

DEPARTMENT OF TRANSPORTATION  
OFFICE OF PIPELINE SAFETY

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PIPELINE AND HAZARDOUS MATERIALS  
SAFETY ADMINISTRATION

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GAS PIPELINE ADVISORY COMMITTEE

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WEDNESDAY,  
JUNE 7, 2017

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The Gas Pipeline Advisory Committee met in the Westin Arlington Gateway, F. Scott Fitzgerald Room C, 801 North Glebe Road, Arlington, Virginia, at 8:30 a.m., The Honorable David W. Danner, Chairman, presiding.

MEMBERS PRESENT:

DAVID W. DANNER (Government), Chairman,  
Washington Utilities and Transportation  
Commission  
STEPHEN E. ALLEN (Government), Director, Pipeline  
Safety Division, Indiana Utility Regulatory  
Commission  
DIANE X. BURMAN (Government), Commissioner, New  
York State Public Service Commission  
CHERYL F. CAMPBELL (Industry), Senior Vice  
President, Gas Engineering and Operations,  
Xcel Energy Incorporated  
J. ANDREW DRAKE (Industry), Vice President Asset  
Integrity and Technical Services, Enbridge  
Gas Transmission and Midstream

SUSAN L. FLECK (Industry), Vice President,  
Gas Pipeline Safety & Compliance, National  
Grid

SARA ROLLET GOSMAN (Public), Assistant Professor,  
University of Arkansas School of Law,  
Pipeline Safety Trust

ROBERT W. HILL (Public), County Development  
Department Director & Emergency Manager,  
Brookings County Zoning & Drainage

TERRY L. TURPIN (Government), Deputy Director,  
Office of Energy Projects, Federal Energy  
Regulatory Commission

CHAD J. ZAMARIN (Industry), President, Cheniere  
Pipeline Company

STAFF PRESENT:

ALAN MAYBERRY, Designated Federal Official,  
Associate Administrator for Pipeline Safety,  
Office of Pipeline Safety

AMAL DERIA, Assistant Counsel, Office of Chief  
Counsel

JOHN GALE, Director, Standards & Rulemaking  
Division, Office of Pipeline Safety

STEPHEN GORDON, Assistant Chief Counsel,  
Regulatory Affairs, Office of Chief Counsel

ROBERT JAGGER, Technical Writer, Standards &  
Rulemaking Division, Office of Pipeline  
Safety

HOWARD MCMILLAN, Executive Director, PHMSA

STEVE NANNEY, General Engineer, Engineering and  
Research Division, Office of Pipeline Safety

SAYLER PALABRICA, Transportation Specialist,  
Standards & Rulemaking Division, Office of  
Pipeline Safety

MARK SANBORN, Director, Governmental,  
International and Public Affairs, Office of  
Pipeline Safety

CAMERON SATTERTHWAITTE, Transportation Specialist,  
Standards & Rulemaking Division, Office of  
Pipeline Safety

CHERYL WHETSEL, Advisory Committee Manager,  
Standards & Rulemaking Division, Office of  
Pipeline Safety

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1 P-R-O-C-E-E-D-I-N-G-S

2 8:36 a.m.

3 MR. MAYBERRY: All right. Good  
4 morning, everyone. I'd like to thank you for  
5 joining us for day two of the Gas Pipeline  
6 Advisory Committee meeting.

7 My name is Alan Mayberry. I'm the  
8 Associate Administrator for Pipeline Safety. And  
9 under the Federal Advisory Committee Act, I will  
10 serve as the Designated Federal Official, and as  
11 such, I'm the presiding official.

12 I'd like to introduce the Honorable  
13 David Danner. He's the Chairman of the  
14 Washington Utilities and Transportation  
15 Commission. He represents the government and is  
16 our Chair today to my right.

17 And just for those of you who weren't  
18 here yesterday and you may recall or if you were  
19 here, restrooms, you probably remember, to the  
20 right as you go out. There are other restrooms  
21 to the left. Emergency exit, yes, will be to  
22 the, if you go straight out the back and to the

1 left, you can head outside that way. Please  
2 remember to silence your mobile devices and hold  
3 conversation to a minimum.

4 We do expect, you know, everyone to  
5 conduct themselves in a professional manner. I  
6 think we did pretty good yesterday. Some  
7 interesting topics we got through, but I think we  
8 made good progress.

9 Regarding that, I'd like to -- for  
10 today, we have a new member joining us. And I'd  
11 like to welcome and congratulate the Honorable  
12 Diane Burman who's a Commissioner at New York  
13 Public Service Commission. So welcome.

14 MS. BURMAN: Thank you.

15 MR. MAYBERRY: Good to have you. And  
16 I'm glad your appointment came through just  
17 recently. So we're glad to have you to the  
18 committee here.

19 And then, as you may know, we'll be  
20 saying goodbye to Sue Fleck. This is her last  
21 meeting, who represents industry. So appreciate  
22 your service, Sue. We'll bid you adieu again

1 later today. But thanks for your service on the  
2 committee.

3 As far as the agenda goes, I had  
4 mentioned yesterday we had a representative from  
5 the Office of the Secretary who was going to join  
6 us. It had been shifted to first thing this  
7 morning. It will probably be later on today. So  
8 we'll be a little bit flexible in the schedule.  
9 And as he comes in, we will allow some time for  
10 Todd Inman to speak.

11 As far as today goes, we made good  
12 progress yesterday, albeit I know the common  
13 theme in talking with many of you after the  
14 meeting was, whereas we went, it was, you know, a  
15 good discussion, maybe a tad slow. I know it was  
16 a little bit slower than I anticipated. But I  
17 think we had good a dialogue, a good thorough  
18 discussion. I think we ended up in a good place.  
19 So I'm very pleased with the outcome so far.

