

Pipeline Reauthorization Passes

“Your bill addresses the most important safety concern we face — the growing rate of construction-related pipeline accidents, driven by a growing economy. These accidents, the leading cause of pipeline-related injuries and deaths, can and must be prevented. To do so, we need to strengthen the ability and authority of the states and ourselves to address these safety issues. That is why we need reauthorization now.”

*PHMSA Administrator Barrett Testimony
U.S. Senate Committee on Commerce,
Science and Transportation
November 16, 2006*



Damage to pipelines resulting from a crowded underground infrastructure is a major problem pipeline operators and regulators continue to face. The photo above shows an operator's discovery of newly installed fiber optic lines directly over natural gas pipeline.

Ensuring the safety of 2.3 million miles of pipelines is an enormous task. The Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 was approved by Congress on December 7. The Act builds on U.S. Department of Transportation

accomplishments in pipeline safety by creating incentives for states to improve their damage prevention programs. It also improves oversight of low-stress pipelines like those that were an issue in the BP oil spill on the North Slope of Alaska earlier in the year.

PHMSA's state partners oversee 90 percent of operator compliance with pipeline safety regulations. The new law raises the cap on grants provided to state pipeline agencies over 6 years from 50 percent to 80 percent to offset the in-

continued on page 3

PHMSA/COSTHA Partner on Reverse Logistics Initiative



(L to R): PHMSA Deputy Associate Administrator for Hazardous Materials Safety Bob Richard; Procter & Gamble Distributing LLC, Hazardous Materials Manager Sean Broderick; PHMSA Administrator Thomas Barrett; PHMSA Associate Administrator for Hazardous Materials Safety Robert McGuire; and Eli Lilly and Company Associate Environmental Consultant Richard Lattimer look on while COSTHA Administrator John Currie, signs the partnership agreement between DOT and COSTHA regarding reverse logistics.

PHMSA signed a partnership agreement on November 30 with The Council on Safe Transportation of Hazardous Articles (COSTHA) to work together on transportation issues involving vendor returns or “reverse logistics.” The purpose of the partnership is to obtain vital industry input through open and candid disclosure at organized workshops, discussion groups, and meetings.

“We all know regulation alone is not enough to fulfill our safety mission. So we rely on partners like COSTHA to help protect the public and the environment. The partnership we are entering will de-

continued on page 3

From the Desk of the Administrator...



Administrator Barrett spoke with firefighters from the City of Guadalupe and Tempe Fire Departments after a training exercise at the Southwest Gas training facility in Tempe, AZ. Guadalupe is a Native American and Hispanic community founded by the Yaqui Indians around 1900 and incorporated as a city in 1975.

As we wrap up the year, I continue to be amazed at how much you have accomplished.

One recent success was that through an “enterprise” approach involving industry, public interest groups, the Congress, and the Administration, the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 was passed. I am very appreciative of the strong personal support the bill received from Secretary of Transportation Mary Peters, and bipartisan support in the Congress led by Senators Ted Stevens, Daniel Inouye, Pete Domenici, and Jeff Bingaman, Representatives Don Young, James Oberstar, Joe Barton, John Dingell, and many other Members of Congress and both their personal and committee staffs. Within the Department, from the Office of the Secretary to the PHMSA team, dozens worked tirelessly to provide support and

counsel on this key proposal. Next year, we will initiate development of a Hazardous Materials Reauthorization Bill.

I am also very proud of many other actions you have taken. The hazmat program is greatly expanding early stakeholder outreach and intermodal coordination. The Office of Pipeline Safety managed multiple British Petroleum (BP) incidents that occurred this year. We will continue tight oversight to ensure safe operations and continual product flow from

America’s largest oil field at Prudhoe Bay. We also expanded partnerships with first responders, federal, state, and local agencies, industry, the public, and other groups such as the Pipeline Safety Trust.. Through collaboration between PHMSA and the Common Ground Alliance (CGA), we are moving forward with the 8-1-1 One-Call program, which will be used nationwide to reduce the risk of excavation damage to pipelines. We also signed an MOA with the Transportation Security Administration, which has improved our coordination for the transportation of hazardous materials.

