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**Comments of the League of Women Voters of Pennsylvania  
To the Pennsylvania Public Utility Commission  
Regarding the Gas and Hazardous Liquids Pipelines Act 127-2011**

The League of Women Voters of Pennsylvania is encouraged by recent legislative action (Act 127-2011) to expand the power of the PUC over gas transmission lines. As you may know from our state-wide study and consensus on natural gas extraction from Marcellus Shale, we support the maximum protection of public health and the environment in all aspects of Marcellus Shale natural gas production, site restoration, and delivery to the customer by requiring the use of best practices and promoting comprehensive regulation, communication, and adequate staffing across government agencies.

Based on our position on pipelines, we support

- siting of natural gas pipelines through coordinated federal, state, regional, and local efforts that are objective and responsive to safety considerations, accurate environmental assessments, county conservation districts, land use planning agencies, and local communities. The process should include adequate public notice of local stakeholders from the beginning of the process, convenient input venues, timelines reflective of the PA Municipal Planning Code, consistency with existing state and local regulation, and a mediation process to resolve conflict.
- regulation for the safety of natural gas pipelines that encompasses the entire transmission system, including gathering lines, with standard location data, current, comprehensive maps that are publically accessible, on-going inspection, One Call coverage, odorization, emergency/hazard response contingencies, adequately funded maintenance plans, a reserve trust to compensate for unanticipated events, and mandated best practices to promote the integrity of the system.
- standardized and comprehensive inspection of all natural gas pipelines by an adequate number of qualified inspectors who are continually updated in their training and employ best practices including on-site evaluations, objective information to verify self-reporting, accurate data gathered from sophisticated technological devices, and the support of local agencies such as emergency response teams and county conservation districts.
- enforcement of regulations for all natural gas pipelines that demonstrate standardization, best practices, costly penalties that encourage compliance, and fines consistent with the nature of the violation.
- legislation at the State level that would
  - authorize the PA Public Utility Commission (PUC) to regulate all natural gas pipelines for safety without providing the right of eminent domain for gathering lines, and
  - promote the development of a regional interstate compact for siting interstate pipelines.

- ordinances/zoning regulations, where and when possible, for natural gas pipelines at the local level sited and designed to protect the public, prevent environmental degradation, and reflect community or county-wide land-use planning.
- measures to insulate regulatory agencies from political influences and other considerations provided by the natural gas companies that they are authorized to regulate. This would prevent the appearance of a conflict of interest and potential ethical concerns.

Based on these statements, we applaud the following changes:

- Gathering lines will be inspected for safety in class 2, 3, and 4 areas;
- Additional inspectors will be hired increasing the number from eight to fifteen;
- PUC oversight of gathering lines did not provide the right of eminent domain to operators of this infrastructure; and
- A registry of natural gas “pipeline operators” and their number of miles of pipelines will be maintained.

However, we are seriously concerned about the lack of inclusion of gathering lines in class 1 areas. We do not believe that the Commission’s identification and tracking of the development of pipelines in less populated areas that transport gas from unconventional gas wells is adequate. These remote and relatively unpopulated areas are prime territory for gathering lines running in Marcellus Shale regions of our Commonwealth. The lack of supervision for safety and siting of hundreds and thousands of these pipelines poses problems:

- First, these are a threat to individuals who enjoy the Pennsylvania “Wilds” by foot, snowmobiles, and off-road recreational vehicles. Do they know that ignition sources from motors and even cell phones are enough to create an explosion? Are emergency responders prepared to deal with potential hazards?

- Second, many of these pipelines are located in environmentally sensitive areas that are critical to maintaining our long-term wellbeing. Are those who site the pipelines familiar with the headwaters of our water supplies? Are they aware of our highly valued and protected wetlands and streams? Who is minding our constitutional right to clean air and pure water for future generations? County conservation districts need to have a voice in this process.

- Third, the sparsely populated regions of today become the suburban and urban areas of the future. Chester County is a poster child for such a transition. Will developers know where the gathering pipelines are located? Will they be constructed or modified in a manner consistent with population patterns that alter potentially hazardous consequences to residents?

We also have reservations about the lack of public and PUC input in siting pipelines. Because siting is a key factor in maintaining safety, stakeholders must be involved in both processes. Those who live and walk on the land know the territory better than those in remote offices using satellite data. Minimum standards must be set for all gathering lines that go beyond the federal guidelines to protect the public, prevent environmental degradation, and reflect community or county land-use planning.

Based on issues we are reviewing in other states and recent rainfall events in our Commonwealth, flooding and issues related to steep slopes must be addressed as it impacts safety considerations for **all** pipelines. We trust you are enforcing the reporting, available on the PHSMA website, and hopefully the remediation of such conditions as provided by **CFR Title 49.**

**§ 191.23 Reporting safety-related conditions.**

(a) Except as provided in paragraph (b) of this section, each operator shall report in accordance with §191.25 the existence of any of the following safety-related conditions involving facilities in service:

(2) Unintended movement or abnormal loading by environmental causes, such as an earthquake, landslide, or flood, that impairs the serviceability of a pipeline

Related reporting procedures are included in § **191.25 Filing safety-related condition reports.**

Finally, we are uncertain about the funding of the expansion of PUC by the very industry that it is supervising. Will this create a climate where PUC processes are fast-tracked to increase the bottom line of the Commission? Will compliance become a gray rather than black and white area? Can conflicts of interest be avoided?

We believe that Act 127 of 2011 is an important first step as we move to improving pipeline safety in our Commonwealth. We believe there is still work to be done to promote the maximum protection of public health and the environment in the transmission of natural gas. The League is eager to advocate from our position statement to support the PUC in further extending its ability to implement its critical mission.

Olivia Thorne, President  
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