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Congress of the United States
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COMMITTEE ON HOMELAND SECURITY

SUBCOMMITTEES:
RANKING MEMBER OF COUNTERTERRORISM
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TRANSPORTATION SECURITY

COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM

SUBCOMMITTEES:
REGULATORY AFFAIRS, STIMULUS OVERSIGHT AND
GOVERNMENT SPENDING
TARP, FINANCIAL SERVICES AND
BAILOUTS OF PUBLIC AND PRIVATE PROGRAMS
TECHNOLOGY, INFORMATION POLICY, AND
PROCUREMENT REFORM

September 7, 2011

The Honorable John L. Mica
Chairman
Committee on Transportation and
Infrastructure
2165 Rayburn HOB
Washington D.C. 20515

The Honorable Nick J. Rahall II
Ranking Member
Committee on Transportation and
Infrastructure
2163 Rayburn HOB
Washington D.C. 20515

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
2125 Rayburn HOB
Washington D.C. 20515

The Honorable Henry A. Waxman
Ranking Member
Committee on Energy and Commerce
2322A Rayburn HOB
Washington D.C. 20515

Dear Chairman Mica, Ranking Member Rahall, Chairman Upton and Ranking Member Waxman:

This week marks the one year anniversary of the horrific natural gas pipeline explosion that killed eight of my constituents, completely destroyed 38 homes, and devastated a whole community in San Bruno, California. Last week the National Transportation Safety Board (NTSB) approved the final conclusions, probable cause and recommendations resulting from its investigation into that pipeline rupture and explosion. The NTSB's report couldn't be clearer—the pipeline industry's lax approach to safety, and regulators' blind trust in the companies that they were charged with overseeing directly contributed to the deaths and destruction in San Bruno. If we fail to heed their exhaustive work and clear safety recommendations moving forward, the fault will lie with all of us when the next community suffers a similar fate.

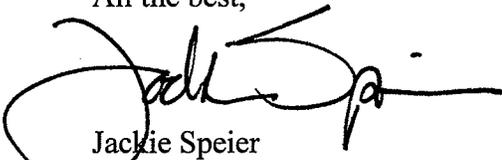
According to NTSB Chairman Hersman, Pacific Gas and Electric (PG&E) exploited weaknesses in a lax system of oversight. For example, NTSB investigators found that PG&E did not know what kind of pipe it had installed beneath the city of San Bruno in 1956. Some of the pipe sections did not meet minimum material specifications and the welds were poorly constructed. In fact, the Board determined that the accident was clearly preventable, stating that PG&E's inadequate pipeline integrity management program failed to identify, detect, and remove the substandard pipe segments before they ruptured.

In its examination of the history of oversight of PG&E, the NTSB found that two key regulatory decisions--one by the California Public Utilities Commission in 1961 and one by the Pipeline and Hazardous Materials Safety Administration (PHMSA) in 1970-- which "grandfathered", or exempted, older pipelines from the testing protocols required of newly constructed ones, allowed the flawed pipe to escape detection. One of the NTSB's key safety recommendations is to eliminate the grandfathering of pre-1970 pipelines and require that all transmission lines constructed before 1970 be subjected to hydrostatic pressure testing. If the San Bruno pipeline had been subjected to such testing in 1956, it would have failed, and the disaster last September 9 could have been avoided. This week I will be introducing legislation that would require all transmission lines without documented pressure tests to either be tested or replaced. I ask that you support this bill, or incorporate such a provision in any PHMSA reauthorization legislation.

The NTSB's report includes 29 new recommendations--in addition to the 10 previously issued during the investigation-- to improve the safety of pipelines across the country to help avoid another tragedy like San Bruno. As your two committees finalize their work on legislation reauthorizing the Pipeline and Hazardous Materials Safety Administration, I strongly encourage you to read the NTSB's report, and to incorporate its key recommendations in any pipeline safety legislation. I have attached the synopsis of that report for your reference.

San Bruno should serve as a wakeup call to us all. The NTSB has uncovered a history of industry and regulatory failure that raise significant questions about the safety of all natural gas transmission pipelines. They have also provided a path to a safer future so that no other community has to go through what San Bruno experienced. I look forward to working with you to make that happen.

All the best,



Jackie Speier
Member of Congress