

Testimony before the National Academies of Science Pipeline Transportation of Diluted Bitumen Hearing

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Sierra Club – Lena Moffitt

Thank you for this opportunity to speak this morning. My name is Lena Moffitt, I am a Washington Representative with the Sierra Club. The Sierra Club is the nation's oldest and largest grassroots environmental organization, and I'm here today on behalf of our 1.4 million members and supporters nationwide. The Sierra Club works closely with our colleagues at organizations like the Natural Resources Defense Council and the National Wildlife Federation to protect our environment and ensure clean air and water for our communities and ecosystems.

To that end, the Sierra Club is opposed to *any* expanded development of high-carbon fuels, like tar sands oil, that would decrease our ability to reduce greenhouse gas emissions and avoid the most devastating impacts of climate change.

We are also increasingly concerned with the public health and ecosystem impacts of tar sands *spills*, particularly after witnessing the devastation of the Kalamazoo River spill – which is still being cleaned up, more than two years later. You'll hear more on this from Marshall, Michigan resident Susan Connolly, who has taken personal time off from her job to speak to you about the effects of that spill on her family and community.

In 2010, after that Kalamazoo spill, the Sierra Club advocated strongly that updated pipeline safety legislation include a study that would shed light on the underlying causes of such a disaster. We worked closely with the House Energy and Commerce Committee, the Transportation and Infrastructure Committee, and the Senate Commerce Committee to ensure the inclusion of a diluted bitumen study in the bill. We were extremely encouraged when the final pipeline safety legislation emerged with the requirement that the Secretary of Transportation conduct a comprehensive review of the sufficiency of regulations governing diluted bitumen pipelines. To support that review, the Secretary was charged with conducting, quote “an analysis of whether any increase in the risk of a release exists for pipeline facilities transporting diluted bitumen.” We were even more encouraged when the National Academy of Sciences was selected to conduct that study.

Given the rather broad language outlining your charge in the legislation, I'd like to reiterate a couple of the extremely important points my colleague Anthony Swift from NRDC made yesterday regarding the design of the study. First off, in establishing a baseline against which to determine whether any increased risk exists, I would encourage the committee to select reference crude oils that have historically been transported long distances via pipeline. As Anthony noted, many heavier crudes our country relies upon are typically imported via tanker to coastal refineries, not transported via pipeline, and thus would not be appropriate reference points by which to compare transportation lines for diluted bitumen.

Secondly, it is important that the committee consider *interactions* between the slate of risks that may be posed by diluted bitumen pipelines, rather than assessing them in isolation. Again, as we saw in the recent conclusions of the National Transportation Safety Board regarding the

KalamazooRiver spill, synergies may occur between separately benign risks that, together, cause unforeseen and potentially devastating consequences.

And lastly, I'd like to touch on the conversation that emerged yesterday pertaining to the definition of risk. While it is clear that this committee is charged with assessing the likelihood, or probability, of a release caused by transporting diluted bitumen as compared to conventional crude, there *is* a stark need for an assessment of the SEVERITY of the IMPACTS of such a release. The Sierra Club, along with our broad coalition of public health and safety, and environmental organizations, has requested that PHMSA broaden the scope of the study to include an assessment of the *consequences* of a diluted bitumen spill. As evidenced by the remaining contaminants in Marshall, Michigan, again, more than two years after a release and extensive cleanup efforts, and reinforced by the recent NTSB findings, diluted bitumen does *not* behave like conventional crude oil when spilled. The study scope should be broadened to pinpoint the insufficiencies of traditional emergency response plans and help improve techniques for managing a diluted bitumen spill.

Related to this point, I also wanted to note that public interest is only *increasing* in tar sands oil and the risks these pipelines pose to our country. Just this week, on the two year anniversary of the Kalamazoo spill, communities will be gathering at events across the country to *honor* those impacted and demand that such a disaster never be allowed to occur again. At the Sierra Club, we've seen hundreds of thousands of our members take personal action to stop tar sands pipelines--writing letters, testifying at hearings, gathering at State Houses and even surrounding the White House to ask President Obama to reject the permit for Keystone XL pipeline. As Americans become increasingly weary of ever more extreme sources of oil like deep-water drilling and energy-intensive strip mining of the Boreal Forest, tar sands oil has become one of the most controversial, publicly scrutinized environmental issues of our time.

Again, we are deeply encouraged that the NAS and this distinguished panel has been charged with undertaking such an important assessment, and we look forward to watching your progress and hearing the panel's conclusions.

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