

U.S. Department of Transportation
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Barton presses NRC leaders on temporary nuclear waste storage (Politico)

By Darius Dixon

09/09/2015 12:02PM EDT

Rep. Joe Barton pressed NRC leaders on whether they'd consider temporary storage facilities for the nuclear waste stored around the country, in light of the years-long stalemate over the Yucca Mountain project.

"I support Yucca Mountain as a final repository - there's no daylight between [subcommittee] Chairman [John] Shimkus and myself on that," Barton said at an NRC oversight hearing today. "But I do think that given the status of Yucca Mountain - or the lack of status you might say - it might be prudent to consider some sort of interim storage solution."

Barton grew frustrated when NRC Chairman Stephen Burns and Commissioner Kristine Svinicki gave lengthy answers outlining the agency's responsibility to only review the applications brought to the agency by companies and other potential builders.

"Y'all are very good at not answering questions," the former Energy and Commerce chairman said, insisting that he didn't want the commissioners to say how they'd vote on interim storage and just wanted their views as citizens and experts.

Svinicki responded, "As a citizen, I think that if [nuclear waste] can be stored in fewer locations that would be desirable."

NRC Commissioner William Ostendorff said he was "open to an interim storage solution" but said he was confident in the current approach of storing waste at reactor sites.

A company in Barton's home state of Texas has made efforts to upgrade a waste project there to be authorized to accept high-level material such as spent nuclear fuel rods.

NRC split on whether to request Yucca funding in next budget (Politico)

By Darius Dixon

09/09/2015 11:29AM EDT

NRC leaders are deadlocked on whether the agency should request additional funds for the Yucca Mountain project as it crafts its fiscal 2017 budget request to Congress.

None of the four commissioners disputed that current law designates Yucca Mountain as the sole resting place for the nation's high-level nuclear waste. But NRC Chairman Stephen Burns and Commissioner Jeff Baran pointed to the Energy Department's decision to abandon the process to defend their opposition to requesting additional funding.

Burns told lawmakers on two House Energy and Commerce subcommittees today that he would not support a request for Yucca Mountain money "in the absence of other indications that the agency - the Department of Energy - would also be going forward with it."

Baran agreed.

"I don't support requesting funding," he said, "because as a practical matter I don't see how the adjudicatory process at the NRC can work if the Department of Energy does not support" the project.

Meanwhile, Commissioners Kristine Svinicki and William Ostendorff, who have supported Yucca requests in previous budgets, both reiterated their positions, "consistent with my previous votes."

With a vacancy among the agency leadership, the language isn't likely to be part of the NRC's budget request next year unless there's some kind of compromise.

Oil & Gas

House Subcommittee Approves Oil Exports Bill (BNA)



By [Ari Natter](#)

Sept. 10 — A House Energy and Commerce subcommittee on Sept. 10 voted to approve legislation that would lift the 40-year-old ban on the export of most crude oil.

The legislation (H.R. 702), by Rep. Joe Barton (R-Texas), was approved by voice vote by the Subcommittee on Energy and Power, paving the way for a vote in the full committee, expected the week of Sept. 14.

The legislation, which is supported by oil producers such as ConocoPhillips Co. and Marathon Oil Corp., would repeal a ban on the export of crude oil put in place in 1975 in the wake of the Arab oil embargo.

“America's energy landscape has changed dramatically since 1975,” Rep. Fred Upton (R-Mich.), the committee's chair, said in his opening remarks. “The growing supply of American oil is outpacing domestic demand and needs a new outlet.”

While lifting the ban could result in \$29 billion in additional annual revenue for U.S. oil producers, the change would lower refiners' profits by \$22 billion a year in 2025, the Energy Information Administration said in a report released Sept. 1, leading refiners such as Valero Energy Corp. to oppose changing the law.

While the subcommittee's decision to pass the bill on a voice vote let Democrats avoid taking a position against it, some indicated in remarks during the markup they would want concessions in return for their support.

Democrats Seek Concessions

“My office has been working with and will continue to work with Mr. Barton's office to see if we could come up with a proposal we are comfortable with for lifting the ban,” Rep. Bobby Rush (D-Ill.), the subcommittee's ranking member, said in his opening remarks.

“Before opening the door to this global market, I must feel confident that underrepresented communities all around this country would indeed benefit from the opportunities that will come from lifting this ban,” Rush said.

Both Rush and Rep. Frank Pallone (D-N.J.), the committee's top Democrat, said they wanted more time to consider the legislation.

“Unfortunately, I believe that the majority has rushed to mark up this legislation, cutting this committee's consideration short,” Pallone said. “I believe that it is imperative for Congress to consider a host of factors before permanently dismantling our nation's ability to restrict oil exports, as proposed by H.R. 702.”

Barton, the bill's author, told Bloomberg BNA he would not be “automatically opposed” to a deal to get more Democrats to support the legislation.

“We have the votes to pass it in the House now with no changes,” Barton said Sept. 9. “If we can get more votes and some tweaks to it that don't impact the policy, that's something I would look at.”

While the legislation is expected to pass in the House, analysts have said it is unclear whether it can muster the 60 votes effectively needed for passage in the Senate or whether President Barack Obama would sign the bill into law.

