

PIPELINES

PHMSA leaders say rollbacks can improve safety

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NEW ORLEANS — Top federal pipeline regulators said yesterday that Trump-era regulatory rollbacks can improve safety.

"I think we have an opportunity here to make things better, to make regulations more effective," said Alan Mayberry, associate administrator for pipeline safety at the Pipeline and Hazardous Materials Safety Administration.

Mayberry was speaking at the annual conference of the Pipeline Safety Trust, where the regulatory agenda of the Trump administration is a major theme. The title of this year's conference is "Moving Forward, Holding Steady, or Slipping Back?"

The No. 2 Trump appointee at PHMSA said weeding out bad regulations can improve enforcement of good ones.

"We're constantly seeking ways to improve them by eliminating unnecessary or overly burdensome requirements that distract from beneficial requirements," Deputy Administrator Drue Pearce told attendees.

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That squares with President Trump's high-profile order to eliminate two rules for every new one enacted.

The conference brings together regulators, industry officials, environmental groups, landowners and the public to discuss pipeline safety. The trust is a Bellingham, Wash.-based advocacy group formed after a fatal pipeline explosion in the area in 1999.

The trust's executive director, Carl Weimer, said he is skeptical of PHMSA's rosy outlook on the regulatory rollbacks. That includes President Trump's two-for-one regulation order.

"Maybe there are rules that are just wasting these companies' time," he said. "But that's hard for me to believe."

Mayberry said that federal pipeline regulation from its inception has had a prescriptive approach — telling pipeline companies what they needed to do to be safe.

"Is there another approach? We need to ask the question," Mayberry said. "It's no good if you're having to put resources where they're not needed."

The alternative to prescriptive approaches has generally been a "risk-based" approach — requiring companies to operate safely but allowing them to figure out how that should be done. PHMSA officials have also been promoting an approach called "safety management systems," an effort to get companies to move past minimum regulations and instill a culture of safety ([Energywire](#), Sept. 28).

Pearce, though, also said she's worried about lack of regulation at the state level, specifically exemption from state "one-call" rules. Pearce said many state legislatures have granted exemptions to farmers and local governments from the rules, which require people to call a utility hotline, often referred to as "811," before digging.

All railroads and the Virginia Department of Transportation are also exempt, she added.

"That's too many exemptions, to my mind," she said, urging people to talk to state legislators about the issue.

Pearce, a former Alaska state legislator, served as federal coordinator for Alaskan natural gas transportation projects and was also a member of PHMSA's Technical Pipeline Safety Standards Committee. With her background in pipelines, she expects to take the lead in the department on pipeline issues while the new administrator, Howard "Skip" Elliott, a former rail executive, leads on rail issues.