

August 16, 2023

The Honorable Pete Buttigieg, Secretary
The Honorable Tristan Brown, Deputy Administrator, PHMSA
U.S. Department of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

Attn: Docket No. PHMSA-2021-0039

Re: Comments of Environmental and Community Organizations on the Pipeline and Hazardous Materials Safety Administration’s Proposed Rule, *Pipeline Safety: Gas Pipeline Leak Detection and Repair*, 88 Fed. Reg. 31,890 (May 18, 2023)

Dear Secretary Buttigieg and Deputy Administrator Brown:

Methane pollution from natural gas pipelines is accelerating the pace of climate change and affecting the safety of communities across the country. We are calling on the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (“PHMSA”) to quickly finalize the strongest possible pipeline safeguards to improve community safety and cut methane emissions.

Natural gas pipeline leaks pose a safety risk to communities, contribute to the climate crisis by releasing the potent greenhouse gas methane, and result in lost and wasted product that is typically charged to ratepayers. Furthermore, pipeline infrastructure has a disproportionate impact on disadvantaged communities that can be remedied by more effective oversight. Last year, scientists [found](#) that leaks on local distribution pipelines tended to be located at higher densities in neighborhoods with more people of color and lower household incomes.¹ [Researchers have found](#) that U.S. counties with more socially vulnerable populations tend to have a higher density of natural gas transmission and gathering pipelines—indicating that pipelines are part of the cumulative burdens faced by vulnerable communities.²

As early as the 1990s, Congress authorized and directed PHMSA to set minimum pipeline safety standards that are protective of public safety and the environment.³ PHMSA has historically focused on risks to public safety side in its oversight of gas pipelines,⁴ but as awareness has increased of methane’s contributions to climate change as a potent greenhouse gas,⁵ PHMSA has recognized that fugitive and

¹ Weller et al., Environmental Injustices of Leaks from Urban Natural Gas Distribution Systems: Patterns among and within 13 U.S. Metro Areas, *Environ. Sci. Technol.* 2022, 56, 12, 8599–8609, <https://doi.org/10.1021/acs.est.2c00097>.

² Emanuel et al., Natural Gas Gathering and Transmission Pipelines and Social Vulnerability in the United States, *GeoHealth* 2021, Vol. 5, Issue 6, e2021GH000442, <https://doi.org/10.1029/2021GH000442>.

³ Pipeline Safety Act of 1992, Pub. L. No. 102-508.

⁴ See U.S. Dep’t of Transp., Pipeline & Hazardous Materials Safety Admin., Proposed Rule: *Pipeline Safety: Gas Pipeline Leak Detection and Repair*, 88 Fed. Reg. 31890, 31906-909 (May 18, 2023) [hereinafter “Proposed Rule”].

⁵ See Alvarez et al., Assessment of methane emissions from the U.S. oil and gas supply chain, *Science* 361, 186-188 (2018), <https://www.science.org/doi/10.1126/science.aar7204>.

operational methane releases from natural gas pipelines pose a significant environmental threat.⁶ And in the [bipartisan PIPES Act of 2020](#), Congress further directed PHMSA to develop new standards for the use of advanced leak detection technologies and for minimizing releases of natural gas, with an emphasis on ensuring both public safety and environmental protection.⁷

The Proposed Rule contains much-needed protective standards that will require operators to find and fix more pipeline leaks, deploy advanced methane leak detection technologies, provide the public with more information about leaks to improve accountability and transparency, take significant actions to mitigate operational gas releases such as blowdowns and venting, and the proposal will expand the applicability of minimum safety standards to additional miles of gathering pipelines. PHMSA should finalize a rule that contains, or strengthens, these key components.

But there is more work to be done to ensure the strongest possible safety and environmental standards for gas pipelines, and to ensure that PHMSA fulfills Congress' direction in the PIPES Act of 2020.

