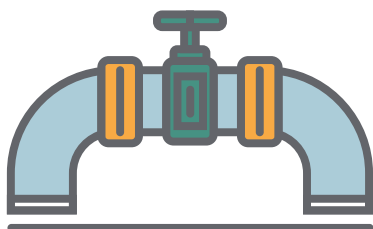


## Pipeline Safety Legislation

USDOT's Pipeline and Hazardous Materials Safety Administration (PHMSA) is responsible for regulating and overseeing in the U.S. approximately:



- **2.2 million miles**  
of gas distribution pipelines
- **301,000 miles**  
of interstate gas transmission pipelines
- **216,000 miles**  
of hazardous liquid pipelines.

### Issue background:

In late 2018, there was a high-profile incident in the Merrimack Valley, Massachusetts, where an over-pressurization of a gas distribution system led to several explosions and one death.

Almost immediately there was a big push to crack down on the gas distribution industry. Since then, the pipeline safety debate has had a distinct focus on gas distribution. A bill addressing this in the last Congress stalled and the existing PHMSA guidance program expired at the end of Sept. 2019.

## What is NUCA's position?

**Safety Management Systems (SMS).** Several NUCA members engage in the gas distribution market. The gas pipeline industry continues to conduct accelerated replacement of cast iron distribution pipelines.

NUCA contractors embrace the cyclical, 'top-to-bottom' approach of pipeline safety management systems, or "SMS." Pipeline SMS requires buy-in from top executive management down to workers in the field. SMS also requires a commitment to continuous improvement regarding a company's approach to safety. This is true for both contractors and the pipeline operators we work for.

While SMS concepts have been universally supported by all sectors in the pipeline construction industry, we are concerned with attempts to incorporate mandated SMS in the industry.

**Criminal Activity During Pipeline Protests.** NUCA supports the right for peaceful activism under our nation's First Amendment. However, trespassing, manipulating, or interfering with the operation or construction of a pipeline is illegal, dangerous, and

a clear threat to public safety and environmental protections. Our industry supports holding those who engage in criminal activities during pipeline protests more accountable.

**Damage Prevention—Mapping and Documentation.** The need for accurate facility marks is a fundamental part of the damage prevention process. NUCA and our industry allies support policy that would require better mapping and documentation of underground pipeline systems.

**Pillars of Damage Prevention.** NUCA supports what are referred to as the "Pillars" of the damage prevention process, including:

- Facility owners/operators belong to their respective one-call center
- Excavators call 811 before excavating
- Facilities are accurately marked on time prior to excavation
- Contractors pothole during excavation
- State authorities provide full and balanced enforcement of damage prevention law

## What can Congress do to help?

### Enforce State Damage Prevention Law

Protecting underground assets during excavation projects is critical. NUCA members work tirelessly to perform superior work while providing a safe and effective work environment, and damage prevention is and remains a fundamental part of that. But damage prevention is a two-way street, and when either the contractor or facility operator fails to meet their responsibilities, the process is compromised. Further, when state enforcement authorities fail to fully enforce state damage prevention law, inadequate compliance is unlikely to improve.

Congress has recognized the importance of damage prevention by addressing the issue in the last four pipeline safety reauthorization measures over the last 20 years. As the debate over the latest pipeline safety reauthorization measure continues, NUCA encourages you to support language that would strengthen enforcement of state damage prevention law through the federal certification process of state pipeline safety programs.

PHMSA is limited under current law when dealing with a State that fails to meet its certification requirements, and NUCA supports proposed language that would adjust the pipeline safety regulations through additional provisions related to reporting and monitoring requirements as part of a State's certification.

### Address Vandalism and Other Criminal Activities During Pipeline Protests

NUCA supports the right for peaceful activism under our nation's First Amendment. However, trespassing, manipulating, or interfering with the operation or construction of a pipeline is illegal, dangerous, and a clear threat to public safety and environmental protection. NUCA supports language that would specify that these criminal activities are punishable by criminal fines and imprisonment.

---

### National Utility Contractors Association

3925 Chain Bridge Road, Suite 300, Fairfax, Virginia 22030-3938  
www.nuca.com | 703.358.9300

#### Government Affairs Office:

Eben Wyman, *Principal* | eben@wymanassociates.net | 703.740.6126  
Zachary Perconti, *Associate* | zack@wymanassociates.net | 703.677.6049



Like us: **NUCA1964**



Follow us: **@NUCA\_National**



Connect: **NUCA National**