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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
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May 15, 2025

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

Dear Deputy Administrator Kochman,

The Pipeline and Hazardous Materials Safety Administration (PHMSA)'s Pipeline Safety Enforcement Program is designed to monitor and enforce compliance with pipeline safety regulations and confirm operators are meeting PHMSA's expectations for the safe, reliable, and environmentally-sound operation of their facilities.

Recent data shows that such enforcement actions have drastically declined since President Trump took office. According to PHMSA data,¹ only five pipeline safety enforcement actions were initiated in the first three months of President Trump's second term, compared to 68 in the same period in President Trump's first administration, a 92 percent decrease.

Pipeline incidents can have serious safety and economic consequences. In 1999, in Bellingham, Washington, an Olympic Pipeline Company pipeline ruptured, causing an explosion that killed three people, including two children. Over the past 20 years, pipeline incidents have caused 257 deaths, over 1,000 injuries, and over \$11 billion in damages— an average of 12 fatalities, 51 serious injuries, and \$550 million in property damage per year.

I am also concerned that the Trump administration has not taken action to protect federal pipeline safety inspectors who are working to enforce the law. For example, earlier this year, federal pipeline inspectors were physically pushed and prevented from conducting a routine inspection on the construction of Denbury's carbon dioxide pipeline.² The very pipeline whose 2021 leak had sent roughly 40 people to the hospital for exposure to carbon dioxide. While PHMSA issued a notice of Probable Violation to Denbury after they interfered with the PHMSA safety inspection, the Trump administration has yet to pursue any criminal penalties over the matter.

Pipeline safety violations do not just stop happening overnight. Rather, this dramatic drop in enforcement suggests a change in department policy. Notably, an April 7, 2025, *Washington Post* report indicates that the decline in safety enforcement actions may be tied to an order issued by senior officials in the Department of Transportation's legal office requiring agencies to submit all proposed enforcement actions to a single lawyer.

¹ PHMSA, "Listing of Cases Initiated," *Pipeline Enforcement Data*, Data accessed May 12, 2025, <https://primis.phmsa.dot.gov/enforcement-data/cases>

² PHMSA, "Notice of Probably Violation and Proposed Civil Penalty," January 17, 2025, [https://primis.phmsa.dot.gov/enforcement-documents/42025024NOPV/42025024NOPV_PCP_01172025_\(23-284937\).pdf](https://primis.phmsa.dot.gov/enforcement-documents/42025024NOPV/42025024NOPV_PCP_01172025_(23-284937).pdf)

Now, just today, the Department of Transportation has taken yet another step to chill enforcement of pipeline and transportation safety laws. Rather than supporting their enforcement staff, the Department is proposing³ a formalized process for political appointees to retaliate against the Department's own pipeline and transportation safety inspectors and investigators who they believe have some sort of “personal animus” against a company. As a result of this proposed action, inspectors and investigators will fear that they could be fired just for doing their job – ensuring the safety of the American public.

Accordingly, to better understand the actions you have directed on safety enforcement throughout the Department and any changes in safety enforcement policy and processes in the Department since the beginning of this Trump administration, I am requesting the following documents and information from the Pipeline and Hazardous Materials Safety Administration:

1. Documentation reflecting any changes to policies or procedures related to safety enforcement since January 20, 2025, including any “orders” such as the one referenced in the April 7, 2025, Washington Post report, which you have received from the Department of Transportation.
2. A list of any pipeline safety enforcement actions that were paused, delayed, or otherwise placed on hold from January 20, 2025, to present.
3. A list of any pipeline safety enforcement actions that were under review or in process as of January 20, 2025, that have been dropped or are otherwise not being pursued, including for each such enforcement action an explanation as to why that action has been dropped or is not being pursued.
4. The status of any referral PHMSA is making to the Department of Justice regarding the intimidation of federal pipeline inspectors by employees of Republic Testing Laboratories.

Please provide the requested documents and information no later than May 29, 2025. I appreciate your commitment and continued collaboration to improve pipeline safety.

Sincerely,



Maria Cantwell
Ranking Member

³ U.S. Department of Transportation, *Notice of Proposed Rulemaking: Administrative Rulemaking, Guidance, and Enforcement Procedures*, May 15, 2025, https://public-inspection.federalregister.gov/2025-08724.pdf?utm_campaign=pi+subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov