

E&E Energywire

Feds falling short on pipeline safety — watchdog

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The country's pipeline safety agency needs to develop performance measures to gauge whether previous regulatory changes are achieving their desired results, according to a new report from the Government Accountability Office.

The **report** this week focused on a rule issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA) in late 2019, which broadly expanded safety requirements for hazardous liquid pipelines such as requiring inspections in and outside of "high consequence areas" and after extreme weather events ([*Energywire*](#), Oct. 1, 2019).

Although PHMSA has taken steps to inform affected parties about the 2019 rule, the report said the agency hasn't "established performance measures with targets or timeframes to monitor progress in achieving its desired outcomes."

GAO said that without such provisions, PHMSA can't determine whether the rule's changes are achieving their intended outcomes and "contributing to PHMSA's safety goals."

The audit, which was conducted between April 2020 and this month, included interviews with PHMSA officials and a review of agency responses to frequently asked questions about the rule.

PHMSA officials said performance measures or targets hadn't been developed because many of the rule's requirements "have long-term deadlines for compliance and performance data will not be available for several years," the report said.

However, the report noted that GAO has previously reported that agencies "can use intermediate or multi-year goals or measures to define intended results and show an indication of the incremental progress or contribution toward relatively long-term goals."

Other regulatory shifts have shorter-term deadlines for compliance, the report added.

"Upon review of the draft report, PHMSA concurs with GAO's recommendation to develop and use performance measures to assess whether the amendments to the hazardous liquid pipeline safety regulations in the 2019 rule are achieving desired

outcomes" and contributing to the agency's safety goals, said Philip McNamara, assistant secretary for administration at the Department of Transportation, which houses PHMSA.

"The Department will provide a detailed response to this recommendation within 180 days of the report's final issuance," McNamara added in a June 2 letter included in the report.

PHMSA has already prepared one guide around implementation of the rule and intends to "complete a more detailed standard operating procedure" for the rule by December of this year, GAO said.

It's unclear, though, whether that document "will include guidance related to developing performance measures with targets and timeframes," the report said.