

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PENNSYLVANIA 17120**

Rulemaking Regarding Hazardous Liquid  
Public Utility Safety Standards at  
52 Pa. Code Chapter 59

Public Meeting of February 22, 2024  
3010267-LAW  
Docket No. L-2019-3010267

**STATEMENT OF CHAIRMAN STEPHEN M. DeFRANK**

Today's consideration of the final form rulemaking concerning hazardous liquid public utility (HLPU) standards represents a significant milestone for pipeline safety in the Commonwealth. The rulemaking establishes additional safety requirements that surpass, but do not conflict with, the minimum federal pipeline safety standards<sup>1</sup> that the Pennsylvania Public Utility Commission (Commission) has already adopted. The rulemaking focuses on Pennsylvania's experience with the construction and operation of public utility pipelines transporting highly volatile liquids and other hazardous liquids in all areas between points within the Commonwealth – including densely populated locations, areas with unique geophysical features and subsurface conditions, and wetlands.

Of significance, the rulemaking addresses the outcry for greater public outreach from HLPUs. The rulemaking imposes notification requirements on HLPUs to notify local government officials and emergency management services 30-days in advance of pipeline construction – whether the method of construction involves horizontal directional drilling, trenchless technology, or direct bury installation. The rulemaking also directs HLPUs to conduct liaison activities with emergency responders and provide enhanced baseline messages to the affected public twice a year. If requested, HLPUs will be required to provide emergency response plans to school administrators with schools located within 1,000 feet of the center line of the pipeline or the lower flammability limit (LFL), whichever is greater.

The rulemaking seeks to enhance the safety of existing pipelines through increased ground patrol and corrosion control procedures, among other means. For new pipelines that will be constructed, the rulemaking mandates geotechnical evaluation of subsurface conditions before and after construction. The rulemaking also prohibits new pipelines from being placed under dwellings and requires a minimum of 12 inches of clearance between a newly constructed pipeline and any other underground structure. This list of safety enhancements is not exhaustive, but rather those that I wish to highlight.

I recognize that pipelines are vital to our economy in supplying necessary fuel for daily activities and for job creation. Pipelines are the safest way to transport hazardous liquids, including petroleum products. Pennsylvania's experience, however, demonstrated that a more comprehensive and complete regulatory framework for HLPUs was necessary to limit the occurrence of subsidence events, pipeline accidents, and complaints. For these reasons, I support the final form rulemaking.

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<sup>1</sup> 49 CFR Part 195.

Finally, I would like to take this opportunity to commend the team of Law Bureau attorneys and staff who worked on this matter for their hard work and dedication in reaching this point of the rulemaking process.

February 22, 2024  
Date

  
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Stephen M. DeFrank  
Chairman