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Private Metrolink Discussion On Rail Car Safety Under Scrutiny (LA Times)

The [Los Angeles Times](#) (9/11, Weikel, 4.07M) reports that “a private conference call that the leaders of Metrolink used to discuss safety concerns surrounding dozens of new passenger cars is drawing criticism from Los Angeles County Supervisor Michael D. Antonovich and the president of a state rail association.” A Los Angeles Times lawyer also wrote to Metrolink officials, “contending that the session violated California's open meetings law,” the article reports. “The safety of the Metrolink system is the highest priority for our board,” said Antonovich, who serves on the agency's 14-member board and was in attendance. “If issues of faulty equipment arise, we need transparency and open discussion before the public,” he added. Paul Dyson, president of the Passenger Rail Assn. of California and a Burbank transportation commissioner, said, “There seems to be no compelling reason why this was not a public meeting.” The NTSB is still investigating a recent Metrolink crash that gave rise to discussions about the safety of the rail cabs.

Sen. Pavley Withdraws SB32 From Consideration (LA Times)

The [Los Angeles Times](#) (9/11, McGreevy, Mason, 4.07M) reports that SB32 was pulled from consideration on Thursday. The bill's author, state Sen. Fran Pavley (D-Agoura Hills) “tried to overcome opposition to her measure by changing it to provide more legislative oversight of the state's powerful Air Resources Board.” However, “the governor thought some amendments would have compromised the measure's effectiveness.” Separately, a bill that would require California's oil pipelines to be inspected more frequently and use the latest spill-prevention technology has been sent back to the Assembly for action on amendments.

Liquefied natural gas pipeline project could see more delays (AP)

By - Associated Press - Thursday, September 10, 2015

PALMER, Alaska (AP) - There could be more delays for the Alaska liquefied natural gas project as backers consider a larger diameter pipeline.

A joint House and Senate Resources Committee met in Palmer on Wednesday to discuss the proposed \$45 billion to \$65 billion LNG Project. At the meeting, the project manager said switching from a 42-inch pipe to a 48-inch pipe could increase the costs, KTVA-TV reported.

In a June 8 letter to producers, Gov. Bill Walker asked them to look at a 48-inch pipeline to accommodate more gas in the future, the Alaska Journal of Commerce reported at the time.

Years of research have gone into the smaller pipe and investigating the larger size could set the project back some. "The sooner we know that number the better. We're talking about a 6- to 8-month delay," said state Sen. Anna MacKinnon, R-Eagle River. "Under the previous administration, those delays were costing hundreds of millions of dollars a month as we waited to make those decisions, with interests accumulated and the state, at least to my knowledge, doesn't know where the state is coming up with our share of the money as of today."

The LNG project has Alaska Gasline Development Corp., ExxonMobil Alaska, BP Alaska, ConocoPhillips Alaska and TransCanada and the state of Alaska as project partners.

ExxonMobil has already voted to put in its portion of the cost researching the larger pipe option. Other partners have two weeks to decide if they will do the same.

"Working hard on something is one thing, expectations of when it's gonna be done is another," said state Sen. Charlie Huggins, R-Wasilla. "So I'm not trying to bite at you, I'm a little frustrated because we seem to be all over the place, like a shotgun. Boom. We just shoot and pellets hit all over the place."

Hearing Held On Alberta Clipper Oil Pipeline Expansion (AP)

MINNEAPOLIS (AP) — A federal judge heard conflicting arguments Thursday on whether he should block a capacity expansion on the [Alberta Clipper](#) oil pipeline or allow a temporary workaround that lets Enbridge Energy move hundreds of thousands of barrels per day of Canadian tar sands crude across the border without triggering the kind of environmental review that has held up the proposed Keystone XL pipeline.

A lawyer for a coalition of tribal, environmental and climate change groups including the White Earth Nation told U.S. District Judge [Michael Davis](#) that the State Department should not have let Enbridge circumvent the environmental review by constructing a detour around a three-mile segment of the Alberta Clipper that still requires a presidential permit for expanded capacity. The segment at issue runs between the Canadian border and the first shutoff valve down the line.

Ken Rumelt, an environmental attorney from the Vermont Law School, said the move "eviscerated the opportunity for any meaningful input" by the plaintiffs, who say Enbridge's plan to ultimately expand the capacity of the Alberta Clipper from its current 500,000 to 800,000 barrels per day threatens environmentally sensitive lakes, streams and wetlands in northern Minnesota, and resources such as wild rice that are important to the area's Ojibwe bands.

The 1,000-mile Alberta Clipper, built in 2010, starts in Alberta, crosses into northeastern North Dakota and runs across northern Minnesota to an Enbridge terminal in Superior, Wisconsin. It follows the same route as Enbridge's deteriorating Line 3, which dates from the 1960s. Enbridge last year upgraded a 16-mile segment of Line 3 at the border and built interconnections between the parallel pipelines to allow for the detour from the Alberta Clipper to Line 3 and back.

Lawyers for the federal government and Enbridge told the judge that the company had the authority to build the bypass under its existing presidential permit for Line 3 and didn't need State Department approval. They said letters that the State Department sent to Enbridge last year merely acknowledged that existing authority and didn't constitute an actual decision that the court would have jurisdiction to overturn, so the court should dismiss the lawsuit.

[Justice Department](#) attorney [Luke Hajek](#), representing the State Department, also pointed out that the environmental review for the border segment of the Alberta Clipper is underway, and said critics including the plaintiffs will have ample opportunity to weigh in once it's completed.

Davis took the arguments under advisement and didn't say when he would rule.

The case is separate from several other pipeline projects working their way through other approval processes, including Enbridge's plan to completely replace Line 3, plans for pipelines to carry North Dakota crude across Minnesota, and the Obama administration's protracted consideration of whether to grant a border-crossing permit to the Canada-to-Texas Keystone XL pipeline.

But outside the courthouse, environmental and tribal activists were quick to draw connections.

"President Obama has laid out an aggressive plan to tackle climate change," said [Margaret Levin](#), state director for the [Sierra Club](#). "But agreeing to a backroom deal ... is in direct contrast to the president's stated commitments, and it tarnishes the administration's credibility as a world leader on climate."

