



July 16, 2019

The Honorable Frank Pallone, Jr.  
Chairman, Energy and Commerce Committee  
U.S. House of Representatives  
2107 Rayburn HOB  
Washington, DC 20515

The Honorable Bobby L. Rush  
Chairman, Subcommittee on Energy, Energy and Commerce Committee  
U.S. House of Representatives  
2188 Rayburn HOB  
Washington, DC 20515

The Honorable Greg Walden  
Ranking Member, Energy and Commerce Committee  
U.S. House of Representatives  
2185 Rayburn HOB  
Washington, DC 20515

The Honorable Fred Upton  
Ranking Member, Subcommittee on Energy, Energy and Commerce Committee  
U.S. House of Representatives  
2183 Rayburn HOB  
Washington, DC 20515

**Re: The Safer Pipelines Act of 2019**

Dear Chairman Pallone, Chairman Rush, Ranking Member Walden, and Ranking Member Upton,

On July 17, 2019, the U.S. House Representatives, Energy and Commerce Committee, will be marking up legislation to reauthorize the Pipeline Safety Act. The discussion draft of that legislation, the Safer Pipelines Act of 2019 (2019 Act), would amend certain provisions in the Pipeline Safety Laws, including the requirements for submitting information to the National

Pipeline Mapping System (NPMS).<sup>1</sup> Specifically, Section 13 of the 2019 Act would eliminate a longstanding exception from the NPMS program requirements that applies to gathering lines.<sup>2</sup>

Codified as part of the mandate that authorized the NPMS program in the Pipeline Safety and Improvement Act of 2002 (2002 Act),<sup>3</sup> the exception for gathering lines dates to a voluntary digital mapping program that the Pipeline and Hazardous Materials Safety Administration (PHMSA) developed in the late 1990s.<sup>4</sup> Congress did not question the need for that exception in creating the NPMS program in the 2002 Act or in the three subsequent reauthorizations of the Pipeline Safety Laws that occurred in 2006, 2012, or 2016.<sup>5</sup> Nor is there any indication that PHMSA is asking Congress to repeal the exception in the current reauthorization, or that requiring gathering line operators to participate in the NPMS would produce justifiable safety benefits.

As the nation's leading trade organization for the gathering industry, GPA Midstream Association (GPA Midstream)<sup>6</sup> is respectfully requesting that Section 13 be eliminated from the 2019 Act. Most gathering line operators provide appropriate information about the location of their underground pipeline facilities to the authorities responsible for administering State Damage Prevention Programs. Unlike the NPMS, State Damage Prevention Programs do not generally require information to be submitted in a GIS format or with the level of detail that PHMSA is currently seeking from operators of transmission lines.<sup>7</sup>

Perhaps most importantly, the overwhelming majority of gathering line mileage in the United States is located entirely in rural areas. These rural gathering lines present a minimal risk to public safety and have traditionally been outside the reach of PHMSA's regulations.<sup>8</sup> Requiring rural gathering line operators to participate in the NPMS program would represent a dramatic

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<sup>1</sup> Safer Pipelines Act of 2019, § 13 (discussion draft).

<sup>2</sup> *Id.*

<sup>3</sup> Pipeline Safety and Improvement Act of 2002, Pub. L. 107-355, § 15, 116 Stat. 2985, 3005 (2002) (codified at 49 U.S.C. § 60132).

<sup>4</sup> National Pipeline Mapping System, 63 Fed. Reg. 36,030 (July 1, 1998). Created by the Norman Y. Mineta Research and Special Programs Improvement Act of 2004, Pub. L. No. 108-426, 118 Stat. 2423 (2004), PHMSA is the federal agency within the U.S. Department of Transportation that is currently responsible for administering the Pipeline Safety Laws and Regulations. Pipeline and Hazardous Materials Safety Administration, and to the Administrator, Research and Innovative Technology Administration; Establishment and Delegation of Powers and Duties, 70 Fed. Reg. 8,299 (Feb. 18, 2005). Another modal administration within USDOT, the Research and Special Programs Administration (RSPA), was charged with administering the Pipeline Safety Laws when the voluntary digital mapping program went into effect in the late 1990s. For ease of reference and to avoid unnecessary confusion, RSPA is referred to as PHMSA in this letter.

<sup>5</sup> Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006, Pub. L. 109-468, 120 Stat. 3486 (2006); Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, Pub. L. 112-90, 125 Stat. 1904 (2012); Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2016, Pub. L. 114-183, 130 Stat. 514 (2016).

<sup>6</sup> Additional information about GPA Midstream is available at <https://gpaglobal.org/>. Prior to April 2016, GPA Midstream was known as the Gas Processors Association.

<sup>7</sup> Pipeline Safety: Request for Revision of a Previously Approved Information Collection: National Pipeline Mapping System Program, 84 Fed. Reg. 14,717 (Apr. 11, 2019). PHMSA is currently seeking approval from the Office of Management and Budget to collect data on the following pipeline attributes in the NPMS: pipe diameter, wall thickness, commodity details, pipe material, pipe grade, pipe join material, seam type, decade of installation, coating, onshore or offshore designation, in-line inspection capability, most recent assessment method and year, class location, gas high consequence area (HCA), could affect HCA segment, facility response plan sequence numbers, and abandoned pipelines.

<sup>8</sup> 49 U.S.C. §§ 60101(a)(21)-(22); 49 C.F.R. §§ 192.8(b), 195.1(b)(4).

departure from the historical norm and impose significant costs on the industry without producing any corresponding benefits.

For these reasons, GPA Midstream is strongly opposed to Section 13 of the 2019 Act. The longstanding exceptions from the NPMS requirements for gathering lines should remain in effect without change. If you have questions, please contact me at (202) 279-1664 or by email at [mhite@GPAglobal.org](mailto:mhite@GPAglobal.org).

Sincerely,

A handwritten signature in black ink that reads "Matthew Hite". The signature is written in a cursive, flowing style.

Matthew Hite  
Vice President of Government Affairs  
GPA Midstream Association