In the past several months, I had the opportunity to meet with local emergency responders across the country to see first hand how our grants to states are being used to train emergency responders on how to respond to hazardous materials accidents.

Looking forward, we will emphasize risk mitigation and enterprise approaches. We

will focus on safety effectiveness, transportation efficiency, leadership excellence in programs and public outreach, and support for energy independence.

We initiated a strategic and business planning process to facilitate our transition from a very good agency to a great one.



Administrator Barrett presents President of Southwest Gas, James Kane, with an Appreciation Award for Southwest Gas commitment to pipeline safety education at the corporation’s “Leakerville, USA” training facility in Tempe, AZ in October 2006.

This time of year as we look back on our accomplishments and forward to our goals, it is clear that your unwavering mission dedication makes communities across America safer, the environment cleaner, and transportation systems more efficient. This was a terrific year and I look forward to an even better one in 2007. I wish you and your families the best for a joyous, peaceful, and safe holiday season.



(L to R): Emergency Response Specialist, Inter-Tribal Council of Arizona, Inc., Cynthia Naha, and President of Southwest Gas James Kane, listen in as Administrator Barrett announces the 2006 Hazardous Materials Emergency Response Grants offered to the Inter-Tribal Council of Arizona and to the State of Arizona in October 2006.



Administrator Barrett and Chief Safety Officer Gerard with Association of General Contractors representatives Vic Weston (also a Common Ground Alliance boardmember) and Stuart Magaw following discussions on construction damage initiatives.

Pipeline Reauthorization *continued from cover*

creasing cost of the programs they execute. It authorizes emergency response management and training grants to state and local governments for the training of emergency responders in protecting the public and environment from pipeline accidents.

The bill also focuses on ways to prevent damage to pipelines from construction activities. Construction related damages on gas distribution systems have increased 50 percent from 1996 to 2005. The law establishes a state grant program to provide incentives to states to develop more effective damage prevention programs. Several states, including Virginia and Minnesota, have led the way with strong damage prevention programs and have seen up to 50 percent reductions in construction-related damages.

With the new law in place, PHMSA and state agencies gain authority to conduct civil enforcement actions against anyone who fails to contact "One-Call" prior to digging. The agency is looking for ways to leverage affordable technologies, like GPS, to prevent incidents and to cover the rate of required call-outs for opera-

tors. To help in this area, the law also increases the pipeline research and technology development budget by \$10 million over the life of the bill.

Lastly, it authorizes over four years a phased addition of 45 Federal inspection and enforcement personnel to the Department's pipeline safety program.

PHMSA
wishes
you and yours
a
safe, joyous and
peaceful
holiday season.

PHMSA/COSTHA Partner *continued from cover*

velop and introduce practical safety solutions that work for the public interest and the regulated industry," said PHMSA Administrator Thomas Barrett.

COSTHA Administrator John Currie stated, "The industry has established an excellent record for regulatory compliance and safety in the distribution of hazardous materials, including consumer commodities, from the manufacturer and distributors to the consumer. We now need to candidly examine the reverse logistics process where the person packing the returns may not be a trained hazmat employee, the packaging may not be the same as when it was originally shipped,

and the person preparing the returns may not even be aware of the hazards associated with transportation. Through this partnership COSTHA and PHMSA can openly discuss the issue and provide solutions to enhance transportation safety."

COSTHA is a not-for-profit industry association devoted to promoting regulatory compliance and safety in the international and domestic transportation of hazardous materials. COSTHA represents shippers, carriers, container manufacturers, training companies, and related businesses and associations responsible for more than \$740 billion in international commerce.

PHMSA Deputy Departs



(L to R): The McCowns, Brigham, Charles, Jackie, Tucker, and William, honor Brigham McCown at a PHMSA farewell reception.

