The Mission of the Trust

The Pipeline Safety Trust promotes fuel transportation safety through education and advocacy, by increasing access to information, and by building partnerships with residents, safety advocates, government, and industry, that result in safer communities and a healthier environment.

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Pipeline Safety and Land Use – Is There a Connection?

BY CARL WEIMER

A picture speaks a thousand words. This picture shows the Olympic Pipeline in Bellingham, Washington passing within 25 feet of these houses. This is the same pipeline that in 1999 ruptured and exploded killing three young people in a park less than two miles from where this picture was taken. The pictures of dead children and grieving parents have been indelibly burned into the minds of those who lived in Bellingham at the time, and to most people in Bellingham it would be clear that allowing a pipeline like this that carries 12,000,000 gallons of fuel a day to be placed this close to houses is a safety issue and should be avoided. Yet this pipeline was not placed next to these houses; these houses were placed next to the pipeline, and there are no local, state, or federal regulations to prevent this.

While the federal government will not allow local government to tell pipeline companies how to operate their pipelines, local government does control the regulations that tell builders and developers what they can and cannot do near pipelines. While very few local governments across the nation have exercised this power, it is becoming more and more apparent that with development pushing out into rural areas where pipelines once lay alone in relative safety, local government will have to realize and utilize their local control to protect both people and pipelines.

The pictures below show what is happening across the country as housing “encroaches” on pipelines. While it is not clear what remedies will keep people safe, and whose responsibility those remedies might be, it is clear that the various parties involved need to start developing solutions to this growing problem before a concern turns into a tragedy.

Much of this newsletter, and our conference in New Orleans in November, are devoted to starting this discussion to develop those safety solutions. We hope you will join the discussion with us.
The Smart Pig

SMARTPIG@PSTRUST.ORG

In pipeline parlance, a smart pig is a high-tech device designed to root around inside pipelines. These intelligent little beasts inspect every square inch of the line, calling attention to any needed repairs.

I try to do the same thing for our readers. Send me a question and I’ll root through the labyrinths of modern pipeline prevarications to get you the best answer piggily possible: the straight scoop, as we say back in the sty.

Editor’s Note: The views and opinions expressed by this pig do not necessarily reflect those of The Pipeline Safety Trust, or any human being.

Dear Mr. (Ms.?) Pig,

I have an oil pipeline that is over 50 years old on my property, and as both the pipeline and I get older I worry about whether it is more likely to rust and spring a leak. With all the scary information about aging infrastructure coming out since the bridge collapse in Minnesota, I was wondering if aging pipelines aren’t something in need of greater attention too? Do older pipelines mean more problems and leaks? Are there requirements to replace pipelines when they get to a certain age? Didn’t I read something about pipelines in Alaska rusting to pieces?

Please tell me what’s being done to protect us from aging pipeline infrastructure.

Thanks,

Fred Miller, Illinois

Dear Mr. Miller,

These are great questions, which I have been getting a lot of letters about. Seems like that bridge collapse has been getting many people thinking that various industries and regulators may not be paying enough attention to maintaining our aging infrastructure.

Common sense tells us that if you bury a piece of steel in the ground it will rust (corrode) more and more as time goes by. That is exactly the truth if you do nothing to control that corrosion, but the controlling of corrosion is what makes the answers to your questions kind of complicated. While any metal pipeline put in the ground will corrode at a certain rate, there are many things that can be done to that pipeline to prevent, control, and identify and then fix corrosion problems. In other words, age is one indicator of a pipeline’s safety, but it certainly isn’t the only one and probably isn’t the most important one either.

Both the American Petroleum Institute and the California Fire Marshal have done studies that indicate some connection between the age of a pipeline and its likely failure rate. Most of those correlations have more to do with how the pipeline was constructed - and maintained since construction - than just age. Here are some examples of when major improvements were made to pipelines:

1920s – Welding techniques were greatly improved
- Standards for pipeline materials, design, construction, and maintenance were first developed

1940s – Cathodic protection was used for new pipelines to control corrosion

1950s – Cathodic protection was installed on older pipelines
- Companies began to x-ray pipeline welds and institute welder qualifications

1960s – Pipeline manufacturers used new alloys that resulted in stronger pipe with fewer defects
- New pipelines were pressure tested with water before being put into operation
- Significant advances in pipeline coatings began and continued through the 1990s
- In-line inspection tools (smart pigs!) were first used to find corrosion and other defects

1990s – Major advances in in-line inspection tool technologies
- Stray current surveys advanced so problems with coatings could be located and fixed easily

2000s – Pipeline Integrity Management regulations were put in place.
So is your 50-year-old pipeline as safe as one that is only 20 years old? It depends. As you can see from the improvements I have listed a 50-year-old pipeline would not have benefited from some of these improvements because they came along after the pipe was already in the ground. But a responsible pipeline operator would realize this and take actions to ensure that protections older pipelines might have missed are made up for in other ways.

