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Pipeline Safety Trust Provides Comments that Offer Recommendations to Further Increase Safety of Gas Distribution Systems on new PHMSA Rule

The rule, five years in the making, comes in response to the tragic death of 18-year-old Leonel Rondon who was killed in the 2018 Columbia Gas Merrimack Valley Explosions in Lawrence, MA. The series of explosions and ensuing fires damaged 131 structures and destroyed five homes.

BELLINGHAM, Washington [Nov. 10, 2023] – Pipeline Safety Trust (PST) supports the federal pipeline regulator, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration’s (PHMSA) new rule that seeks to improve the safety of gas distribution pipeline systems. PST believes the rule, “Pipeline Safety: Safety of Gas Distribution Pipelines and Other Pipeline Safety Initiatives (Docket No. PHMSA-2021-0046),” will improve the safety of low-pressure gas distribution systems to prevent future catastrophic incidents similar to the Merrimack Valley explosions, but have recommendations that would further bolster the rule and improve gas distribution pipeline safety nationwide.

The Explosions

On Sept. 13, 2018, Columbia Gas, a subsidiary of NiSource Inc., released high-pressure natural gas into a gas distribution system designed to take low-pressure gas. This increase in pressure led to what is known as an “overpressurization event,” or when a pipeline system’s pressure exceeds what it was designed and constructed to handle. The consequences of Columbia Gas’s error proved deadly. The event set off a series of structure fires and explosions in the northeast region of the Merrimack Valley in Massachusetts.

Leonel Rondon was sitting in his car when he was killed. While waiting outside a friend's house, the explosions started. When it was all said and done, 131 structures across three towns would be damaged. Sadly, one of those buildings was the house Rondon sat in the driveway of, a chimney had broken loose from the roof, landed on his vehicle, and crushed him.

In addition to Rondon's death and myriad structural damage, 22 individuals, including three firefighters, were transported to hospitals with injuries.

Investigation and Creation of the Rule

The National Transportation Safety Board's (NTSB) [investigation](#) into the Merrimack Valley incident determined Columbia Gas had a flawed pipeline replacement plan that led to the overpressurization of the distribution line. NTSB recommended PHMSA revise its regulations to require overpressure protection for low-pressure natural gas distribution systems that cannot be defeated by a single operator error or equipment failure.

As a result, Senator Ed Markey's (D-Mass.) office introduced the Leonel Rondon Pipeline Safety Act (LRPSA), which was later incorporated into the [Protecting our Infrastructure of Pipelines and Enhancing Safety \(PIPES\) Act of 2020](#). The LRPSA section of the PIPES Act required PHMSA to address the root causes of the Merrimack Valley incident.

On Sept. 7, 2023, PHMSA published a notice of proposed rulemaking (NPRM) in the Federal Register meant to respond to Congress' and the NTSB's recommendations directed toward preventing catastrophic incidents resulting from overpressurization of low-pressure gas distribution systems similar to that which occurred in Merrimack Valley.

Overview of the Rule

When finalized, PHMSA's new rule will require that operators monitor for activities that could lead to overpressurization and have qualified personnel present if the "potential for overpressurization" is found during construction projects. This part of the rule seems especially important, because NTSB found Columbia Gas's entire low pressure distribution system experienced high pressure when the regulator was taken out of commission during a construction project that had no redundant regulator in place. A regulator is what keeps high pressure upstream in the transmission pipeline and low pressure downstream in the distribution pipelines.

PST is supportive of PHMSA's efforts to improve communications between operators, emergency responders, and the public quickly after pipeline disasters. We also appreciate that the rule has a short, one-year effective date. "Every community deserves to feel safe from the risk of explosions and fires on pipelines. It is critical that information be provided to the public in the event of a disaster, and the faster the rule goes into effect, the better," PST Policy & Program Director/Counsel Erin Sutherland said.

In addition, the rule requires gas distribution operators to update their emergency response plans, distribution integrity management programs (DIMP), and their operations and maintenance manuals.

Recommendations for Improvement

PST is broadly supportive of the rule and believes it will improve the level of safety of gas distribution pipeline systems. However, in our comment, we suggest a few ways that PHMSA can improve the rule's effectiveness to meet the purpose of preventing catastrophic incidents resulting from the overpressurization of low-pressure gas distribution systems.

PST's key recommendation is that PHMSA eliminate a provision allowing operators to self-exempt by merely notifying the regulator that it will use alternative preventative measures rather than providing two methods of overpressure protection at district regulator stations.

"This loophole goes against the purpose of developing the rule in the first place, flouting Congressional directives," Sutherland said. "If PHMSA allows operators to circumvent the basic purpose of the rule, I have major doubts about whether it will prevent incidents like Merrimack Valley from occurring in the future."

[Read PST's full comment here.](#)

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About Pipeline Safety Trust: The Pipeline Safety Trust is a nonprofit public watchdog promoting pipeline 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.