PHMSA Deputy Administrator Brigham McCown said farewell to staff and friends during a reception held in his honor December 1 in the PHMSA headquarters suite. Ending 17 months as the agency's first deputy administrator, twelve of which he was acting administrator, McCown reflected on the progress made by the organization and some highlights during his tenure.

"I came here to serve the President... to carry out his policies... to ensure government responsiveness, and to be a good steward of the public trust," said McCown. "I firmly believe that together, all of us lived up to the goals of serving the President, the Secretary, and the American people. I am so proud of the folks here in PHMSA, they are the ones who have made this the best agency in all of DOT. I look forward to watching the agency, and tomorrow's accomplishments under Administrator Barrett's leadership."

Did You Know?

In November, DOT and its operating administrations, to include PHMSA, received the 2006 Presidential Award for Management Excellence for outstanding efforts in budget and performance integration and competitive sourcing.

U.S. DOT Secretary's 39th Award Ceremony

"I am delighted to have this opportunity to recognize the dedicated and professional employees who are the soul of our Nation's transportation network.

...In every mode and every office throughout this Department, ordinary people are doing extraordinary things.

...I join President Bush and Vice President Cheney in congratulating you on your contributions to the Department and to our Nation. It is truly a privilege to work with you."

Mary E. Peters
Secretary of Transportation

Secretary's Award for Outstanding Achievement (Gold Medal) Team Award

Hurricanes Katrina and Rita Relief/Recovery Team:
Joy Kadnar Stacey Gerard
Brigham McCown

Secretary's Award for Meritorious Achievement (Silver Medal)

Christopher Hoidal Jeffrey Wiese

Secretary's Award for Excellence

Linda Wise Nauman Ansari

Secretary's Award for Volunteer Service

Bernadyne Williams
DOT Pro Bono Services Committee (PHMSA, et al)

Secretary's Partnering for Excellence Award

Hazardous Materials Hurricane Response Team:
(PHMSA, et al)

Jack Albright Wayne Lemoi
Del Billings Frank Licari
Renita Bivins Jon Manning
Marilyn Burke Ann Mazzullo
Pat Burke Brigham McCown
Jesse Dobbs Robert McGuire
Karin Christian Sherrie Nelson
Michelle Ford Ryan Posten
Ben Fred John Rea

Secretary's Partnering for Excellence Award

Hazardous Materials Hurricane Response Team:
Stacey Gerard Hans Shieh
Damon Hill Elizabeth Skalneck
Billy Hines Larry White
Joy Kadnar James Wiggins
Michael Khayata Harold Winnie
Diane LaValle

Secretary's Partnering for Excellence Award

DOT Congestion Initiative Working Group
PHMSA Team Member: Stacey Gerard

Louisiana Recovery Assistance Team
(PHMSA, et al)
PHMSA Team Member:
Aaron (Buddy) Sheets

PHMSA Pipeline Capacity Increase Team:

Pat Burke Joy Kadnar
Denise Desautels Alan Mayberry
Steve Nanney



CGA Reviews National One-Call Progress



Common Ground Alliance partners share status update on the 8-1-1 national "One-Call" public awareness campaign. (L to R): CGA President Bob Kipp; CGA Director of Operations and Administration Erika Adreasen; PHMSA Assistant Administrator and Chief Safety Officer Stacey Gerard; Executive Director, CGA Board of Directors, J. D. Maniscalco; Co-Chair, CGA DIRT Committee; Steve Blaney; President, Aref Consulting Group, LLC, Dr. Susanne Aref; and PHMSA Administrator Thomas Barrett.

On November 29, PHMSA Administrator Thomas Barrett met with members and officers of the Common Ground Alliance (CGA) to receive an update on programs designed to further reduce construction damage to underground facilities, including pipelines. Although CGA's committees are working on numerous programs to enhance safety, the meeting focused on the roll-out of 8-1-1 National "One-Call" Campaign and recent enhancements of the Damage Information Reporting Tool (DIRT).