The operator could introduce a program to recoat pipes. They could test the pipeline hydrostatically. They could run more types of smart pigs to identify different problems, such as problems that might arise from a pipeline not having cathodic protection for the first 10 years it was in the ground.

They could do a lot of things to make sure that the age of the pipeline is not a real factor. Unfortunately you and I have no way of knowing what they actually have done since that information is not easily available to inquiring minds like ours. You might try asking the pipeline company, although people have varying degrees of success doing that. One big difference between the aging infrastructure of bridges and the aging infrastructure of pipelines is that with bridges there is a website that will tell you what shape the bridge in your community is in (http://nationalbridges.com). There is no similar way to find out about the condition of the pipeline on your property. That is one improvement that we hope we can add to the list this decade.

Hope this helps some!

Pig Out

P.S. - Regarding whether it is Mr. or Ms. Pig, all I will say is I am not a chauvinist, and I am really annoyed that such a human trait somehow got attached to us pigs.

Smart Pig links
For more information on this subject:

American Petroleum Institute study mentioned
http://committees.api.org/pipeline/ppts/docs/decadefinal.pdf

California Fire Marshal study mentioned
http://osfm.fire.ca.gov/HLPRiskAssess.html

Great paper on Corrosion
Neil G. Thompson, Ph.D., CC Technologies Laboratories, Inc., Dublin, Ohio.
Pipeline Setbacks –
A Real Safety Enhancement or an Illusion of Safety?

Pipeline setback regulations have been used by a number of local governments around the country to protect pipelines and people. The theory is that since damage to pipelines from homeowners and contractors, working near pipelines, is one of the major causes of serious pipeline incidents, local government can help prevent this type damage – and thus protect their citizens – by providing greater distance (usually 25-50 feet) between pipelines and housing. Some also believe that any distance between pipelines and housing will provide some degree of protection and better evacuation if something does go wrong with the pipeline.

Four opinions on setbacks

Pipeline Damage Prevention Wonk
“Damage to transmission pipelines from homeowners and their contractors is the leading cause of serious incidents that lead to injuries and deaths. Most pipelines were originally placed in rural areas away from housing, but as our communities have grown they have grown nearer and sometimes on top of pipelines. This is a dangerous situation that local government can help plan for as new housing is proposed near pipelines. Only local government has the knowledge and personnel to adapt local zoning rules to meet the needs of their communities while protecting their citizens from pipeline hazards. Setbacks are one tool that local government can use to encourage developers to build in ways that are safer for the people who will reside in their developments. We aren’t asking people not to use their property, we are asking people to use their property wisely! This is about the safety of people who will live in these houses for years to come.”

Overworked Local Planner
“We certainly strive to protect our local citizens from hazards, but I am not sure why local government, with its very limited resources, should be charged with helping protect a very lucrative private business by limiting our citizen’s private property uses. If this is really needed to protect the pipeline from people, then the federal government should require wider pipeline rights-of-way and make the pipeline companies buy them. Seems to me that the pipeline companies and the federal government are trying to foist their responsibilities on local government, and make us and our citizens subsidize their safety needs.”

A Pipeline Company Right-of-way Specialist
“While I certainly see some value in more distance between our pipeline right-of-way and proposed new housing, this needs to be considered very carefully and if implemented extensive education needs to go hand-in-hand. I believe our existing 50-foot pipeline right-of-way, coupled with our patrols and required public education activities to neighboring property owners, already provides adequate protection from third-party damage. My fear is that if local governments try to impose these additional setbacks it will cause unneeded friction between our company and landowners who will then be looking for someone to compensate them for the greater restrictions on their property.”

A Suspicious Citizen
“Pipeline setbacks may prevent some third-party damage accidents, but from what I have seen, most of these incidents are not caused by homeowners planting trees or putting up fences. Other utility companies digging near a pipeline cause most of these incidents, and these utilities ought to know better. It is clear that an extra 25-50 feet will not provide any protection for someone if a pipeline explodes, since many of these pipelines have blast zones measured in hundreds of feet. Instead of taking private property and trying to make it appear that homeowners are the problem, state and federal government ought to go after the utility contractors with adequate fines to stop the real problem.”

In April the Lummi Nation held a ceremony along the banks of Whatcom Creek where they unveiled a healing totem pole. The House of Tears Carvers created the totem for the victims and their families of the 1999 Bellingham pipeline tragedy. Lead carver Jewell James said it would ensure the boys’ memories live on.
Pipelines and Informed Planning Alliance Steering Committee Meets

Ever since the Transportation Research Board released their report on pipelines and land use in 2004 there has been talk about getting a group of involved stakeholders together to try to move some of the recommendations from that report forward. For years, the Pipeline Safety Trust has lobbied Congress and the involved agencies for the formation of such a group. We are happy to report that Pipeline & Hazardous Materials Safety Administration (PHMSA) has worked to get the Pipelines and Informed Planning Alliance (PIPA) organized. A steering committee has been formed and had its first meeting in August.