[Winona LaDuke](#), executive director of Honor the Earth, said Enbridge's existing and proposed pipelines cross lands that the Ojibwe tribes ceded in the 1800s where members still claim treaty rights to fish and gather wild rice.

"Minnesota is in the center of this, whether it is coming from Canada or whether it is coming from North Dakota," she said.

My Voice: Dakota Access Pipeline safe, efficient (Sioux Falls Argus Leader)

Dawna Leitzke 3:09 p.m. CDT September 10, 2015

With yet another fiery oil train wreck, it's time we come to grips with the reality of our energy and environmental needs.

America's energy surge, which has transformed our economy and raised our nation to the status of oil and natural gas superpower, has taxed our infrastructure to the breaking point. Quite plainly, we're producing so much oil from the Bakken fields that the accident in the small town of Heimdal, N.D., on May 6 of this year, has become almost predictable. It was the third derailment in the eastern part of North Dakota inside of three years, including the one near Casselton, N.D., that forced the evacuation of 1,400 people.

Here's another cold splash of reality. Oil and natural gas are projected to remain, by far, the dominant sources of America's energy mix for decades to come. The annual outlook published last month by the Energy Information Agency predicts that total U.S. energy needs will rise nearly 9 percent by 2040. The share for natural gas will rise from 27 percent to 29 percent over the same period, while petroleum products will decline from 36 percent to 33 percent. Renewables grab a bigger share of the mix, growing from 8 percent to 10 percent by 2040.

We have an urgent need to build more capacity in our pipeline network, and the proposed \$3.7 billion Dakota Access Pipeline should be at the top of our to-do list. It will connect the Bakken and Three Forks production areas in North Dakota to a line that will run through South Dakota and Iowa to Patoka, Ill. DAPL will enable 100 percent domestically produced light sweet crude oil from North Dakota to reach major refining markets in a more direct, cost-effective, safer and environmentally responsible manner.

DAPL also represents a huge economic stimulus to the region, powered by private investment. According to figures released by project owner Energy Transfer Partners, the 1,100 mile pipeline will create 8,000 to 12,000 jobs during construction, and generate \$605 million in labor payments to the various contractors working on the project. Millions of hours of labor will be needed during the construction phase, putting welders, mechanics, electricians, pipefitters, heavy equipment operators and others within the heavy construction industry to work.

The Dallas-based company said that S.D. landowners along the route will receive \$47 million in direct payments to landowners for right-of-way easement payments. DAPL will also translate into millions in state and local revenues during the construction phase. It will generate an estimated \$35 million in state use, gross receipts and lodging taxes and \$2.9 million in local taxes. Construction will result in nearly \$74 million in sales taxes to the states of N.D., S.D., Iowa and Illinois. All of this is new revenue and ongoing property taxes can be used to support schools, emergency services, road maintenance and other ongoing needs.

The safety record of pipelines, compared to tanker trains and other modes of shipping energy resources, is unmatched. The U.S. network of more than two million miles of pipeline is heavily regulated by the U.S. Department of Transportation for both safety and reliability. Pipelines have proven to be the safest, most efficient means of moving crude oil.

As the *Washington Post* recently reported ("It's a lot riskier to move oil by train instead of pipeline," Feb. 20), "It's abundantly clear that the rate of accidents per billion barrels is significantly higher for rail, and it also fluctuates more year to year."

If built as planned, the Dakota Access Pipeline would eliminate 4 to 7 unit trains per day, helping ease railcar transportation shortages for agriculture and other products in the region. The American Farm Bureau Federation released a study last month, authored by South Dakota Ag Economist Elaine Kub, that shows the need for pipeline

infrastructure to alleviate rail congestion. The study shows how new pipelines would help farmers get their product to market while increasing efficiency.

If the U.S. is to continue on its path to energy security and economic growth, we need an expanded pipeline system – with every safety feature new pipelines are equipped with – without delay. It's time to build the Dakota Access Pipeline for a safe and efficient infrastructure worthy of an energy superpower.

MY VOICE

Dawna Leitzke, Pierre, has served as the executive director of the South Dakota Petroleum and Propane Marketers Association for 20 years. My Voice columns should be 500 to 700 words. Submissions should include a portrait-type photograph of the author. Authors also should include their full name, age, occupation and relevant organizational memberships.

Lawmakers finally talking transportation extension (Politico)

09/11/2015 05:00 AM EDT

Lawmakers are finally admitting what's been obvious for some time - another short-term highway and transit extension is likely around the corner.

House Transportation Committee Chairman Bill Shuster (R-Pa.) told POLITICO he's still focused on a multiyear bill but that an extension is the "most likely" near-term outcome to give House and Senate negotiators more time to reach a deal.

"Nothing's easy around here," he said. "We have to go to conference and most likely we're going to have to do something to extend [current programs]."

Shuster isn't alone in suggesting that an extension is the most likely, and realistic, outcome.

"As opposed to us passing a bill and conferencing with the Senate and figuring out how to fund it by Oct. 29? Do you really think that could happen?" said House Transportation ranking member Peter DeFazio (D-Ore.). "That would be wonderful, but I think the chairman is correct."

The latest news isn't exactly a surprise. Lawmakers set themselves up for an almost impossible task by giving House negotiators just until the end of October to pull together a bill, move it through a tumultuous House chamber and negotiate a final agreement with the Senate that a majority in both chambers would approve.

And Congress is no stranger to punting on the Highway Trust Fund - Capitol Hill has passed more than a dozen short-term extensions since 2009, including the current three-month measure.