"Through PHMSA's support, the Common Ground Alliance is making strides in developing and deploying a national 8-1-1 awareness campaign," said PHMSA Administrator Thomas Barrett.

A key tool in the fight against third-party damage to underground utilities is DIRT. DIRT is a secure web application used for collecting and analyzing data on underground facility damages. Stakeholder confidence in the anonymity of the data has fostered a recent increase in the number of companies reporting damages. DIRT turns data into knowledge and allows users to identify gaps in

damage prevention programs. A wealth of information about DIRT is available at <http://www.cga-dirt.com>.

In March 2005, the Federal Communications Commission designated 8-1-1 as the nationwide number for contractors and others to call before conducting construction activities. This nationwide abbreviated dialing code was established to provide an effective replacement for an array of numbers used across the nation to connect to communication systems operated by underground utility operators and state and local governments. One-Call notification systems enable contractors to give advance notice of their plans to excavate so that utility companies can mark underground facilities prior to excavation to prevent damage to these facilities.

In May 2007, by dialing 8-1-1 an caller will be connected to the appropriate One-Call center to report their plans. Soon after, 8-1-1 will be advertised at the national, regional, and local level as the number to call before you dig. More 8-1-1 information and campaign materials can be accessed at <http://www.call811.com>.

Development of Pipeline Inspection Integration Program

To become a more performance-based, data-driven organization, PHMSA recently launched the Pipeline Inspection Integration Program. The program will combine the best aspects of PHMSA's current inspection program, and the best available pipeline data, to identify and focus resources on the highest risks while enhancing the efficiency of the inspection program.

Pipeline Inspection Integration will give PHMSA the ability to capture better information from inspections, efficiently allocate agency resources, and respond to stakeholders, as well as provide tools for measuring operator performance. With improved risk analysis, PHMSA will be able to extract information from pipeline inspections that will allow it to support regulation improvement, research and development, and other PHMSA pipeline safety functions. Also, the program will eliminate overlap in the current inspection programs, thereby allowing the use of operator and PHMSA resources more efficiently.

PHMSA's Inspection Integration Development Team is led by Acting Deputy Associate Administrator for Pipeline Safety Jeff Wiese, and Pipeline Safety Southern Region Director Linda Daugherty. Members of the team, consisting of engineers and managers from both PHMSA headquarters and the regional offices, are beginning the design phase of an integrated inspection program to include supporting analysis tools. PHMSA hopes to begin implementing the Pipeline Inspection Integration Program by 2009.

Bob Richard Elected Chairman of UN Sub-Committee



(L to R): PHMSA's Bob Richard, Duane Pfund and USCG Liaison Rick Bornhorst at work. (PHMSA's Shane Kelley also participated but not pictured).

During the 30th session of the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (TDG Sub-Committee) meeting held recently in Geneva, Switzerland, PHMSA Deputy Associate Administrator for Hazardous Materials Safety Bob Richard was elected as the new Chairman of the Sub-

Committee. This is a very prestigious position since the TDG Sub-Committee provides leadership in internationally harmonizing regulations on the transportation of hazardous materials or dangerous goods.

The TDG Sub-Committee develops an internationally agreed upon regulatory framework set out in the United Nations Recommendations on the Transport of Dangerous Goods (UN Model Regulations). The UN Model Regulations form the basis for international modal regulations on the transport of dangerous goods prepared by the International Maritime Organization and the International Civil Aviation Organization. The UN Model Regulations are also used as a basis for the development of

regional regulations, like the North American Free Trade Agreement and European Road and Rail Regulations, and national transport regulations to include the U.S. Hazardous Materials Regulations.

Participants in the TDG Sub-Committee include 27 countries with voting status and numerous countries and non-governmental organizations with observer status. The work of the TDG Sub-Committee has become increasingly important to both international and domestic transportation of hazardous materials to, from and within the United States. Virtually all hazardous materials imported to or exported from the United States are transported in accordance with international regulations based on the UN Recommendations.