The PIPA steering committee is made up of representatives from:
- National Association of County Officials
- National League of Cities
- National Association of Home Builders
- National Association of State Fire Marshals
- National Association of Regulatory Utility Commissioners
- Det Norske Veritas
- Pipeline Industry
- The Pipeline Safety Trust
- Pipeline and Hazardous Materials Safety Administration
- Federal Energy Regulatory Commission

This steering committee will now work to involve a large and wide variety of other stakeholders groups to help clarify and develop guidance in three main focus areas, which include:
- Initiatives and policies that will help to protect people in the areas near pipeline rights-of-way
- Initiatives, guidance, and policies that will help to protect the pipelines and people within the pipeline rights-of-way, and
- Information, education methods, and data to provide a valid risk-based way to consider these things.

This will not be an easy undertaking because many stakeholders need to be involved and their diverse interests need to be considered. PHMSA hopes to hold a forum dealing with these three focus areas in early 2008, and also endorses the Pipeline Safety Trust’s November Conference on these same issues as a way to start to get up to speed on this important initiative.

Local government, local realtors, local builders, and local citizens all hold the key to improving the safety of the pipelines that run through our communities. Hopefully this initiative can find a way to get all these groups and others working together to do just that!

Why Are There No Rules About Rights-of-way?

One of the most contentious battles going on across the country these days regards the way some pipeline companies have decided to maintain their pipeline rights-of-way. After years of neglect, many pipeline companies have, in the past few years, started to more proactively clear their pipeline rights-of-way for easier inspection from the air or by driving by. This has come as an unpleasant surprise to property owners who have planted trees and grown other ornamental landscaping for years on the right-of-way to now be told the landscaping is to be removed. This conflict has lead to much distrust and more than a few lawsuits.

Pipeline companies argue the laws that make them inspect their rights-of-way on a regular basis require this clearing, and no one argues with the importance of such inspections. What confuses people is inconsistency. There seems to be no rhyme or reason to why some companies think they need to sterilize the whole width of the right-of-way, and other companies find ways to work with landowners and local government to accommodate and protect some of the plantings on the rights-of-way.

Currently no requirements in the law tell a pipeline company how to maintain a right-of-way. With the Pipelines and Informed Planning Alliance (PIPA) getting started (see article above), there is hope that some guidance will be developed around what is really necessary for the maintenance of a right-of-way, and even what should be included in an easement agreement spelling this out. Until such guidance is provided, the public will continue to conclude that the varying practices of different companies are not based on real needs, but are arbitrarily based on what is easiest for the companies involved.
Weimer Introduces Pipeline Safety Ordinance

In 2005, the Pipeline Safety Trust’s executive director, Carl Weimer, somehow got himself elected to the Whatcom County Council. He currently serves as chairman of the Council, which is charged with setting county policy, levying taxes, and approving budget matters. He has often joked that the only reason he ran for public office was so he could get a look at the maps on the National Pipeline Mapping System, which until recently were only available to “public officials.”

In June, Weimer introduced a proposal to the county for a new comprehensive section to the zoning code to better protect people and pipelines. After a few years of telling other local government officials what they should do about pipelines, he decided it was time to “walk the talk” himself. The new rules he has proposed combine various setbacks, with requirements for developers to consult with pipeline companies and include pipelines on all site plans and plats.

“Once you introduce a new law that impacts people’s property and requires more effort from developers and local government agencies, you really start to get opinions about how well such an effort will work and what people think about it,” Weimer said.

If you would like to review these new proposed land use rules, we have posted them on our website at: http://pstrust.org/library/docs/pipeline_ordinance.pdf. You can also send Carl your comments at: cweimer@co.whatcom.wa.us

So far, comments on the proposed rules have mainly focused on whether setbacks actually provide any additional protection, and the fact that the consultation requirements (for developers to talk with pipeline operators) do not provide for enforcement by the county of what the pipeline operators propose around pipelines.

More Information
Land Use and Pipelines

Special Report 281: Transmission Pipelines and Land Use by the Transportation Research Board

Land use planning for pipelines: A guideline for local authorities, developers, and pipeline Operators, Canadian Standards Association

Land Use Planning In Proximity to Natural Gas and Hazardous Liquid Transmission Pipelines in Washington State by the Washington Utilities & Transportation Commission
http://www.mrsc.org/artdcmisc/landusegas.pdf

Pipeline Safety Trust Welcomes Two New Board Members

Recently the Directors of the Trust invited two new people to join the Board to bring even more breadth of experience to governing our organization. We are thrilled they have accepted the invitation, and we welcome Charles Batten and Carol Parker to the Board. Below are very brief descriptions of the experience and talents they bring to the Pipeline Safety Trust.