Even with the already tight timeline that includes Jewish holidays, a papal visit and packed legislative schedule, Shuster said he's still focused on getting a long-term, bipartisan bill through committee and hopefully onto the floor this month.

"It's really important to get this thing done because it's going to expire and there's so much uncertainty out there. A six-year bill puts a lot of certainty in place," Shuster said.

House Transportation Committee leaders had hoped to roll out their long-term highway and transit proposal this week with a committee markup planned for next week. But disagreements among committee members have put that deadline in jeopardy and threaten to push any committee action until later this month or even early October.

Committee leaders met Thursday night to hammer out details but even if they did reach an agreement, the disjointed September schedule, which includes breaks for the Jewish high holidays and a visit from the pope, could significantly delay a committee markup and the floor time needed thereafter.

"I think the hope still is to try and have a bill next week but it seems like there's still a good ways to go so there's still a lot more that has to happen," said Rep. Dan Lipinski (D-Ill.) after a Thursday afternoon meeting of House Transportation Democrats. "From what I'm hearing, it seems like that's going to be difficult."

"After our meeting there are still a lot of issues," he added. "But it all depends on how much the Republicans want to compromise and how much the Democrats are willing to compromise too."

DeFazio put it much more curtly: "We're talking," he said Thursday when asked how negotiations were proceeding. But while getting a six-year transportation bill through the House is poised to be a monumental task, whatever extension lawmakers pursue is likely to be a much lighter lift since it will just require extending current policy and not additional funding. Lawmakers gave the Highway Trust Fund an \$8 billion refill in late July, money that will keep highway and transit programs operating into next year, according to current estimates.

Shuster, still trying to wade through all of the landmines associated with negotiating a massive, bipartisan transportation revamp, said they haven't decided how long a short-term extension will be.

"Right now we're focused on - let's get a bill out of committee, let's get it on the floor and then we'll deal with [an extension] after we see what the timeline for that is," he said.

Aside from policy disagreements, House lawmakers also have to find the billions of dollars needed fully fund highway and transit programs for six years, an unenviable task left up to the Ways and Means Committee.

"We know when our deadline is, and we're working on trying to put together a package," Ways and Means Chairman Paul Ryan (R-Wis.) said in an interview Thursday.

But even Ryan said [he's unsure](#) that House leaders' preferred plan to replenish the Highway Trust Fund - an international tax revamp - will happen this year, further complicating the funding conundrum.

The Senate is much further along on a multiyear bill, but while it authorizes six years of policy, it only provides three years of funding.

Senate Environment and Public Works Chairman Jim Inhofe (R-Okla.) said he would be on board with a short-term patch as long as it guarantees lawmakers meet their ultimate goal - getting the first long-term transportation bill to the president's desk in more than a decade.

"As long as we get it done by the end of the year," Inhofe said Thursday.

EPW ranking member Sen. Barbara Boxer (D-Calif.) wasn't quite as gung ho but didn't dismiss the idea either.

Shuster "should do, you know, what he said he would do, which is bring a bill to the floor and get it done. But, you know, we'll see," Boxer said.

Apache chairman joins TransCanada board (E&E)

[Pamela King](#), E&E reporter

Published: Friday, September 11, 2015

Energy infrastructure firm TransCanada Corp. has tapped Apache Corp. Chairman John Lowe to serve on its governance board.

As an independent director, Lowe will help guide TransCanada in the development and operation of its energy generation, storage and transmission infrastructure. Among the company's biggest hurdles is its ongoing effort to secure approvals on the long-delayed Keystone XL oil pipeline ([E&E Daily](#), Sept. 9).

"We are very pleased to welcome Mr. Lowe as our newest director," TransCanada Chairman Barry Jackson said in a statement yesterday. "Mr. Lowe's extensive management and leadership skills and wealth of experience in the oil and gas and energy industries are a valuable addition to the board of directors for TransCanada. We look forward to his future contributions to TransCanada, which will further our vision to become the leading energy infrastructure company in North America."

In addition to his board position at Apache, Lowe is a director for the refining outfit Phillips 66 and a senior executive adviser for the energy investment firm Tudor, Pickering, Holt & Co. LLC.

Lowe spent most of his career at ConocoPhillips Co., where he held positions such as assistant to the CEO, executive vice president of exploration and production, and executive vice president of commercial. He is a graduate of Pittsburg State University in Kansas.

Pennsylvania pipeline explosions down 70 percent (Pittsburgh Business Times)

By Matt Stroud

September 11, 2015

In the last 10 years -- from 2004 through 2014 -- the number of pipeline explosions in Pennsylvania has gone from 19 to five.

That's a 70 percent decrease. Those numbers come from [Paul Metro](#), manager of gas safety at the [Pennsylvania Public Utility Commission](#), who [presented them](#) at the commission's [Gas Safety Seminar](#). Pulling data from the U.S.

Department of Transportation's [Pipeline and Hazardous Materials Safety Administration](#), Metro's presentation focused specifically on natural gas pipelines, hazardous liquid pipelines, and liquefied natural gas plants in Pennsylvania. That means Metro's presentation does not include incidents that occurred at well sites, such as the February 2014 [natural gas](#)

[explosion in Greene County](#) that killed a contract technician and injured a full-time employee of [Chevron Corp.](#) (NYSE: CVX)



Serious pipeline incidents dropped 70 percent over the last 10 years, according to data from the Pennsylvania Public Utility Commission.

Metro's compiled data focuses on three areas of concern.

The first was the number of "reportable incidents" in the commonwealth.

Reportable incidents are serious infractions; they typically involve explosions that result in injuries or deaths, greater than \$50,000 in damage, and/or an extremely large amount of lost gas -- more than 3.5 million cubic feet.

