

# United States Senate

WASHINGTON, DC 20510

September 17, 2018

The Honorable Howard “Skip” Elliott  
Administrator  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Administrator Elliott,

We write regarding the September 13, 2018 natural gas explosions in Lawrence, North Andover, and Andover, Massachusetts. These explosions destroyed as many as 80 homes and buildings, caused upwards of 70 fires, injured at least 25 people, and caused one fatality—an 18-year-old from Lawrence who was killed when a chimney fell on his car. The explosions occurred in a distribution area handled by Columbia Gas of Massachusetts (“Columbia Gas”), which reported that 8,600 gas customers throughout the Merrimack Valley region were affected.<sup>1</sup>

We appreciate the briefings that we have received from you and your staff on this disaster. We have requested a hearing in the Senate Commerce Committee on this incident. While we understand that the Pipeline and Hazardous Materials Safety Administration (PHMSA) has delegated its authority for regulation of intrastate pipeline facilities to the Massachusetts Department of Public Utilities (DPU), PHMSA is ultimately responsible for issuing and enforcing minimum safety regulations for both interstate and intrastate pipelines. We are therefore writing to request additional information on the PHMSA regulations intended to avoid incidents like this, or which direct the response to them.

Please provide responses to the following questions by the close of business on September 19, 2018:

1. PHMSA regulations require natural gas pipeline operators to prepare and submit an Integrity Management Plan. These plans contain steps that operators will take to ensure the safe and reliable operations of their pipeline networks. Although Integrity Management Plans are filed with state regulators, PHMSA and its state partners evaluate each operator’s Integrity Management Plan through inspections.

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<sup>1</sup> *Incident in Merrimack Valley*, Columbia Gas of Massachusetts (Sept. 14, 2018), <https://www.columbiagasma.com/en/about-us/newsroom/news/2018/09/14/incident-in-lawrence>.

- a. Has PHMSA reviewed Columbia Gas' Integrity Management Plan for this region? Has PHMSA determined whether any part of this plan is non-compliant with safety regulations?
  - b. Would a PHMSA review of all Integrity Management Plans improve safety? If not, why not? If so, what steps is PHMSA taking to require a review of all such plans?
  - c. Please provide a complete and unredacted copy of Columbia Gas' Integrity Management Plan for this region and identify any portion of it that inspectors have ever found to be noncompliant.
2. PHMSA regulations at 49 CFR §192.615 require each operator to prepare and submit emergency response plans to minimize the hazards resulting from a gas pipeline emergency.
  - a. Has PHMSA reviewed Columbia Gas' emergency plan for this region? Has PHMSA determined whether any part of this plan is deficient?
  - b. Please provide a complete and unredacted copy of Columbia Gas' emergency plan for this region and identify any portion of it that PHMSA has ever found to be noncompliant.
  - c. Is PHMSA aware of any Columbia Gas actions in response to this incident that are inconsistent with its emergency plan?
3. According to the National Transportation Safety Board (NTSB), a pressure spike registered in a Columbia Gas control room in Columbus, Ohio on Thursday, September 13.
  - a. At what time did this pressure spike occur?
  - b. Should this pressure spike have triggered alarms in the control room?
  - c. Is PHMSA aware whether control-room alarms sounded?
  - d. Did Columbia Gas officials notice this pressure spike? If so, what actions did they take in response?
4. PHMSA regulations at 49 CFR §191.5 require pipeline operators to immediately report these sorts of pipeline incidents to the National Response Center. These regulations state, in part that the report must be filed "[a]t the earliest practicable moment following discovery, but no later than one hour after confirmed discovery."
  - a. At what time did Columbia Gas report this incident to the National Response Center, and did it do so within one hour, as required by the PHMSA regulations?

5. Columbia Gas had announced that it was “upgrading natural gas lines in neighborhoods across the state.”<sup>2</sup> PHMSA regulations contain an entire subpart relating to increasing the operating pressure of a pipeline system, and multiple parts regarding pipe replacement without the intention of immediately increasing the operating pressure of a pipeline system.
  - a. Please detail your understanding of the work that Columbia Gas was undertaking to upgrade its system and whether it complied with appropriate PHMSA regulations.
6. PHMSA regulations do not establish requirements governing pipeline companies’ contracting with third parties for this sort of upgrade work.
  - a. Does PHMSA believe that its regulations should include requirements for contracting with third party companies for this sort of upgrade work to ensure that the those companies are capable of doing it safely and are properly accredited? If so, what steps is PHMSA taking to establish those requirements? If not, why not?
7. In 2016, PHMSA issued a final rule that expanded the mandatory installation of excess flow valves in new homes. These devices can help avoid over-pressurization in some circumstances and minimize the risk of accidents.
  - a. Does PHMSA believe that requiring excess flow valves for all homes would improve the safety of the pipeline system in these sorts of events? If not, why not? If so, please detail what actions PHMSA is taking to require the installation of these devices?
  - b. What percentage of homes on the pipeline system where this incident occurred have these devices installed?

We look forward to your prompt responses to these questions and a full investigation into this disaster. Should you have any questions about this letter, please contact Morgan Gray in Senator Markey’s office at 202-224-2742.

Sincerely,

  
Edward J. Markey  
United States Senator

  
Elizabeth Warren  
United States Senator

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<sup>2</sup> *Improving natural gas service across Massachusetts*, Columbia Gas of Massachusetts (Sept. 13, 2018), <https://www.columbiagasma.com/en/about-us/newsroom/news/2018/09/13/improving-natural-gas-service-across-massachusetts>.