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Q&A

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Exclusive

NTSB official on the moving targets of pipeline, crude-by-rail safety

By Sarah Smith

As the U.S. shale revolution has entered the public dialogue, so have headlines about major oil and gas accidents. Robert Hall, director of the National Transportation Safety Board's Office of Railroad, Pipeline and Hazardous Materials Investigations, is focused on assessing those risks to public safety and how the industry and its regulators are handling them. Not tasked with enforcement, the board's sole mission is to investigate accidents and propose recommendations for safety improvements, positioning the agency as an impartial watchdog.

Hall recently sat down with SNL Energy to discuss the changes and obstacles facing the pipeline and crude-by-rail industries. The following is an edited transcript of that conversation in Tempe, Ariz., at the National Association of Pipeline Safety Representatives' annual meeting.

SNL Energy: Pipeline safety made the NTSB's 2014 Most Wanted List — the board's annual list of advocacy priorities — but did not make the 2015 list. Can you talk a bit about what headway has been made and what changed?

Robert Hall: We put 10 items on the Most Wanted List. In the selection process each year, we're looking at items that we feel



Robert Hall, director of the National Transportation Safety Board's Office of Railroad, Pipeline and Hazardous Materials Investigations

Source: National Transportation Safety Board

we can make some headway on. I would say with respect to pipeline safety that the efforts that have gone on from the regulatory side in the past couple of years are really moving the safety bar. It's slow, but they're making progress, and from that standpoint, we didn't see that as an item that had to be pushed. There were other things that we felt were more critical and we wanted to push.

Rail issues seem to have taken on greater importance lately, occupying two slots in the 2015 Most Wanted List: improving rail tank car safety and implementing technologies to automatically stop trains before accidents. Can you talk about why crude-by-rail is a priority for the NTSB?

Well, if you look at what happened over the last 10 years, it was first ethanol and then it was crude by rail. Hazardous materials shipped by rail have just ... exploded in volume.

We saw it first with the ethanol — we were at one point getting nearly a major ethanol accident every year, and we looked at that four years ago and said, "Crude-by-rail is going to be there," because we could see the trajectory. We said, "We're going to have a major crude-by-rail accident." We knew that one was going to happen. ... Things like that we look at and make ourselves aware and informed so that when the accident occurs we're better prepared to deal with it. ... We were looking at that for a while until the accident happened.

We didn't expect it was going to be in [Canada](#), but that was the start of it. Of course we've had a few in the U.S. — without the [loss of life](#) that we saw in Canada but very significant accidents — and really saw a need for the updated tank car regulations, and that was a big driver in putting on the Most Wanted List the need for updated tank car regulations.

[Proposed] [regulations](#) have been appealed by [the Association of American Railroads], and a suit was filed by [the American Petroleum Institute] on the new [tank car regs](#). We're going to keep pushing until we get a safer means of transportation.

How would you characterize the overall responsiveness of the pipeline and crude-by-rail industries?

I can certainly see that it's changed rather considerably. If I go back five years ago, it's like, "We don't need any of this, we're fine, it's not a problem, we don't have issues."

The pushback has changed, because I think it's gotten to the point where they realized that if they didn't go along with some of these things that they were going to be shut down. The public was going to [shut them down](#). ... They would be forced to do something and what they would be forced to do they wouldn't like, so it's better to be part of the process of change than to have the change forced upon you.

How does public awareness factor into pipeline safety, and how has it changed?

I think more people are aware. I see a lot of misinformation and negative information and the like, but ... in these big accidents ... who picks up the phone and calls? We saw that in [Manhattan](#), and we saw that in [Marshall, Michigan](#), big time.

When you're talking public awareness in the pipeline community, it's also really local-community-official [awareness](#). We've seen that lacking, as well. In San Bruno, when the fire chief says, "I didn't know the pipeline was there." In [the 2010] [Marshall, Michigan, \[oil spill\]](#) we found real discrepancies — they were getting 911 calls, and people were reporting a gas odor. Well, a crude oil odor, a gas odor — it was unusual to them, they were calling, and the local officials didn't really have a knowledge of the line being there or [could not] really interpret what the public was telling them. There, the public was telling them ... but they ended up all being dismissed.

I've heard from pipeline companies that want to improve local official awareness that the companies sometimes have a hard time getting people to take time out of their normal duties to come and pay attention to what is in their communities and how to handle it. How would community leaders' and emergency responders' lack of awareness best be addressed?

It's a difficult problem, and it exists more than just in pipelines. Things that are very low-frequency events really don't get the attention in the training, in the drilling and the like. Because it's as safe as it is, it's a problem. You find that things that have much more frequent events, local officials are much more prepared to deal with. It is a problem of it being as safe as it is. They will tend to ignore it. ... It's just part of human nature.

What do you make of the political and regulatory climate as it relates to moving forward on improving pipeline and rail safety?

The climate is always changing and the pendulum is always moving, and at times it's slower and at times it's quicker. We just take our opportunities when they come. We at the NTSB are very conscious of the big opportunities that we get handed — the big accidents — because there you have a window where you can get the political and regulatory movement, and so we look for those opportunities to advance safety.

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