Less severe incidents -- that don't involve major losses but are nonetheless reported -- are counted as mere "hits," or "incidents of gas-damaged facilities." The number of hits in the commonwealth is much higher than the number of reportable incidents, but it's also on the decline: The number of hits between 2004 and 2014 decreased by about 42 percent, from 3,196 in 2004 to 1,859 in 2014.

The decreases, according to PUC press secretary [Nils Hagen-Frederiksen](#), are thanks to "the PUC's ongoing effort to enhance the PA One Call system," which requires that all excavators contact the PUC at least three business days before they start digging.

Tying the decreases exclusively to One Call might not tell the full story.

According to data from the U.S. Energy Information Administration, [the number of natural gas wells drilled in Pennsylvania](#) has gone from a high of 116 per week on Jan. 20, 2012, to 35 per week on Sept. 4 this year. That's a 70 percent decrease in the last 3.5 years or so.

The goal is nonetheless fewer explosions.

The One Call system, Hagen-Frederiksen said, is "part of a goal to reduce the number of hits by 50 percent over the

next 5 years."

Americans Mark September 11th Anniversary with Volunteer Service (PR Newswire)

Senior Administration officials, thousands of Americans will honor victims, heroes of 9/11

WASHINGTON, Sept. 11, 2015 /PRNewswire-USNewswire/ -- Senior Administration officials will join thousands of Americans to commemorate the 9/11 anniversary through volunteer service as part of the September 11th National Day of Service and Remembrance. The Corporation for National and Community Service (CNCS) leads this nationwide effort that pays tribute to and honors the victims and heroes of that day.

This year, thousands of volunteers of all ages and backgrounds are expected to join their neighbors in all 50 states and the District of Columbia to build affordable housing for veterans and military families, prepare care packages for military service members, revitalize schools, educate citizens on disaster preparedness, organize food drives, and more.

"In the aftermath of September 11th, we came together as a country to show that we are there for each other," said Wendy Spencer, CEO of the Corporation for National and Community Service, who will join volunteers and national service participants at service projects across the D.C. region. "Service can be a healing experience, and I am honored that so many Americans are dedicating a day to give back. Through volunteering, we can make a difference in the lives of families and transform communities on the September 11th National Day of Service and Remembrance and every day."

Cabinet secretaries and senior Administration officials will participate in service projects and memorial events across the country, many of which will be led by AmeriCorps members.

- Secretary of Education Arne Duncan will join Public Allies AmeriCorps members at Quinn Chapel, the oldest surviving African American church in Chicago, Illinois, to clean up the streets around the chapel and plant nine flower baskets to honor the nine victims of the recent shooting at the Emanuel African Methodist (AME) Church in Charleston, South Carolina.
- Secretary of Homeland Security Jeh Johnson and Secretary of the Interior Sally Jewell will participate in memorial commemoration events hosted by the National Park Service and 9/11 families in Shanksville, Penn. on Thursday and Friday.
- Carla Koppell, chief strategy officer for USAID, will serve at Martha's Table in Washington, D.C., to help prepare meals for McKenna's Wagon.
- Doug Kramer, deputy administrator of the Small Business Administration, and Carrie Hessler-Radelet, director of the Peace Corps, will join thousands of volunteers, including AmeriCorps members and Senior Corps volunteers, on the National Mall to pack meals for struggling seniors, including veterans and first responders, at an event hosted by A Celebration of Service and the AARP Foundation.
- Marie Therese Dominguez, administrator for the Pipeline and Hazardous Materials Safety Administration at the Department of Transportation, and director of AmeriCorps Bill Basl will join City Year AmeriCorps members and sixth graders from Leckie Elementary School to volunteer at the Capital Area Food Bank.
- Director of AmeriCorps VISTA Paul Monteiro will serve alongside AmeriCorps members and volunteers at Food & Friends to prepare food and pack meals and groceries that will be delivered to those in need the following day.

- Elizabeth Littlefield, president of the Overseas Private Investment Corporation (OPIC), and Dana J. Hyde, CEO of the Millennium Challenge Corporation, will join AmeriCorps program leaders and members and community volunteers at A Wider Circle to organize clothes, furniture, and toy donations and will help clients in the career center.

CNCS partners with MyGoodDeed, the nonprofit that began the 9/11 Day observance more than 10 years ago, and hundreds of other nonprofit groups, faith-based organizations, schools, and businesses nationwide. Other key partners for 2015 include the Massachusetts YouthBuild Coalition, Points of Light, Service for Peace, and Youth Service America.

These organizations will lead volunteer crews across the country who will assemble care packages for military members in Boston; create disaster recovery kits for response efforts in Houston; revitalize schools and parks in Pittsburgh and Durham, N.C., prepare and package food in New York City and Los Angeles; and train volunteers on disaster planning and implementation in Sledge, Miss.

The September 11th National Day of Service and Remembrance is the culmination of efforts started by 9/11 family members and support groups to establish the service day as a way to honor victims and heroes of 9/11. CNCS, the federal agency for volunteering and service, was charged to lead the September 11th Day of Service and Remembrance through the Edward M. Kennedy Serve America Act, which passed with strong bipartisan support and was signed into law by President Obama in 2009.

To find volunteer opportunities on September 11th and throughout the year, visit Serve.gov.

The Corporation for National and Community Service is a federal agency that engages millions of Americans in service through its AmeriCorps, Senior Corps, Social Innovation Fund, and Volunteer Generation Fund programs, and leads the President's national call to service initiative, United We Serve. For more information, visit NationalService.gov.

