

Opening Statement of Chairman Fred Upton
Committee on Energy and Commerce
Hearing on “The American Energy Initiative – Day 11”
July 15, 2011

Today the subcommittee will examine a discussion draft of the “Pipeline Infrastructure and Community Protection Act of 2011.” Pipeline safety is an issue that crosses regions, politics, and parties. It affects all of us and our constituents in the same manner. Though pipelines remain the safest means to transport oil and natural gas, over the past year we have witnessed several accidents that have destroyed property, ecosystems, and most importantly, the lives of innocent people.

Last summer, an oil pipeline ruptured and spilled into a stream which flows through my district. The spill sent over 20,000 barrels of oil into Talmadge Creek. Different alarms sounded in the operator’s control room for nearly 18 hours before the leak was confirmed, and after that, it took one hour and twenty minutes for the initial call to the National Response Center to be placed.

In September of last year, a gas pipeline in San Bruno, California exploded and killed 8 people in addition to destroying 37 homes. It took over an hour for technicians to manually shut-off the flow of gas which continued to feed the fireball.

Just this month, a pipeline buried beneath the riverbed of Yellowstone River near Laurel, Montana ruptured and spilled up to 1,000 barrels of oil into the nation’s largest undammed river. I very much look forward to testimony from Exxon Mobil and Congressman Rehberg as well as their answers to our many questions concerning the recent spill in Montana. Though the discussion draft does not specifically address some of the preliminary issues raised by this incident, I hope what we learn today can provide better understanding on the adequacy or lack thereof regarding current pipeline safety standards related to water crossings.

What all of these incidents tell us is pipeline safety laws must be enhanced to prevent tragedies like these in the future and better prepare us for response and containment once they occur. The Pipeline Infrastructure and Community Protection Act is the Energy and Commerce Committee’s initial offering into this year’s drive to reauthorize pipeline safety laws. We are fully committed to working in a bipartisan, bicommitee, and bicameral fashion to get a pipeline safety bill signed into law this year. The public demands it and so do our responsibilities as their elected leaders.

Among its many provisions, the discussion draft under examination today seeks to:

- 1) set a one-hour time limit for operators to report incidents to the National Response Center;

- 2) require the use of automatic or remote-controlled shut-off valves that can stop leaks and spills in a fraction of the time needed for manual valves;
- 3) require better leak detection technologies for the monitoring and assessment of leaks;
- 4) substantially increase civil penalties on pipeline operators who have major accidents;
- 5) require highly-enhanced inspection techniques and technologies which cover more pipeline mileage than before; and,
- 6) increase the number of pipeline inspectors at the Department of Transportation.

This discussion draft is an important first step in getting a companion House bill out of the starting blocks and on a trajectory to merge with existing Senate legislation. It is my intention to move a bill through this subcommittee over the next few weeks and have full committee action upon our return from the August recess.

I look forward to the conversation today as well as comments that will help us improve the discussion draft before it is introduced as a bill. With that I yield the balance of my time.