PHMSA CFC 2006 Campaign "Over the Top"



In a group photograph, Transportation Secretary Peters takes time out to give thanks to some of the PHMSA employees who contributed 1 percent or more of their income to the CFC effort. (L to R) Warren Osterberg, Joe Delcambre, Blenda Perez, Florence Hamn, DOT Secretary Mary E. Peters, Ruby Thompson, Nauman Ansari, and Ted Willke.

The 2006 PHMSA Combined Federal Campaign (CFC) was a rousing success! PHMSA employees contributed \$52,333.51 in assistance to over 3,000 charitable non-profit organizations and the people they support. The final total

this year was 115 percent of the \$45,320 target goal set for PHMSA. Employee participation was 55 percent and showed an inspiring level of commitment of neighbors helping neighbors.

Harmonization of Hazmat Regulations Important as International Commerce Grows

Newly revised editions of the major international hazardous materials transportation codes and instructions, including standards and regulations promulgated by the United Nations, the International Civil Aviation Organization, and the International Maritime Organization, go into effect on January 1, 2007. To ensure regulatory consistency, the Pipeline and Hazardous Materials Safety Administration issued a final rule to harmonize the U.S. Hazardous Materials Regulations (HMR) with international standards. Harmonization helps to minimize the costs and other burdens of complying with multiple or inconsistent safety requirements when shipping hazmat to and from the United States.

"Uniformity promotes better understanding of the regulations and leads to an increased level of industry

continued on page 7

Did You Know?

The U.S. Army Corps of Engineers requested and was approved a one-year renewed extension of the PHMSA hazardous materials special permit originally issued to allow continued State of Louisiana clean-up operations from Hurricanes Katrina and Rita. The reissued permit will expire November 30, 2007.

Harmonization *cont'd from page 6*

compliance, a smooth flow of hazardous materials from their points of origin to their points of destination, and better emergency response in the event of a hazardous materials incident,” said PHMSA Administrator Thomas Barrett.

In the latest in what is usually a biennial effort, PHMSA recently incorporated various amendments into the HMR to include changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations and vessel stowage requirements. Notable changes include:

- Adoption of a single shipping paper description sequence consisting of a hazmat ID number, proper shipping name, hazard class or division and packing group,
- Revision of the organic peroxide label and placard,
- Revision of the classification criteria and packing group assignments for Division 6.1 materials otherwise known as “Poison-Inhalation Hazard” materials, and
- Requirements for the transportation of fuel cells containing flammable liquid.

Other amendments to the international regulations were not adopted into this final rule for various reasons but will be considered later, or will be addressed in separate rulemakings.

DOT Proposes Rules for Safe Routing of Hazmat Based on Rail Safety and Security Risk Analysis

The DOT and the Department of Homeland Security (DHS) published in December separate *Federal Register* notices of proposed rulemaking (NPRM) that would improve the safety and security of rail shipments of certain high-risk hazardous materials, including explosives, radioactive materials and materials that present health risks if inhaled.

The joint Departmental initiative, a collaborative effort between the DOT’s Federal Railroad Administration and Pipeline and Hazardous Materials Safety Administration (PHMSA), and the DHS’s Transportation Security Administration (TSA), provides a national, more uniform and more consistent standard for the safe and secure movement of hazardous materials in commerce.

These materials are fueling our economy and vital to the prosperity of our nation, which is exactly why we want to establish a clear and stronger baseline for determining the safest, most secure way to move them by rail,” Secretary Peters said noting that the type and quantity of hazardous materials covered by the proposed rule

present the greatest potential safety and security risks.

The proposed DOT NPRM would require rail carriers to compile annual data on certain shipments of hazardous materials and use the data to analyze safety and security risks along specific rail transportation routes where those materials are currently carried. These assessments will allow railroads to make informed decisions on possible alternate routes for the hazardous shipments.