Charles Batten from Virginia has more than 40 years of engineering and management experience in pipeline transportation and hazardous materials safety working in private industry and government (state and federal). For the National Transportation Safety Board, Charles performed investigations of pipeline and hazardous materials transportation (aviation, rail, highway, marine) accidents, conducted special investigations of technical safety issues and participated in and reported on studies of national transportation safety issues. Over the course of his NTSB career, he has addressed regulatory compliance, accident causes, and prevention strategies for more than 300 accidents. Charles has worked with congressional committees on developing legislation affecting transportation systems. He is a member of the Gas Pipeline Technology Committee (ANSI Z-380) and the ASCE Subsurface Engineering Committee and has served on numerous national committees (e.g., ANSI B31.8 and National Academy of Sciences). He holds a M.S. in safety from the University of Southern California and a B.S. in civil engineering from the Georgia Institute of Technology.

Carol M. Parker from New Mexico is an environmental attorney. She received her J.D. magna cum laude from the University of New Mexico School of Law in May 2004, where she was awarded a Natural Resources Certificate, the Albert E. Utton Natural Resources Law Award and the Law Alumni/ae Association Prize. The latter prize was awarded for an early draft of her thesis, The Pipeline Industry Meets Grief Unimaginable: Congress Reacts with the Pipeline Safety Improvement Act of 2002, available at http://pstrust.org/library/parker.htm. After she graduated, she clerked for the Honorable Bruce D. Black, U.S. District Judge in Albuquerque, New Mexico. Carol is now an Assistant General Counsel for the New Mexico Environment Department. Before she went to law school, she was an Associate Vice President for Morgan Stanley for 18 years. She received her M.B.A. summa cum laude from the University of New Mexico Robert O. Anderson School of Management. She also has a M.S. and B.A. in Biology from the University of Rochester.
This Year’s Conference

Increasing Pipeline Safety Through Shared Planning

On November 15th & 16th, the Pipeline Safety Trust will host yet another unique pipeline safety conference. What makes the Trust’s conferences unique is the equal mix of experience from the affected public, the pipeline industry, and government regulators all coming together to discuss barriers to safer pipelines. Through such a collaborative approach, the Trust hopes to promote better understanding and trust between these groups, so we can all move forward together in our mutual goal of making pipelines as safe as possible.

This year’s conference will focus on many of the issues touched on in this newsletter regarding the intersection of local planning and pipeline safety. The preliminary agenda for our Increasing Pipeline Safety Through Shared Planning Conference include topics such as:

- the range of appropriate land uses on and near pipeline corridors;
- model local zoning ordinances & subdivision regulations;
- better real estate disclosure;
- appropriate vegetation maintenance practices on right-of-ways;
- controlling encroachment on pipeline right-of-ways;
- eminent domain or imminent disdain;
- setbacks, a real benefit or an illusion of safety;
- raising the awareness of the risks and hazards of living near a pipeline.

To learn more about the conference or to register online, visit: http://www.pstrust.org/conference/index.htm

Hope To See You There!

Special Field Trips - During the conference in New Orleans the Pipeline Safety Trust’s Executive Director Carl Weimer will be leading daily excursions to the Cafe Du Monde for informal pipeline safety discussions over cafe au lait and beignets. Some have said that Weimer chose the New Orleans location because of the beignets, but he says that is totally false, and the choice of location “had as much to do with the gumbo, jambalaya, po-boys, red beans and rice, and Turbdog as anything else.”

Make your Reservations at the Hotel Monteleone

We are proud to be hosting this years conference at the Hotel Monteleone. This is a family owned and operated historic hotel in the French Quarter of New Orleans. All guest rooms have been newly refurbished, and have marble & granite bathrooms and high ornamental ceilings to bring a little of the French Quarter ambiance indoors.

Reservations may be made by calling the toll free Group Reservations number at 1-800-217-2033. Guests may also reserve by fax at (504) 528-1019. Reservations must be guaranteed by one night’s deposit or a major credit card. Individual guest room deposits will be refunded if reservations are canceled seventy-two (72) hours prior to date of arrival.

The reservation system will have the conference group posted as the Pipeline Safety Trust. Please identify yourself under the Pipeline Safety Trust to ensure you receive the special group rate.

Hotel reservations are required
Rates are as follows:
Single: $139.00 per night*
Double: $139.00 per night*

* Plus applicable taxes.
Rate valid until Friday, October 12, 2007.
Financial Assistance

All over the United States there are average citizens that have been affected by transmission pipelines in one way or another. The Pipeline Safety Trust believes that the public plays a crucial part to developing an inclusive partnership between residents, safety advocates, government and industry that results in safer communities and a healthier environment.

The Trust believes that it is important to have members of the public attend this conference, and understands the financial burden attending may pose. Therefore the Trust is working to provide financial travel assistance to citizens that would like to attend. The assistance can take many forms, from waiving the registration fee, to covering all travel, food and lodging costs. Please contact us as soon as possible if you would like to attend so that the Trust can try to accommodate your needs.

