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Secretary of Transportation Alan S. Boyd today criticized the House Commerce Committee version of the Gas Pipeline Safety bill. He described the bill as an "empty gesture."

The Secretary said: "The Committee version of the Gas Pipeline Safety bill is defficient in several major respects.

First, the only effective regulation will be for new construction. The approximately 800,000 miles of gas pipeline already in the ground will go largely unregulated.

This bill will require the Secretary of Transportation to find that a specified hazard exists in a specific piece of pipe. This means that before any safety regulations can be applied to such pipe, it will first have to be thoroughly inspected to see if it is dangerous. Obviously no Federal agency could undertake such a task without an appropriation that would run into the hundreds of millions of dollars to provide the manpower and testing equipment for such a job.

We had asked for legislation which would allow us to prescribe testing procedures for all existing pipeline. If those testing procedures proves that the pipe represents a potential hazard, the natural gas carrier would have to take steps to either repair or to replace it.

Under the House Committee version of the bill we will have to find that the pipe is actually defective. That means, in effect, that there would have to be an accident or a near accident before we can order the carrier to take steps to protect the public.

Second, the Committee version of the bill contains meaningless enforcement provisions. The bill requires that a notification be given to a carrier that he is not in compliance with safety standards. He will then have an opportunity to come into compliance before any penalty can be levied.

Such a system would be unique in Federal safety legislation. It will encourage deliberate non-compliance since the only penalty which faces the carrier is the necessity of coming into compliance.

Third, the bill will cast an intolerable burden on the Federal Government to insure the enforcement of safety standards in those pipeline systems which lie wholly within the jurisdiction of the state. The bill permits the state to certify that it is in compliance and casts the burden on the Secretary of Transportation to, in effect, prove that it is not. This will require large teams of investigators and analysts to determine whether a state is in compliance with Federal standards and whether it actually enforces them.

In summary, I regard the bill that emerged from the House Commerce Committee today as an "empty gesture." I do not see how we can hold it up as any protection for the public.

I know that many members of the House Commerce Committee worked long and hard to prevent the amendments which were made in the subcommittee and ratified in full committee. I hope they will carry their efforts to the floor of the House and I shall do everything in my power to assist them in restoring the provisions necessary to establish an effective regulation of gas pipeline safety.

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