Oil pipeline proposal adds safety measures for Yellowstone River crossing (Grand Forks Herald)

By Amy Dalrymple
September 10, 2015

WATFORD CITY, N.D. -- A proposed crude oil pipeline that would cross the Yellowstone River would be at least 50 feet below the riverbed and include other safety measures to prevent spills, a company representative said Thursday.

The North Dakota Public Service Commission is considering a proposal from NST Express to build a 23-mile pipeline in McKenzie County to transport oil to a rail-loading facility.

The project would involve horizontal directional drilling under the Yellowstone River to transport up to 100,000 barrels of oil per day from about 9 miles north of Alexander to the rail terminal a half-mile north of East Fairview, N.D.

Steven Guenther, pipeline project manager with Buckeye Partners, which designed the project, said during a hearing Thursday the potential for a spill in the river would be "very low."

The pipeline would be installed at least 50 feet below the riverbed and the company will do additional surveys of the bottom of the river every five years to monitor potential changes, Guenther said.

By comparison, the Bridger Pipeline that ruptured under the Yellowstone River in eastern Montana in January was an estimated 8 feet below the riverbed. That incident dumped 30,000 gallons of oil in the river.

NST Express has contracted with Clean Harbors, the same company that cleaned up after the Bridger spill, to provide cleanup response in the event of an incident, Guenther said. NST Express also will have a trailer in East Fairview with additional spill response equipment.

The 12-inch steel pipeline would have automated valves on either side of the river that could be shut down remotely from a control center in Texas, Guenther said. The maximum amount of oil that could be between the valves is 2,100 barrels, or 88,200 gallons.

The pipe under the river would be thicker - a half-inch - and the line would be inspected every five years for abnormalities, Guenther said.

The pipeline would be owned by NST Express. Buckeye Partners, which operates more than 6,000 miles of liquid petroleum pipelines in the United States, is in negotiations to construct and operate the pipeline. It would be Buckeye's first project in North Dakota.

A subcontractor has not been selected to do the horizontal directional drilling.

Buckeye has obtained easements from 65 percent of landowners along the route, which is about one-third cropland and two-thirds grazing land. No landowners spoke during the public hearing.

Commissioners complimented Buckeye for making several changes to the pipeline route to accommodate landowner concerns, including avoiding cutting across fields.

"That goes a long way to decreasing the fatigue that landowners are feeling in this area," said Chairwoman Julie Fedorchak.

The pipeline needs some additional permits, including approval from the U.S. Army Corps of Engineers and McKenzie County. The county has approved three 50,000-barrel storage tanks that will be constructed north of Alexander.

If the pipeline is approved, some construction on the \$60 million project could begin this fall at the Alexander site, but the pipeline installation would not begin until next spring.

David Mach, a representative of United Piping in Minot and Duluth, Minn., told commissioners that he recently walked a pipeline right-of-way owned by Buckeye in the southern part of the U.S. and he was impressed with the construction and maintenance.

"They put it back the right way," Mach said. "And that's what we like to see up here."

Tammy Baldwin and Al Franken: Let's make oil train safety a priority (Winona Daily News)



Sens. Tammy Baldwin and Al Franken

September 11, 2015

As U.S. senators — one from Minnesota and one from Wisconsin — we have always understood how important railroads are to the economy in each of our states. Our businesses and farmers rely upon rail service as a reliable way to move their products to markets across the country and around the world.

But we've heard from residents and local officials who have deep concerns about the dramatic expansion of rail cars carrying highly volatile and flammable crude oil from the Bakken oil fields in North Dakota through Minnesota and Wisconsin to refineries in other states.

While the quick growth in oil trains has meant higher profits for the large railroads, and skyrocketing tax revenues for the state of North Dakota, it also has put hundreds of communities in Minnesota and Wisconsin at risk for the explosive crashes that come when an oil train derails.

In the past seven months, there have been at least six serious oil train crashes in North America — including a fiery explosion in North Dakota that forced the evacuation of a small town. Another train carrying Bakken oil exploded in Quebec a few years ago, killing 47 people.

We are thankful our states have not experienced similar tragic crashes, but with hundreds of thousands of residents in our states living within a half mile of tracks carrying oil trains, we know we can't allow the safety of our communities to be simply a matter of luck. That's why for more than a year, we've taken an all-of-the-above approach to ensure oil trains travel more safely.

In August, when the Senate passed a bipartisan transportation bill, we pushed to include provisions to safeguard communities along oil train routes by requiring that railroads develop plans to quickly respond to oil-spill accidents. The bill also requires that carriers make oil train information available to local first responders so that they are aware when such trains are traveling through their communities. And finally, for the first time, it would give state and local officials access to inspection reports for private bridges owned by the railroads.

Beyond legislation, we've also pressed the railroads as well as federal transportation and safety officials to protect communities along rail lines from oil train dangers. And while we've already seen some good steps implemented to improve safety, it's clear that more needs to be done.

First, we've called for safer tank cars, and for the rerouting of trains that are carrying this highly explosive oil through populated areas. We've also pressed to make sure that the volatility of the crude itself is reduced to make it safer before it's loaded onto the trains.

In response to our calls for action, the U.S. Department of Transportation has taken some useful steps to help keep our communities safe. In May, it announced new standards for trains carrying flammable fuels.

The rules require that new tank cars have thicker shells and other improvements to make them safer in the event of a derailment. And within five years, all trains carrying crude will have to meet this standard. While this is a step in the

right direction, we can't slow-walk the rollout of safer tank cars, and we will continue to push to make this happen more quickly.

We also know that the light crude oil passing through our states each day from North Dakota is much more volatile than heavier crudes produced elsewhere. That's why we've supported efforts to reduce the volatility before it is shipped through our states.