Moreover, both well integrity standards and leak detection and repair standards must be addressed for Underground Gas Storage Facilities (UNGSF). PHMSA must do more to improve the Proposed Rule and finalize comprehensive standards that achieve the following:

- **Add clear and rigorous requirements for deploying advanced leak detection technology and capturing emissions from intentional releases.** Elements of the Proposed Rule grant significant discretion in the implementation of work practices and technologies, without adequate accountability to ensure that operators deploy the most effective solutions. There are available, effective technologies and practices that can maximize methane reductions and improve safety by finding more leaks with greater precision, and that can minimize blowdown emissions to the greatest extent possible.
- **Adopt clear and strong well integrity standards that include standards for infrastructure and monitoring to prevent leaks as well as leak detection and repair standards for UNGSF and associated pipeline infrastructure.** Proper well integrity is required to prevent significant failures leading to releases such as Aliso Canyon and Cambria of recent and a critical component of preventive and mitigative measures that must be prioritized. Recent updates to industry best practices have provided useful tools and guidelines that assist and require operators to develop and implement substantive well integrity assurance programs, especially regarding primary and secondary barriers. Guidance has been updated and clarified regarding risk management in all phases of UNGSFs design, construction, commissioning, operation and closure – the updated UNGSF guidance documents' well integrity, monitoring (many methodologies are not only recognized but encouraged), repair and records documentation are very clear and directive with annual (or even shorter) timeframes that are much more rigorous than the current proposed frequency of upwards of seven years. These updates to best practices were proposed, vetted and adopted through a rigorous stakeholder process that included numerous large operators, state regulators, PHMSA, and civil society. PHMSA should therefore proceed to adopt clear and

⁶ See Proposed Rule at 31893-31906.

⁷ Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2020 ("PIPES Act of 2020"), Pub. L. No. 116-260, Division R, Sections 113, 114, 118.

robust standards that ensure operators deploy the highest-performance technologies and best practices.

- **Expand applicability of protective standards to all gas gathering pipelines.** There are over 430,000 miles of U.S. onshore gas gathering pipelines, but the Proposed Rule would only require leak survey and repair practices for about 100,000 miles. PHMSA should further expand leak survey and repair standards, including the use of advanced leak detection, to all gathering pipelines. It is well documented that leaks and operational releases from gathering lines are a notable source of methane and other air pollutants.⁸
- **Remove the proposed exemption for repairing leaks on pipe segments that are scheduled to be replaced in the next five years.** While PHMSA’s proposal provides a strong framework, allowing known gas leaks to persist for as long as five years can result in significant emissions – especially from older pipelines which tend to be leakier. The exemption in the Proposed Rule is not reasonable to protect safety and the environment. The proposal can be improved by only allowing operators to forego repairs on pipe segments that will be retired or replaced within the following year.
- **Require operators to report information on hydrogen mixing.** In addition to the approximately 3 million miles of U.S. natural gas pipelines, federal gas pipeline standards apply to other gaseous pipelines, including about 1,500 miles of hydrogen pipelines. As hydrogen transportation demands increase in the face of significant investment, the importance of designing and operating hydrogen infrastructure to ensure safety and environmental protection will increase significantly—including the need to minimize leakage. The Proposed Rule does not address these emerging issues in full, and PHMSA should plan to conduct extensive community outreach and initiate a future rulemaking with a specific focus on hydrogen pipelines and storage facilities. In this rulemaking, however, PHMSA should require operators to publicly report information on any plans to mix hydrogen into natural gas pipelines. Natural gas companies are currently not required to notify regulators or the public when they mix hydrogen into natural gas pipeline systems. To maximize transparency and ensure community awareness and safety, operators should report these operations before they occur.

PHMSA should act expeditiously to complete this essential rulemaking, particularly since the agency is already behind schedule. The PIPES Act of 2020 directed PHMSA to complete this rulemaking by the end of 2021, and the White House [Methane Emissions Reduction Action Plan](#), issued November 2021, identified this rulemaking as a key policy to cut methane emissions.

Our members and communities are counting on PHMSA and the U.S. Department of Transportation to meaningfully address these concerns. In finalizing and improving its proposal, PHMSA should require operators to conduct frequent leak surveys, repair leaks promptly, deploy advanced technologies to find

⁸ See Yu et al., Methane Emissions from Natural Gas Gathering Pipelines in the Permian Basin, *Environ. Sci. Technol. Lett.* 2022, 9, 11, 969–974, <https://doi.org/10.1021/acs.estlett.2c00380>; Cusworth et al., Intermittency of Large Methane Emitters in the Permian Basin. *Environ. Sci. Technol. Lett.* 2021, 8(7), 567– 573, <https://doi.org/10.1021/acs.estlett.1c00173>.

and measure more leaks, and implement effective practices to mitigate emissions from blowdowns and venting. Your agency must act quickly to finalize rigorous, comprehensive standards for natural gas pipelines to improve public safety and cut methane pollution.

Thank you for your consideration,

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