The NPRM also would clarify the current requirements governing security plans to address en route storage, delays in transit, delivery notification and additional security inspection requirements for hazardous materials shipments.

TSA’s NPRM would require that rail carriers and certain facilities handling hazardous materials be equipped to report location and shipping information to TSA upon request and ensure a positive and secure exchange of specified hazardous materials.

The NPRM is on our website at <http://www.phmsa.dot.gov/>

PHMSA Strategic Planning an Ongoing Process

On December 4, PHMSA Administrator Barrett kicked off the first of a series of Strategic Planning workshops the agency will hold over the next several months. The agency is developing strategic and business plans designed to move PHMSA from its current position as a successful and well-respected agency toward the vision of becoming a model agency — a recognized custodian of the public trust.

During the two-day meeting the leadership of PHMSA engaged in discussions to energize and elevate current thinking; to align the agency to deal effectively with big issues; and to begin filling out the higher-level elements of our business

plan.

To accomplish these ambitious goals, Rick Kowalewski called together executives and managers from all of PHMSA’s major organizational elements. Barrett was pleased both with the degree of honest engagement by participants and with the quality of ideas generated. He will work with the new executive planning team to identify and expedite actions needed to complete the Strategic Plan, to produce a business plan linked to the strategic plan, and to achieve our strategic goals. The plan will be submitted to PHMSA’s stakeholders early in 2007.

AMPC Improves Hazmat Public Awareness



PHMSA applauds the Associated Mail and Parcel Centers (AMPC) for its *Ship Responsibly* awareness program. The program provides tools to raise the awareness of individual shippers to help reduce unidentified or undeclared hazardous materials from entering the transportation system. Key to the *Ship Responsibly* program is package content disclosure by customer shippers.

“We know that the overwhelming

majority of our customers do not intentionally ship dangerous goods. Our intent is to ‘gently’ remind them of those items considered hazardous, illegal, prohibited, dangerous or restricted goods,” says AMPC President Brandon Gale.

For more information on this important hazardous materials public awareness program, visit the AMPC website at www.ampc.org.

Story Contributors:

Susan Gorsky Patricia Klinger
 Tom Scott Dan Halberstein
 Bob Richards Jeff Wiese
 Lisa Kleiner Ruby Thompson
 COSTHA CGA

Associate Administrator of Hazmat Safety Retires



Robert McGuire

PHMSA Associate Administrator for Hazardous Materials Safety Bob McGuire will retire from government service January 3, 2007.

Asked for his impression of over 30 years of Federal service, including the 23 years spent at DOT Bob said, “The variety, complexity, and importance of our responsibilities are second to none, and my tasks have been made not only manageable, but indeed even possible, only because of the outstanding cadre of past and present hazmat employees that have shared their knowledge, enthusiasm, good cheer, and total dedication to the safety of the public,” said

McGuire. “I know already I will miss you.”

Welcome New PHMSA Team Members

Office of Hazmat Exemptions and Approvals

Shelton, Arthur P. Transportation Specialist (Regs)

Office of Hazmat Standards

Der Kinderen, Dirk F. Transportation Specialist (Regs)

Office of Budget and Finance

Smith, Cassandra D. Systems Accountant

Office of the Administrator

Gaskins, Kia D. Executive Administrative Assistant

Office of Human Resources Mgmt

Beltz, Alison C. Human Resources Specialist

Office of Chief Counsel

Ellard, Steven M. Attorney-Advisor (General)



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Check out PHMSA Focus online at
<http://www.phmsa.dot.gov/news/newsletters.html>

Did You Know?

The Office of Hazardous Materials Initiatives and Training has released “Transporting Agricultural Products Safely: Hazardous Materials Regulations and Agricultural Operations,” a new safety brochure geared to farmers who may transport hazardous materials in the course of their operations. You can view or download the brochure on the web at http://hazmat.dot.gov/pubs/agricultural_transport.pdf.