

House Bill Analysis

SSJM 8017

HOUSE AGRICULTURE AND ECOLOGY COMMITTEE

February

17, 2000

Substitute Senate Joint Memorial 8017 petitions the President and Congress of the United States to enact legislation amending the federal Pipeline Safety Act that allows states to adopt and enforce standards stricter than federal standards in order to promote pipeline safety.

BACKGROUND:

The federal Pipeline Safety Act (49 U.S.C. 60101 et seq.) administered by the Office of Pipeline Safety within the U.S. Department of Transportation preempts states from adopting safety standards for interstate pipelines. The federal law does allow, however, for state oversight of intrastate pipeline safety. In addition, the law allows states to seek and accept designation as federal agents for the purpose of inspecting interstate hazardous liquid pipelines. To date, only four states have received this designation and, in the mid-1990's, the federal Office of Pipeline Safety ceased providing delegation of authority to states.

A pipeline accident in June of 1999 cost the lives of three young people in Bellingham, Washington. As a result of this tragedy, Governor Gary Locke convened a task force on pipeline accident prevention and response. The task force issued a set of recommendations in December 1999. Among the Governor's principal recommendations are the following:

- to seek reauthorization of the federal Pipeline Safety Act that either (1) removes the federal pre-emption clause that prevents the state from adopting safety standards for interstate pipelines; or (2) provides additional authority to states for the administration of interstate pipeline safety programs.
- to seek additional funding for state pipeline safety programs.

SUMMARY:

Substitute Senate Joint Memorial 8017 petitions the President and Congress of the United

States to enact legislation amending the federal Pipeline Safety Act that allows states to:

- adopt and enforce standards stricter than federal standards;
- seek authority to administer and enforce federal pipeline safety standards.

As an interim measure, while Congress considers legislation, the President is petitioned to direct the Office of Pipeline Safety to grant authority to qualified states so that they may enforce federal standards.

Congress is petitioned to increase funding for state pipeline safety programs, including funding for response to pipeline accident emergencies, for additional support for states with delegated authority to enforce federal standards, and for the federal Office of Pipeline Safety for additional research and development of technologies related to testing, leak detection, and oversight.