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For more information contact:

Kenneth Clarkson
Communications & Outreach Director
kenneth@pstrust.org
360-543-5686 x104

NEWS RELEASE

API & GPA Midstream Seek to Prevent New Federal Rule from Strengthening Protections for Coastal Waters, Great Lakes

BELLINGHAM, Washington [March 1, 2021] –

A new petition filed by GPA Midstream and the American Petroleum Institute (API) looks to throw out critical safety measures proposed in the Pipeline and Hazardous Materials Safety Administration (PHMSA) interim Final Rule, “Pipeline Safety: Unusually Sensitive Areas for the Great Lakes, Coastal Beaches, and Certain Coastal Waters.”

In December 2021, PHMSA announced the adoption of the interim final rule expanding application of an important set of pipeline rules to an additional 3,000 miles of pipelines carrying oil, refined petroleum products, and other hazardous liquids.

Via the PIPES Acts of 2016 and 2020, Congress directed PHMSA to extend protections of the integrity management programs to all coastal areas and Great Lakes shorelines. The rule fulfills that congressional directive and should help prevent more catastrophic spills that damage our shorelines and beaches, nearshore marine environments and the waters of the Great Lakes, one of the most important fresh water environments on the planet.

The new rule from PHMSA would deem coastal beaches, coastal marine waters and the Great Lakes as *Unusually Sensitive Areas (USA)*, and designate them as High Consequence Areas (HCAs), extending application of additional safety regulations and assessment requirements to additional miles of hazardous liquid pipelines in coastal areas.

However, GPA midstream and API now argue they didn't receive an appropriate amount of time to comment on the rule before it was listed as final. Both organizations also claim that PHMSA's would-be new definition of (USAs) is broader than what Congress intended.

Pipeline Safety Trust (PST) Executive Director Bill Caram said industry has had ample opportunity to participate in this important rule making over the past six years, including multiple public meetings where they had numerous representatives on each panel.

"Pipeline operators have enjoyed this regulatory loophole for far too long and Congress has twice mandated this very specific fix," Caram said. "This bad faith stalling effort puts our prized coastal waters, including the Great Lakes, which contain 84% of North America's surface fresh water, at unnecessary risk."

PST calls on PHMSA to deny this petition from GPA Midstream and API. By allowing this Final Rule to be implemented unhindered, PHMSA will protect our treasured wild spaces for future generations.