced. One of these advisory committees is the Citizen Committee on Pipeline Safety (CCOPS). We are writing you to ask that you not support this bill unless it is amended to remove CCOPS from elimination.

The Pipeline Safety Trust is the only nonprofit organization that advocates for pipeline safety nationwide. Our efforts have given us a strong understanding of what works and what does not. A core belief of the Trust is that to ensure greater pipeline safety, citizens and local governments—those with the most at stake if something goes wrong with a pipeline-- should be involved in pipeline oversight. Washington State—through the creation of CCOPS--is a shining example of this inclusiveness and CCOPS is the only committee of this type in the nation. CCOPS' uniqueness was even recognized by Congress in the Pipeline Safety Improvement Act of 2002, when it granted such governor-appointed committees the power to communicate with and get answers from the U.S. Secretary of Transportation. It would be a shame for Washington State to lose this power.

After the Olympic Pipe Line tragedy in 1999, (which I am sure you remember killed three youngsters playing in a park and wiped out an entire salmon stream), the Washington State Legislature passed a number of important pipeline safety improvements making this state a national leader. CCOPS was one of these improvements and as long as there are pipelines running through the state, the work of CCOPS will be pertinent and important in helping ensure safety.



CCOPS has an impressive record of accomplishments and perhaps its greatest has been bringing together citizens, local governments, the pipeline industry and regulators, who have created a culture of pipeline safety in the state through the strong relationships they developed on CCOPS. Attached is a one-page synopsis of CCOPS accomplishments for your review.

HB 2617 is scheduled for a hearing in the State Government and Tribal Affairs Committee this week. We hope that after reviewing our information you will do what you can to amend House Bill 2617 to remove CCOPS from elimination, and not support the bill unless such an amendment is made.

If you have any questions about CCOPS or pipeline safety, I would be happy to speak to you anytime. Thank you for your attention to this and so many other important matters.

Sincerely,



Carl Weimer, Executive Director

The Pipeline Safety Trust's Position on The Importance of the Citizens Committee on Pipeline Safety (CCOPS).

Background: Until the Bellingham pipeline tragedy in 1999, oversight of hazardous liquid and natural gas pipelines was less than vigilant. In its aftermath, there was significant regulatory reform—both at the state and federal levels—to improve pipeline safety. Washington State led this effort and one of the state's reform measures was to establish CCOPS in 2000. The legislative mandate of CCOPS, which is composed of representatives from the public—including elected local government officials—and the pipeline industry, is broad: “to advise the state agencies and other appropriate federal and local government agencies and officials on matters relating to hazardous liquid and gas pipeline safety, routing, construction, operation and maintenance.” By law, the Washington Utilities and Transportation Commission (WUTC) is required to consult with CCOPS on matters relating to the Commission's pipeline safety programs and activities. Funding to support CCOPS is less than \$19,000 per year and comes from fees on pipeline operators. These fees cannot be diverted to other non-pipeline safety-related government needs.

- **CCOPS has a unique and important pipeline safety role.** Under federal law, the U.S. Secretary of Transportation must respond to recommendations for pipeline safety improvements from a **Governor-appointed** advisory committee--CCOPS is the only such committee in the nation. This unique power has been used to get answers from the federal government when the WUTC cannot. Consequently, the federal government gives careful consideration to CCOPS' concerns and views on pipeline safety issues.
- **CCOPS has strengthened Washington State pipeline safety activities.** CCOPS has been instrumental in obtaining more funding for the WUTC's pipeline safety program; obtaining partnership grants to strengthen local government activities associated with planning for new development near pipelines; working to strengthen the state's "One Call" law; and reviewing specific pipeline failures, proposals and regulatory responses.
- **CCOPS has commented on and influenced the outcome of national pipeline safety issues that affect the State of Washington.** Comments have included: operator actions to maintain the integrity of pipelines; the regulation of gas distribution pipelines; preventing pipeline damage by non-pipeline excavators through a "One Call" communications system; the training of control room personnel; and requiring pipeline operators to make local government officials, emergency responders and the public more aware of the presence of pipelines and the risks they pose.
- **CCOPS has provided local government and citizens a venue to address their concerns, as well as greater transparency into the operation of pipelines and their regulatory oversight.**

Our Position: CCOPS gives transparency to the regulation of pipelines by providing an open forum for the public, industry, and regulators to discuss and resolve pipeline safety concerns. The relationships developed on the Committee have led to better understanding of the issues; trust between the industry, regulators, and the public; and increased programs and funding for pipeline safety. As long as there are pipelines operating in the state, CCOPS' responsibilities are ongoing, and there can be no claim of “mission accomplished.” Created as a regulatory reform measure, CCOPS' abolition would weaken the state's and nation's pipeline safety programs and provide greater opportunity for the regulatory community, pipeline industry, and citizens to return to the days before the Bellingham tragedy when inadequate oversight led to public mistrust about this important industry and its regulators.

Bottom Line: House Bill 2617 and Senate Bill 6426 should be amended to remove the Citizen Committee on Pipeline Safety from elimination.