Please do not hesitate to ask, but please realize that the amount of funding for such assistance will be limited, and we want to try to get as many people as possible to the conference.

Please send an email message to marissa@pstrust.org with Travel Assistance entered in the subject line. Include in the email the information outlined below. Or give Marissa a call at 360-543-5686. Please provide: Name, Phone Number, E-mail Address, City & State where you reside, and why you would like to attend the conference.

Please help fund public participation!

If you or your company believe that public participation in such discussions is as important as we do, please consider making a donation to the Trust’s Community Education Fund to help cover the costs for someone who might otherwise not be able to attend.

To help with such greater public participation please use the check-off box on the form below to make your tax-deductible donation. THANKS!

Registration

PERSONAL INFORMATION

NAME: ________________________ TITLE/POSITION: ________________________

AFFILIATION: ________________________

ADDRESS: ________________________ CITY: __________ STATE/PROV.: ________ ZIP CODE: ________

TELEPHONE: __________ FAX: ________ E-MAIL: ________________________

CONFERENCE REGISTRATION FEES BEFORE OCTOBER 15TH

$400 for General, $200 for Government & $50 for citizens (circle one)

(Fee includes all materials & a breakfast & a lunch).

After October 15th Registration Fees — $500, $250 & $50

REMITTANCE IS BY:

❑ Visa ❑ Mastercard ❑ Check enclosed

Please make checks payable to PIPELINE SAFETY TRUST.

Credit card number ________________________ Expiration date ________________________

Name of cardholder ________________________ Signature ________________________

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CITY: ________________________ STATE/PROV: ________ POSTAL/ZIP CODE: ________

❑ Additional donation of $____ to the Trust’s Public Education Fund for public participation at the conference

Please complete and return this form by mail, fax, or e-mail with the appropriate fees to:

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EMAIL: INFO@PSTRUST.ORG
**El Paso Fine Collected**

In June of 2001, the Department of Transportation announced a proposed fine of $2.52 million against the El Paso Pipeline for issues that led to the Carlsbad pipeline tragedy that killed 12 people. For six years, the Pipeline Safety Trust has asked for information about that status of this case, and when the fine would be collected. We feared that, as in other enforcement cases, this case might also be quietly settled for a significantly reduced fine.

We are very happy to report that this case has been settled in a totally unprecedented manner, with the fine ultimately being increased to $15.5 million. To our knowledge, this is the largest fine ever collected by the Department of Transportation under its pipeline safety authority. We thank the involved staff from the Department or Transportation and the Department of Justice for their efforts in this case. We hope this is another indication of the change within the Pipeline and Hazardous Materials Safety Administration (PHMSA) to use their enforcement authority when needed to send a message to companies that endanger the public needlessly.

In addition to the fine, El Paso Pipeline agreed to spend more than $300 million to improve their pipelines’ integrity and inspection capabilities. Some of the major actions they have agreed to include making 93% of 10,000 miles of their pipelines piggable, and they have already increased the internal inspection of those pipeline miles from 6% to 67%. El Paso also agreed to significantly increase their gas quality monitoring to ensure control of potentially corrosive gas constituents and provide increased training to personnel to better deal with corrosion. A copy of the consent decree is available on the U.S. Justice Department website at: http://www.usdoj.gov/enrd/Consent_Decrees/ElPaso/ElPaso.html

**Excursion into the Heartland – A Smart Pig Event**

In July, the Pipeline Safety Trust sent staff to Seward, Nebraska (population 6,700) to help host a pipeline safety forum. This forum got started when the Trust’s own Smart Pig answered a question from a citizen in Seward in the last edition of this newsletter regarding how land owners can have a greater say in pipeline siting issues.

The Trust joined with the Seward League of Women Voters, the Seward General Federation of Women’s Clubs, and the Seward Citizens on Pipeline Route Committee to sponsor the forum to educate citizens about TransCanada’s proposed Keystone Pipeline. The Trust helped pay for local advertising for the forum and had an editorial in the local newspaper the week before, all of which helped bring out a sizeable crowd to the beautiful Seward Civic Center.

Because this was an educational event we made sure all sides of the issue were represented with speakers not only from the Trust but also from federal and state agencies, the University of Nebraska, and the pipeline company. The different perspectives helped provide concerned citizens and property owners many sides to a variety of pipeline safety issues. Our hope was that this will help them draw their own conclusions about any future involvement they may want to have regarding this proposed 30-inch crude oil pipeline which is proposed to operate at a relatively high pressure of slightly over 1400psi.

The main concerns voiced were about the possible effects the pipeline could have on the Ogallala Aquifer, which makes this area such a productive national agricultural asset, as well as providing the drinking water for the area. The pipeline’s proposed route would cut directly across Seward’s four municipal well fields. There were also concerns about property values, impacts to farming operations, flooding, and the easement agreement that TransCanada was using.

