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NEWS RELEASE

PHMSA's New Rule on Automatic and Remote Shut-Off Valves and Rupture Detection Falls Short

BELLINGHAM, Washington [March 31, 2022] – Today, after 10 years in the making, the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) posted a new rule mandating new or fully replaced onshore pipelines six inches in diameter or greater contain automatic or remotely controlled shut-off valves. While a welcome improvement to existing regulations, this new rule falls short of its goal to protect the public from the tragedies that inspired the effort. The nation's existing, aging pipeline infrastructure remains vulnerable to the types of tragedies it is ostensibly designed to prevent.

Pipeline Safety Trust Executive Director Bill Caram said Congress issued the mandate over 10 years ago as a response to the 2010 tragedies in San Bruno, which killed eight people and injured 51 others; and in Marshall, Michigan which leaked nearly 850,000 gallons of crude oil into the beloved Kalamazoo River.

"This rule falls far short of the National Transportation Safety Board's recommendation and will offer no additional safety to communities living near existing pipelines," Caram said. "PHMSA had the opportunity to mandate leak detection performance standards with this rule, finally establishing how accurate, sensitive, and reliable an operator's leak detection system needed to be, but stopped short of doing so."

Caram said this new rule leaves many pipelines operating in High Consequence Areas only with the requirement that they have a leak detection system, with no standards established as to how sophisticated they need to be.

Caram adds, "The root of the problem causing weak rules such as this one lies in statutory limitations placed upon PHMSA by congress. Limitations such as the 'Grandfather Clause', preventing PHMSA from issuing new design standards on existing infrastructure, and the burdensome statutory Cost-Benefit Requirement make it extremely difficult to meet certain Congressional mandates and NTSB recommendations that would further protect people and the environment from the risks of pipelines."