

Resolution In Support Of Interstate Agents

WHEREAS, The States have a vital interest in the safety of the interstate pipelines within their respective States; and

WHEREAS, The Congress of the United States has provided a means for States to take an active role in the safety of interstate pipelines by becoming "interstate agents" for the U.S. Department of Transportation, Office of Pipeline Safety (OPS) via Section 60117(c) of 49 U.S.C.; and

WHEREAS, The States of Arizona, Connecticut, California, Iowa, Michigan, Minnesota, Nevada, New York, Ohio, and West Virginia currently have interstate agent status which enables them to conduct safety inspections of interstate pipelines operating within their States, and other States including New Hampshire, Oklahoma, Texas and Virginia have requested but were denied interstate agent status; and

WHEREAS, By letters to the interstate agent States dated December 23, 1999, OPS announced that the States of Arizona and Nevada were being terminated as interstate agents, and that the entire interstate agent program would be phased out over three years; and

WHEREAS, This action was taken unilaterally and without notice to or consultation with the affected States, and in the case of the terminations the rationale given contained incorrect information; and

WHEREAS, In ending the interstate agent program OPS appears to presume it could be replaced with a "temporary

agent" program, which has not been formalized or discussed with the States; and that it will receive substantial additional resources from the current Congress, which is not assured; and

WHEREAS, The States strongly believe their inspections are critical to ensure that interstate pipelines are operated, constructed and maintained safely; and that State activities which promote pipeline safety should not be arbitrarily supplanted by unknown, unproven, and uncertain alternatives; and

WHEREAS, The resources the States expend inspecting interstate pipelines in no way diminish the safety inspection of local distribution companies or other intrastate operators; and

WHEREAS, The National Transportation Safety Board (NTSB) has encouraged the inspection of interstate pipelines by State inspectors; and

WHEREAS, The National Governor's Association has adopted a Proposed Policy on Pipeline Safety encouraging greater State oversight of interstate pipelines; and

WHEREAS, Washington State Governor, Senators, Congressional Representatives and the Washington Utilities and Transportation Commission all desire a greater role in the oversight of the interstate pipelines through their State; now therefore be it

Sponsored by the Committee on Gas

Adopted by the NARUC Board of Directors, March 8, 2000.