In addition to sponsoring the forum the Pipeline Safety Trust worked with the Owners Counsel of America (http://www.ownerscounsel.com) to find a very qualified lawyer in Nebraska that property owners could work with concerning their right-of-way issues. The lawyer attended the forum and met separately with property owners afterwards to offer advice regarding how to proceed on easement negotiations with the pipeline company. Many of the property owners banded together to hire this lawyer to help them in the initial stages of the easement negotiation.

Trust staff also met separately with Seward City Council members, and addressed the Seward County Board of Commissioners the following day to try to provide some ideas about how local government can take a greater role in pipeline safety.

The main reason the Trust became involved in Seward (beside the urging of the Smart Pig), was because the citizens in Seward who contacted us were not focused solely on making the pipeline go away, but had a legitimate plan for rerouting the pipeline to provide greater safety for the area’s drinking water. Local people working together using local knowledge to try to improve pipeline safety is at the core of what the Pipeline Safety Trust wants to support!

How can we help your local community?

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Carl Weimer
Oil Artery to the Heartland – Bypass needed?

TransCanada’s proposed Keystone Pipeline Project would run through six U.S. states and three provinces in Canada. The 1,845 miles of pipeline would carry Canadian Crude from Hardisty, Alberta, cross the Canadian/U.S. border and travel to Wood River and Patoka, Illinois. The project is to commence in 2009 and would move 590,000 barrels per day from Alberta to U.S. Midwest markets at an estimated operating pressure of 1,440psi. The 30-inch diameter pipeline would be buried at a minimum depth of cover of four feet.

Many of the landowners along the route in North Dakota, South Dakota, Nebraska, Kansas, Missouri and Illinois have been offered right-of-way agreements. If these agreements cannot be negotiated, the company can condemn the property using eminent domain. On top of their own personal property worries, landowners have many concerns about the possible effects of such a pipeline on the groundwater that makes this region such an agricultural asset. Many alternative routes have been suggested.

Unlike many gas pipelines, which are sited in the United States under the Federal Energy Regulatory Commission, this liquid pipeline is under the authority of the U.S. Department of State, because it would cross an international border.

Some states have their own siting processes for liquid pipelines, while others don’t. It will be interesting to see whether local concerns are addressed better in states such as North and South Dakota, with their own review processes, than in states such as Nebraska, which are leaving the decisions up to the federal government.

In the News

May 2, 2007: Kinder Morgan to pay $5.3 million for fuel spills
Kinder Morgan Energy Partners entered an agreement to pay a $3.7 million civil penalty as well as $1.3 million to the U.S. Fish and Wildlife Service and California State Department of Fish and Game. These penalties were result of the April 27, 2004, spill of 123,774 gallons of diesel fuel that fouled the 224-acre Suisun Marsh. The Marsh is the largest saltwater wetland in the western United States - a sensitive habitat that is a breeding area for waterfowl and is home to the salt marsh harvest mouse. The diesel spill tarred shorelines and affected or killed mammals and birds, including the salt marsh harvest mouse. The penalties also resulted from two other spills from Kinder Morgan: a February 2005 spill of 76,902 gallons at Oakland Inner Harbor in Alameda, CA, and a 300-gallon spill into Summit Creek in April 2005 that fouled waters in the Donner Lake watershed of the Sierra Nevada Range in Placer County, CA.

July 24, 2007: Jeff Wiese new Associate Administrator for Pipeline Safety
Jeff Wiese became the Associate Administrator for Pipeline Safety for the Pipelines and Hazardous Materials Safety Administration (PHMSA). Mr. Wiese served in the position on an acting basis since January 2007 and served as Acting Deputy Associate Administrator from August to December 2006. During this time, he has led implementation of the newly enacted Pipeline, Inspection, Protection, Safety and Enforcement Act (PIPES) of 2006, including creation and rollout of the agency’s enforcement transparency website. He served the agency as its Director for Program Development within the Office of Pipeline Safety for nearly ten years, during a period of rapid growth and transformation in the pipeline safety program. He has been a part of the positive changes in the Office of Pipeline Safety and PHMSA in the past, and we are encouraged to have him be a key player in positive changes in the future.

July 24, 2007: Vancouver’s crude geyser
Photos of this incident looked like the Beverly Hillbillies finding black gold on their property, but this strike of oil wasn’t such a sought-after one for residents of one Vancouver, British Columbia, neighborhood. For 25 minutes, a 60-foot geyser of crude oil showered the neighborhood. Vancouver city workers were working on a highway when a construction worker struck the Kinder Morgan line, which carries crude from Edmonton, Alberta, to Vancouver ports and Washington State refineries. As a result of the burst pipeline, a waterway known as Burrard Inlet was polluted by the crude oil.
Keep Informed!

Want to stay current with what’s happening regarding pipeline safety or LNG facility siting? One way to stay current is to subscribe to either of the listserves below. More than 525 people are already getting this information via their email every day.

