

CATHY McMORRIS RODGERS, WASHINGTON  
CHAIR

FRANK PALLONE, JR., NEW JERSEY  
RANKING MEMBER

ONE HUNDRED EIGHTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
**COMMITTEE ON ENERGY AND COMMERCE**  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-3641  
Minority (202) 225-2927

May 9, 2023

Mr. Tristan Brown  
Acting Administrator  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue, S.E.  
Washington, DC 20590

Dear Acting Administrator Brown:

We write to request information regarding the Pipeline and Hazardous Materials Safety Administration's (PHMSA) pipeline safety programs and the agency's implementation of the *Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020*, in addition to other recently enacted laws. As you know, pipelines are among the safest and most efficient modes of transport for fuels and feedstocks that power our nation's economy. PHMSA and the States must coordinate effectively to ensure the nation's existing 3.3 million miles of pipelines are operated and maintained in a manner that is safe and reliable. PHMSA also has an important role to review proposals for new pipelines and liquified natural gas (LNG) facilities within a timely manner to modernize and upgrade the nation's infrastructure, reduce costs, and improve the reliability of energy for the American people.

As the Committee of jurisdiction overseeing your agency, the Energy and Commerce Committee and its members will exercise legislative and oversight authorities to ensure PHMSA complies with its statutory authorities and maintains focus on its public safety mission. As the Committee considers reauthorizing the nation's pipeline safety laws, we are committed to ensuring that PHMSA and States that have assumed primary safety authority have the necessary resources to ensure the safe and efficient transportation of natural gas, liquid fuels, and feedstocks for manufacturing and agriculture. We are conducting a thorough review of existing pipeline safety laws and the status of their implementation. We are also reviewing recent safety incidents to ensure that PHMSA, State regulators, and pipeline operators are incorporating lessons learned, integrating new technologies, and continuing to improve safety.

There are numerous overdue congressional mandates and open rulemakings that have not been finalized by PHMSA. We also understand that PHMSA has assumed new responsibilities

and directives from recently enacted laws and Executive Orders, which may have delayed the implementation of the *PIPES Act* and outstanding mandates from prior pipeline safety laws.

To assist in our review of PHMSA's pipeline safety programs, please provide the following information by May 23, 2023:

1. The status of *PIPES Act* implementation and a list of all overdue congressional mandates and outstanding regulations;
2. A list of all official meetings, working groups, and advisory committee meetings conducted on or after January 20, 2021, including a description of participants and a summary of events;
3. A list of all grants and awards issued by PHMSA since January 20, 2021, including the amount, the recipient, and the specific statutory authority authorizing such grant or award;
4. A list of all regulatory actions and enforcement proceedings conducted on or after January 20, 2021;
5. On April 21, 2023, President Biden signed an "Executive Order to Revitalize Our Nation's Commitment to Environmental Justice for All," requiring a "whole-of-government" approach to environmental justice. Does this Executive Order apply to PHMSA, and if so, how does PHMSA plan to comply with the Executive Order;
6. Does PHMSA track criminal acts that damage pipelines? If so, please provide a list of all such acts on or after January 20, 2021; and,
7. On May 5, 2023, PHMSA proposed a new rule for gas pipeline leak detection and repair pursuant to Section 113 of the *PIPES Act*. By law, PHMSA is required to conduct a risk assessment and cost-benefit analysis, so all new regulations are cost-effective.
  - a. Has PHMSA estimated the compliance costs of the proposed regulation?
  - b. How much does PHMSA expect the proposed regulation will increase the price of natural gas for American consumers?
  - c. How does PHMSA estimate environmental costs and benefits? Does PHMSA estimate environmental costs and benefits related to climate change that are incurred outside the United States for use in agency rulemakings?
  - d. Does PHMSA utilize the Social Cost of Carbon, the Social Cost of Methane, or other tools or models to estimate environmental costs related to climate change?

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- e. How does PHMSA define “equity benefits”, a term used in the May 5, 2023 proposal? Please describe PHMSA’s statutory authority and methodology for estimating “equity benefits” for use in agency rulemaking.

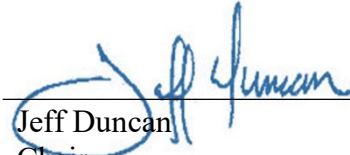
If you have any questions about this request, please contact Brandon Mooney, Elise Krekorian, or Mary Martin with the Majority staff at (202) 225-3641.

Sincerely,



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Cathy McMorris Rodgers  
Chair  
Committee on Energy and Commerce



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Jeff Duncan  
Chair  
Subcommittee on Energy, Climate, and  
Grid Security