Producers can actually condition the crude at the well, where they can get rid of much of the volatile natural gas liquids. In fact, in April, the state of North Dakota started requiring them to do just that. But we'll be pushing our federal regulators to reduce volatility even further to make sure we get the strongest possible protections for people in our states.

The new federal rules also include requirements to reduce operating speeds and to improve routing decisions so that when oil trains can avoid the most populated areas, they do.

We also want local officials and first responders to have as much information as possible about oil being shipped through their communities. While the new rules require railroads to share information about oil shipments, that information often doesn't make it to local communities. Because of that, we've urged DOT to strengthen disclosure requirements. The DOT has responded with a promise to do just that.

Railroad service is an important part of our states' transportation infrastructure and is critical to our economy. That's why we'll continue to do everything we can to safeguard communities in Minnesota and Wisconsin from the dangers posed by the unprecedented expansion of volatile crude oil being shipped through our states.

The Record: Oil trains in Teaneck (North Jersey)

September 11, 2015



An oil train idling in Teaneck.

AS THE Teaneck Council considers whether to make a change to zoning restrictions that would allow for high-density housing near railroad tracks that carry crude oil trains, we urge caution.

The main issue with these trains, which carry volatile Bakken crude oil from North Dakota to Philadelphia, has been that derailments at sites across the country have resulted in fiery crashes.

With approximately 8,000 Teaneck residents living within a half-mile of the tracks that cut through the town, local officials fear the potential for disaster. Citing additional concerns for the harmful effects from the engine exhaust and vapor from the tank cars when they're idling, the council voted this week to ask federal and state authorities to regulate how long these trains can be idle or parked in the township.

Local governments don't have jurisdiction over train tracks, so that action may not prove to have a significant effect. However, the Teaneck Council does have a say when it comes to the township's zoning. Residents at this week's council meeting who opposed the proposal by AvalonBay Communities to build a four-story apartment building with a garage near these railroad tracks are right to express concern.

The Edgewater apartment complex that was destroyed by a five-alarm fire back in January was an AvalonBay property. Investigators said the fire spread quickly because of the lightweight wood construction that was used.

The project abided by the state building code. That is not reassuring, because the code hasn't changed since that devastating fire.

Putting aside any concerns with how the proposed structure would be built, the location is a major issue — especially with the idling trains resolution the council unanimously approved.

"To me, to put a large residential complex right next to tracks like that is beyond imprudent — it's irresponsible to the

point of recklessness," a township resident said at the council meeting.

We would agree. If the council can't control how often or how many of these trains pass through that corridor, it doesn't make much sense to add more housing to the area.

Latest military lab concerns involve plague bacteria, deadly viruses (USA Today)

By Tom Vanden Brook and Alison Young, USA TODAY
September 10, 2015

WASHINGTON — The Pentagon's most secure laboratories may have mislabeled, improperly stored and shipped samples of potentially infectious plague bacteria, which can cause several deadly forms of disease, USA TODAY has learned.

The Centers for Disease Control and Prevention flagged the practices after inspections last month at an Army lab in Maryland, one of the Pentagon's most secure labs. That helped prompt an emergency ban on research on all bioterror pathogens at nine laboratories run by the Pentagon, which was already reeling from revelations that another Army lab in Utah had mishandled anthrax samples for 10 years.

Army Secretary John McHugh ordered the research moratorium on Sept. 2, Pentagon officials say, out of an abundance of caution.

Moreover, officials point out that continuing testing has shown the suspect samples of plague contain a weakened version, and not the fully virulent form that was of concern to lab regulators at the CDC.

There is no danger to the public from the plague and encephalitis specimens found in the labs, said Army spokesman Dov Schwartz. After extensive testing, no danger has been found to scientists and researchers who have worked with the vials, he said. Final test results are expected by the end of the month.

However, for the first time since the scandal broke in May about an Army lab's botched handling of anthrax, the Pentagon is now acknowledging that worries now extend to other lethal agents that it studies. In addition to the plague samples and some additional anthrax specimens, the CDC has raised concerns about military labs' handling of specimens created from two potentially deadly viruses that are also classified as bioterror pathogens: Venezuelan equine encephalitis virus and Eastern equine encephalitis virus, which can cause rare but serious illnesses in people, including deadly inflammation of the brain.

The bacteria that cause plague, *Yersinia pestis*, can cause several types of serious and potentially fatal illnesses: bubonic plague, which has symptoms that include swollen lymph nodes; pneumonic plague, which involves the infection spreading to the lungs; and septicemic plague, which may involve skin and other tissues turning black and dying. It's the pathogen often blamed for the Black Death that killed millions of people in Europe during the 14th century. Today antibiotics can be used to treat the diseases, but plague still kills about 11% of those sickened, according to the CDC.

Untreated pneumonic plague has a fatality rate of about 93% and can be spread from person to person through aerosols generated during coughing.

The suspect specimens, which may be live despite being labeled as killed or weakened, indicate a wider range of dangerous bioterror pathogens being handled using sloppy safety practices at laboratories operated by the U.S. military. They also further illustrate the risks faced by other scientists who rely on pathogen "death certificates" to know whether or not a provided sample is still infectious and can be worked with safely without special protective equipment. An

ongoing USA TODAY Media Network investigation has revealed numerous mishaps at government, university and private labs that operate in the secretive world of biodefense research prompting growing concern in Congress and among biosafety experts.

The revelations about plague and other specimens only add to bipartisan concerns in Congress about the effectiveness of safety practices and federal regulation at military and other labs working with dangerous pathogens.