SAFE Pipelines discussion list
To get current pipeline news, join the SAFE Pipelines nationwide email discussion list. The list currently includes over 275 people and is dedicated to sharing pipeline safety and pipeline siting information among community activists, government officials and pipeline experts, nationwide. It is our hope that through this sharing, initiatives to make pipelines safer will be adopted and citizens across the nation will be given a larger role in the oversight of pipeline safety and pipeline siting. To join, go to http://groups.yahoo.com/group/safepipelines OR you can join by sending a blank email to: safepipelines-subscribe@yahoogroups.com

LNG Safety discussion list
This group is dedicated to sharing Liquefied Natural Gas (LNG) safety and siting information among community activists, local government officials, industry experts, and regulators, nationwide. It is our hope that through this sharing, initiatives to make LNG facilities safer will be adopted, and citizens throughout the nation will be given a larger role in the oversight of LNG safety and siting. With the current rush to site LNG facilities, such shared information (including the best available science, technologies, and risk assessment) is needed for communities to make well-informed decisions about these potentially dangerous facilities being proposed in their midst. To join go to http://groups.yahoo.com/group/LNGsafety OR you can join by sending a blank email to: LNGsafety-subscribe@yahoogroups.com

The Trust Publishes Two New Reports
Since our last newsletter the Pipeline Safety Trust has published two new papers. We contracted with Accufacts Inc. to produce the reports for us. Both papers are meant to give people basic information and, hopefully provide new topics for greater discussion.

The first paper, which came out in April is titled General Observations On the Myth of a Best International Pipeline Standard. This paper compares some of the major provisions of pipeline standards from countries around the world. It also provides a discussion regarding the pros and cons of various types of risk assessment, and how risk assessment compares to integrity management. The paper can be downloaded at: http://www.pstrust.org/library/docs/best_standard_report.pdf

The second paper, which is hot off the press in August, is titled Leak Detection in Transmission Pipelines - An Experienced Perspective. It deals with leak detection on both gas and liquid transmission pipelines, talks about the different types of leaks and what can and cannot be detected with various systems. This paper can be downloaded at: http://www.pstrust.org/library/docs/leak_detection.pdf

The Problems With Moving Alternative Fuels
In August, the Pipelines And Hazardous Materials Safety Administration (PHMSA) posted a new policy statement regarding the transport of ethanol and other biofuels by pipeline. Transporting ethanol by pipeline creates a whole new series of safety issues to overcome because ethanol can compromise parts of pipeline systems, cause contamination problems, and creates new challenges for first responders. To meet alternative fuel goals to reduce our dependence on petroleum products it is necessary to overcome these issues to allow this new fuel to be moved by pipeline.

Here is the explanation of the need from the PHMSA policy statement:

Today, nearly half of all U.S. gasoline contains some ethanol (mostly blended at the 10 percent level or lower). In 2006, the U.S. consumed roughly five billion gallons of biofuels (mostly ethanol); these five billion gallons were blended into roughly 65 billion gallons of gasoline. The President’s 20-in-10 plan calls for expanding consumption of alternative fuels (including biofuels) from five billion gallons in 2007 to 35 billion gallons in 2017.

Most ethanol in use today is transported from production or import locations by highway, rail, and/or barge and blended with gasoline at or near the point of retail distribution. To sustain market growth needed to meet current targets, we believe that pipelines must be an option for high-volume transportation of biofuel products.

A large pipeline can transport roughly two million barrels of gasoline a day. By way of comparison, 9,375 large semitruck tankers are required to transport two million barrels of product. It takes twenty-four 100-car unit trains extending three miles each, or ten 15-unit barge tows, to transport two million barrels. Trucks, vessels, and trains consume diesel or other liquid fuels and also contribute to congestion in our Nation’s freight and passenger transportation corridors.

To read the entire policy statement, other’s comments on the statement, or to learn how to post your own comments on these issues, go to http://dmses.dot.gov/docimages/p102/481741.pdf
Great New Pipeline Information Available to the Public

For the past few years, the Pipeline Safety Trust has worked hard to get more pipeline information available to the public, so people can decide for themselves how safe the pipelines that run through their communities are. Our highest priorities were getting neighborhood-level pipeline maps put back online, and getting enforcement and inspection information available. We are happy to report that we have accomplished two out of three of our priorities as the Pipelines and Hazardous Materials Safety Administration (PHMSA) has made maps and enforcement information easily available on their website this past spring.

Re-launch of Pipeline Maps to the Public’s Domain

In April, PHMSA opened their National Pipeline Mapping System (NPMS) up for public viewing again. It was taken off the internet after September 11, 2001, for security reasons. You can get to the public map viewer at: https://www.npms.phmsa.dot.gov/

Website users can choose a county to view. Only one county’s pipelines may be viewed per session, but a user may relaunch the map browser to see another county’s pipelines. Users may zoom in to a map scale of 1:24,000, view information about the pipelines (including operator name, operator contact information, and commodity carried), as well as print maps. Liquefied Natural Gas facilities and breakout tanks are also visible. We suggest first time visitors to the website peruse the manual, which is available on the website and contains detailed instructions for using the NPMS.

