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March 13, 2023

Public Service Commission of South Carolina
Clerk's Office
101 Executive Center Dr., Suite 100
Columbia, SC 29610

Re: Comment in Support of Docket No. 2022-360-A, Gas System Regulations

Dear Commission Members:

Thank you for the opportunity to comment in support of the proposed Gas System Regulations (Docket No. 2022-360-A). It is the Pipeline Safety Trust's (the Trust) position that these regulations are an important advancement in ensuring the public is aware of ongoing natural gas infrastructure projects in their communities and that impacts are considered prior to a project's approval. We also wish to express support the comments submitted by the Southern Environmental Law Center.

The Pipeline Safety Trust is the only national non-profit organization that focuses on pipeline safety. Our efforts focus on education and advocacy, increasing access to information, and building partnerships with residents, safety advocates, government, and industry to promote safe communities and a healthy environment. As part of this work, the Trust monitors state dockets and submits comments where its technical expertise may be beneficial.

Natural gas pipeline operation and construction can be a major threat to public health and safety, the environment, and our climate. Crucial are the threats to public safety: Natural gas transmission and distribution pipelines still fail and cause explosions that can kill people or cause significant property damage. Since 2020, gas distribution and transmission pipeline incidents have killed 31 people, seriously injured 84, and cost the public over \$49 million.¹ In South Carolina six significant incidents have occurred on gas distribution and transmission lines in the same period, costing nearly \$1.7 million.²

Construction of pipelines obviously can affect the environment, especially if siting and routing is done through environmentally sensitive areas. While the American Public Gas Association's comment is correct that "major" projects undergo environmental reviews, it is unlikely that smaller-scale projects that would be subject to the proposed Gas Regulations would undergo these reviews. The National Environmental Policy Act only applies to "major federal actions," a bar that requires significant federal involvement in a project to trigger environmental review. Thus, without the proposed Gas Regulations, construction and routing of pipeline projects likely would not require review, placing sensitive environmental areas and vulnerable communities at risk. The proposed Gas Regulations close this gap

¹ PHMSA, *Pipeline Incident 20 Year Trends: Significant Incident Consequences for Natural Gas Distribution and Transmission Systems*, <https://www.phmsa.dot.gov/data-and-statistics/pipeline/pipeline-incident-20-year-trends>.

² PHMSA, *Pipeline Incident 20 Year Trends: Significant Incidents for Natural Gas Distribution and Transmission Systems*, <https://www.phmsa.dot.gov/data-and-statistics/pipeline/pipeline-incident-20-year-trends> (results filtered for South Carolina incidents).

by requiring that basic considerations about the impacts to the environment, environmental justice communities, costs, and need be taken into consideration. This is a commonsense proposal – akin to a “look before you leap” requirement – for pipeline projects in South Carolina.

Natural gas contributes more to U.S. climate pollution than coal, with pipeline transmission and distribution systems being one of the primary contributors to this total. Methane, which is the primary constituent of natural gas, has over 80 times the warming power of carbon dioxide in the first 20 years. Despite the seriousness of methane’s impact, vented and fugitive emissions from pipelines are still rampant. In fact, pipeline operators are now only recently required to find and fix natural gas leaks and minimize intentional releases.³ While this is an improvement, it means that communities have faced decades of exposure to methane and other natural gas constituents while operators faced no consequences. The law also only requires intentional releases to be minimized, meaning that operators can still vent natural gas into communities with little recourse.

The Trust also supports the provisions requiring more transparency about projects, including providing notice to property owners about proposed projects, informing them of their rights under eminent domain law, and requiring a public hearing about proposed projects. Once again, these are commonsense proposals that stand to benefit South Carolina communities. Providing individuals notice about projects, information about their rights, and providing an opportunity to be heard empowers the public, can help to moderate conflicts, and promotes safer communities.

Thank you again for the opportunity to comment on this important matter. If you would like to discuss this comment or have questions, feel free to contact me at (360) 543-5686 (x107) or erin@pstrust.org.

Sincerely,



Erin Sutherland
Policy & Program Director/Counsel
Pipeline Safety Trust

³ PHMSA, *Advisory Bulletin: Pipeline Industry Must Take Actions to Address Methane Leaks from Pipelines and Pipeline Facilities* (June 7, 2021) <https://www.phmsa.dot.gov/news/phmsa-advisory-bulletin-pipeline-industry-must-take-actions-address-methane-leaks-pipelines>.