The chairman of the House Energy and Commerce Committee Fred Upton, R-Mich., and ranking Democrat, Frank Pallone of New Jersey, in a joint statement on Thursday said: "Anthrax being mishandled is disconcerting enough, but now the mishandling also includes other potentially dangerous viruses including plague. The committee has zero tolerance for these widespread mishaps and will continue working to ensure that the Department corrects these failures so that the nation's bioterrorism response efforts are not hampered further."

Last week's announcement on the moratorium failed to note the CDC's concerns about the plague and equine encephalitis. Instead the Pentagon traced the ban to the mishandling of anthrax at the Army's Dugway Proving Ground in Utah, called a "massive institutional failure" by Deputy Defense Secretary Robert Work. An ongoing international investigation has found that Dugway used an ineffective irradiation method and unwittingly shipped live anthrax — labeled as killed specimens — for more than a decade that ended up in research facilities in all 50 states and several foreign countries. Although no illnesses have been reported as a result of the mistakes, several researchers who handled the specimens were put on antibiotics as a precaution.

In a statement this week to USA TODAY, Schwartz said the CDC's concerns about the plague and encephalitis directly contributed to McHugh's ordering of the moratorium. An Aug. 17 CDC inspection at the Edgewood Chemical Biological Center in Maryland raised questions as to whether a strain of *Yersinia pestis*, the organism that causes plague, was infectious even though it was stored in an area designated for non-infectious material.

The new CDC investigation is focused on specimens created and stored by Dugway, Edgewood and two other military labs for further distribution by the Defense Department's Critical Reagents Program, a scientific materials supply group that offers a catalog of what are supposed to be "inactivated" and other pathogen specimens for researchers to use in developing and testing biodefense products, such as detection equipment and diagnostic tests.

Lab regulators at the CDC declined to be interviewed but acknowledged they are investigating issues at the four labs and the Critical Reagents Program. "CDC has identified a number of transfers of concern involving multiple organisms," the agency said in a statement in response to USA TODAY's questions.



In this digitally colored image from a scanning electron microscope, *Yersinia pestis* bacteria, shown in yellow, gathered inside a flea's digestive tract. *Yersinia pestis* is the bacterium that that causes plague. (Photo: National Institute of Allergy and Infectious Diseases via CDC)

Most of the shipments of the specimens went to other Defense Department facilities, the CDC said, and the agency's

investigators are "working to track shipments and confirm the safety of those working with these materials." It is uncertain at this stage of the investigation, the CDC said, whether the material in the shipments contained live "select agent" pathogens, or a killed or weakened version that doesn't pose a severe risk to public health and is exempt from federal regulation.

Select agent is the government's term for certain viruses, bacteria and toxins that are regulated because of their potential to be used as biological weapons and the potential risks they pose to public health and agriculture.

"At this time, there is nothing to suggest risk to the health of workers or the general public," the CDC said.

Vials of plague specimens were the first to draw the CDC's concerns during an Aug. 17 inspection at the Edgewood Chemical Biological Center. How those samples were being handled prompted lab regulators to conduct a review of the labeling of specimens offered to other labs through the Critical Reagents Program's catalog, the Army's Schwartz said.

"The CDC raised questions about the labeling of some material listed within the catalog, including a strain of *Bacillus anthracis* and derivatives of equine encephalitis viruses, and consequently, whether this material was properly handled and shipped by the Department," Schwartz said. *Bacillus anthracis* is the bacterium that causes anthrax.

Gregory Koblentz, director of the biodefense program at George Mason University in Virginia, said the mounting issues at Pentagon labs show the need for a review by independent experts — not just the current peer review of safety that the military is undertaking during its moratorium.

"Since there are now concerns about the biosafety practices at multiple DoD labs there needs to be an independent review of the military's biosafety policies and practices," Koblentz said Thursday. He said the Critical Reagents Program is an important biodefense resource. "It's crucial that all problems with handling and shipping inactivated samples be resolved quickly so the program can resume its important role in strengthening U.S. biopreparedness."

Richard Ebright, a Rutgers University microbiologist who has testified before Congress on federal lab safety problems, said that in the wake of the Defense Department's bungling with anthrax samples "it is unsurprising that similar misfeasance occurred in the DoD programs for producing killed versions of other bioweapons agents."

Ebright said mounting questions about biosafety practices at Pentagon labs should be a warning to researchers that they need to independently verify the specimens they receive from military labs because the "death certificates" sent with supposedly killed samples "are not worth the paper they're printed on."

Last week USA TODAY was the first to report that the Pentagon had ordered an immediate moratorium on work with a wide range of potential bioterror bacteria, viruses and toxins at nine biodefense laboratories while they perform safety reviews to ensure they are properly handling select agent pathogens.

McHugh issued his order for the sweeping safety review two days after lab regulators at the CDC on Aug. 31 ordered Dugway's labs to suspend work with all types of select agent pathogens because of new revelations about sloppy biosafety practices at the Utah facility. Dugway officials, in testing surfaces in their laboratories, detected anthrax bacteria on the floors of two rooms where staff had worked with the deadly pathogen — an area where it shouldn't have been found.

The military labs covered by the safety review and moratorium include the four that produce specimens for the Critical Reagents Program: U.S. Army Medical Research Institute of Infectious Diseases (USAMRIID), Dugway, the Edgewood Chemical and Biological Center and the Naval Medical Research Center's Biological Defense Research Directorate. McHugh's Sept. 2 order also called for "validating" current inventories, catalog items and record keeping for the military's Critical Reagents Program (CRP) and "ensuring that all materials associated with the CRP are properly accounted for." The labs were given 10 days to report back the findings of their safety reviews, according to McHugh's memo.

