

Congress of the United States

Washington, DC 20515

February 24, 2025

Ben Kochman
Associate Administrator
Pipeline and Hazardous Materials Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Kochman:

Congratulations on your new role as Associate Administrator of the Pipeline and Hazardous Materials Safety Administration (PHMSA). Unfortunately, our first letter to you in this new role is to express concern.

We write to express our strong opposition to your purported plans to withhold funds for a 2025 Technical Assistance Grant to the Pipeline Safety Trust (PST), as authorized by Congress in Section 101(c)(2) of the Protecting Our Infrastructure of Pipelines and Enhancing Safety Act of 2020 (P.L. 116-260, Division R, PIPES 2020).

This Congressionally-mandated grant was signed into law on December 27, 2020 by President Trump. The bipartisan PIPES 2020 bill is the law and was the product of extensive negotiations and reflects the priorities of many Members of Congress. Furthermore, funds for the grant have been appropriated by Congress every year since the law's enactment.

Based on our discussions on pipeline safety while you were at the Interstate Natural Gas Association of America and your previous role at PHMSA, we know you are familiar with the PST's mission, the requirements of PIPES 2020 and other previous and pending pipeline safety legislation. Your familiarity with pipeline safety and the legislation makes your position even more difficult to understand.

The law requires PHMSA to award \$1 million to an eligible applicant as defined in 49 USC 60130(d)(2) as a nonprofit entity that (A) is a public safety advocate; (B) has pipeline safety expertise; (C) is able to provide individuals and communities with technical assistance; and (D) was established with funds designated for the purpose of community service through the implementation of section 3553 of title 18 relating to violations of 49 U.S. C. Ch. 601. PST has been the sole past recipient of this grant.

PST was created by a grassroots watchdog group concerned with pipeline safety in the aftermath of the Olympic pipeline oil spill into Whatcom Creek in Bellingham, Washington more than 25 years ago. The subsequent explosion killed two young boys and a young man. In 2003, a U.S. District Judge ordered four million dollars from the criminal fines imposed as a result of that tragedy be awarded as an endowment to fund PST, which remains headquartered in Bellingham, in our state. The need for PST's work is greater than ever—2023 and 2024 were the deadliest two years due to pipeline accidents in more than a decade. The number of pipeline safety incidents in 2024 was worse than 2023.

PST is the only national education and advocacy organization in the country dedicated to advancing all aspects of pipeline safety and protecting the public. On its face, your action to rescind the Technical Assistance Grant

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notice of funding opportunity appears like an attempt to silence an organization that seeks to hold the pipeline industry and regulators accountable to the public. Please submit, in writing, to the House Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation the legal reasoning behind your plans.

In addition, we urge you to immediately re-post the notice of funding opportunity for this grant and to publicly affirm that you will follow the requirements of all existing pipeline safety legislation, including the funding in 49 USC 60130(d)(2).

If the new team at PHMSA seeks changes to pipeline safety law, we look forward to hearing your proposals and working with you as our Committees prioritize advancing a pipeline safety bill in the 119th Congress.

Sincerely,



RICK LARSEN
Ranking Member
House Committee on Transportation
and Infrastructure



MARIA CANTWELL
Ranking Member
Senate Committee on Commerce, Science and
Transportation

cc: The Honorable Sam Graves, Chair, House Committee on Transportation and Infrastructure
The Honorable Sean Duffy, Secretary of Transportation
The Honorable Susan Collins, Chair, Senate Committee on Appropriations
The Honorable Patty Murray, Ranking Member, Senate Committee on Appropriations
The Honorable Tom Cole, Chair, House Committee on Appropriations
The Honorable Rosa DeLauro, Ranking Member, House Committee on Appropriations