Additionally, PHMSA is now allowing county and local government officials to receive and share previously restricted county-level NPMS GIS data. This initiative will help communities plan better for development around pipelines. Of course, please remember that many of the maps on the NPMS are not very accurate (+/- 500 feet), so for any real digging, construction or planning, pipelines will have to be located the old fashioned way – call 811 for an accurate locate.

New Enforcement Website Provides Valuable Information

PHMSA recently went live with their new website (http://primis.phmsa.dot.gov/comm/reports/enforce/Enforcement.html) detailing enforcement actions against pipeline companies. On the website, you can find most all the different types of enforcement actions (Corrective Action Orders, Warning Letters, Civil Penalties, Notice of Probable Violation) that PHMSA can take against pipeline companies. The actual documents concerning individual companies are available, along with analysis that shows how PHMSA’s enforcement efforts are working nationally. Here are some examples of the information off the website:

### Overall Enforcement Case Status: 2002-2007

<table>
<thead>
<tr>
<th>Year Opened</th>
<th>Number of Cases Opened</th>
<th>Corresponding Cases Closed</th>
<th>Percent Cases Closed</th>
<th>Percent Cases Pending</th>
<th>Percent Cases Closed</th>
<th>Percent Cases Pending</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>166</td>
<td>148</td>
<td>89%</td>
<td>11%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2003</td>
<td>147</td>
<td>123</td>
<td>84%</td>
<td>16%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004</td>
<td>238</td>
<td>180</td>
<td>76%</td>
<td>24%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>313</td>
<td>229</td>
<td>73%</td>
<td>27%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td>251</td>
<td>156</td>
<td>62%</td>
<td>38%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2007</td>
<td>122</td>
<td>53</td>
<td>43%</td>
<td>57%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>1,237</td>
<td>889</td>
<td>72%</td>
<td>28%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Enforcement Cases Involving Civil Penalties: 2002-2007

<table>
<thead>
<tr>
<th>Year Opened</th>
<th>Number of Cases Opened</th>
<th>Corresponding Cases Closed</th>
<th>Percent Cases Closed</th>
<th>Percent Cases Pending</th>
<th>Total Penalties Proposed for Cases Closed</th>
<th>Total Penalties Assessed for Cases Closed</th>
<th>Percent of Proposed Penalties Assessed</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>47</td>
<td>44</td>
<td>94%</td>
<td>6%</td>
<td>$1,442,950</td>
<td>$1,153,350</td>
<td>80%</td>
</tr>
<tr>
<td>2003</td>
<td>33</td>
<td>25</td>
<td>76%</td>
<td>24%</td>
<td>$828,000</td>
<td>$796,250</td>
<td>96%</td>
</tr>
<tr>
<td>2004</td>
<td>64</td>
<td>40</td>
<td>63%</td>
<td>38%</td>
<td>$900,550</td>
<td>$754,050</td>
<td>84%</td>
</tr>
<tr>
<td>2005</td>
<td>81</td>
<td>46</td>
<td>57%</td>
<td>43%</td>
<td>$1,801,900</td>
<td>$1,564,250</td>
<td>87%</td>
</tr>
<tr>
<td>2006</td>
<td>32</td>
<td>4</td>
<td>13%</td>
<td>88%</td>
<td>$38,500</td>
<td>$18,500</td>
<td>48%</td>
</tr>
<tr>
<td>2007</td>
<td>15</td>
<td>1</td>
<td>7%</td>
<td>93%</td>
<td>$78,000</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Totals</td>
<td>272</td>
<td>160</td>
<td>58%</td>
<td>41%</td>
<td>$5,089,900</td>
<td>$4,286,400</td>
<td>84%</td>
</tr>
</tbody>
</table>
Join Us at This Year’s Conference
Increasing Pipeline Safety Through Shared Planning

November 15th & 16th, 2007
New Orleans, Louisiana
The historic Hotel Monteleone

The Pipeline Safety Trust will host yet another unique pipeline safety conference. What makes the Trust’s conferences unique is the equal mix of experience from the affected public, the pipeline industry, and government regulators all coming together to discuss barriers to safer pipelines.

The preliminary agenda includes:
• the range of appropriate land uses on and near pipeline corridors;
• model local zoning ordinances & subdivision regulations;
• better real estate disclosure;
• appropriate vegetation maintenance practices on right-of-ways;
• controlling encroachment on pipeline right-of-ways;
• eminent domain or imminent disdain;
• setbacks, a real benefit or an illusion of safety;
• raising the awareness of the risks and hazards of living near a pipeline;
• and much more!

To learn more about the conference see pages 6 & 7 inside or to register online, visit: http://www.pstrust.org/conference/index.htm

Hope To See You There!