20 As far as today goes, to give you a  
21 flavor for what I anticipate we will cover will  
22 be to finish up the items that we were looking to

1 get your input as far as a vote related to  
2 finishing up the discussion on, where we ended  
3 the day, on 917.

4 We have a number of other items going  
5 through 917 and then 935 on topics, about four  
6 other topics before we get into new business as  
7 far as where we won't be looking for a vote  
8 related to reporting MAOP exceedances, material  
9 documentation, and then the integrity  
10 verification process.

11 But I don't know. We'll see how it  
12 goes. We may not get to those until, at best,  
13 maybe after lunch. But we'll see how it goes.

14 One thing is for sure. We don't want  
15 to rush the conversation. We want to, you know,  
16 make sure that you have time to have your  
17 deliberations to provide us a recommendation we  
18 can carry forward after today.

19 With that, I think I will turn it over  
20 to Chairman Danner. So thank you.

21 MR. DANNER: Good morning. Thank you,  
22 Alan. I call the meeting of the Gas Pipeline

1 Advisory Committee to order.

2 A few items here, this meeting is  
3 being recorded. A transcript will be produced  
4 for the record. And the transcript and the  
5 presentations will be available on the PHMSA  
6 website and on the docket at [www.regulations.gov](http://www.regulations.gov).  
7 And the docket number for this meeting is PHMSA-  
8 2016-0136. That's PHMSA-2016-0136.

9 Okay. Just as we did yesterday, for  
10 those who are speaking, please introduce yourself  
11 each time you speak so your comments can be  
12 acknowledged in the transcript. Set your tent  
13 card on its side if you care to make a comment,  
14 and we'll try and call on people in order.

15 And just for the record, I will be  
16 leaving just a little bit early today to catch a  
17 plane. And I understand we have to be out of the  
18 room by 5:00. Is that right? So we won't be  
19 going over like yesterday. So, for planning  
20 purposes, hopefully we can make some progress.

21 So, at this point, let's take a roll  
22 call, Cheryl.



1 MS. WHETSEL: Steve Allen.

2 MR. ALLEN: Here.

3 MS. WHETSEL: Diane Burman.

4 MS. BURMAN: Here.

5 MS. WHETSEL: Dave Danner.

6 MR. DANNER: Here.

7 MS. WHETSEL: Terry Turpin.

8 MR. TURPIN: Here.

9 MS. WHETSEL: Cheryl Campbell.

10 MS. CAMPBELL: Here.

11 MS. WHETSEL: Andy Drake.

12 MR. DRAKE: Here.

13 MS. WHETSEL: Sue Fleck.

14 MS. FLECK: Here.

15 MS. WHETSEL: Rich Worsinger.

16 MR. WORSINGER: Here.

17 MS. WHETSEL: Chad Zamarin.

18 MR. ZAMARIN: Here.

19 MS. WHETSEL: Mark Brownstein is not

20 here. Sara Gosman.

21 MS. GOSMAN: Here.

22 MS. WHETSEL: Robert Hill.

1 MR. HILL: Here.

2 MS. WHETSEL: And Bob Kipp and Richard  
3 Pevarski are not here. And we do have a quorum  
4 today. Thank you.

5 MR. DANNER: Thank you. And now I'm  
6 going to turn it back over to Alan.

7 MR. MAYBERRY: I think we'll introduce  
8 our first --

9 MR. DANNER: First item.

10 MR. MAYBERRY: -- first item.

11 MR. DANNER: All right. We'll get  
12 right into it then. Steve, do you want to lead  
13 us off?

14 MR. NANNEY: 917(b) is what we were  
15 talking about at the end of the day tomorrow.  
16 Would you like for me to go back through it and  
17 just touch base on it real quick?

18 MR. DANNER: I think it would be  
19 useful to touch the points so that we can just  
20 get ourselves reoriented.

21 MR. NANNEY: Okay. All right.  
22 917(b), again, it's, the issue here is operators

1 are collecting much information, but an  
2 integrated and documented analysis is often  
3 lacking.

4 The basis is San Bruno highlighted the  
5 weakness in this area. Also we have the 2011 Act  
6 that mandates PHMSA to do this. And also we've  
7 got the NTSB safety study.

8 What did PHMSA propose to do? One was  
9 to clarify data to be verified and validated. In  
10 other words, previously we may have referenced  
11 B31.8S, Table 1. We're proposing to put that  
12 table into the code.

13 Clarify requirements for integrated  
14 analysis of the data and information, establish  
15 minimum pipeline attributes to be in it, require  
16 use of validated, objective data, and to address  
17 requirements for use for SME input.

18 What were the committee comments?  
19 Again, they were that the proposed rule does not  
20 include and allow us to address lack of  
21 availability of some data sets by assuming the  
22 pipe segment is susceptible to the threat

1 associated with the missing data.

2 Also the committee questioned the  
3 purpose of extensive data list in generating  
4 compliance paperwork without safety benefit.

5 And this led to discussion on how the  
6 operator would demonstrate to the regulator,  
7 whether state or federal, that he's doing a risk  
8 analysis that is effective, that you're not just  
9 going to, going through a list of things, that  
10 you're doing things that are actually appropriate  
11 for the actual threats and for the outcomes of  
12 what you're actually doing to benefit safety.

13 As far as additional committee  
14 comments were the rule has no timeframe for  
15 implementation for this data collection, also to  
16 clarify the meaning of data integration  
17 verification and validation.

18 Industry commented to remove the  
19 requirement to address SME BOS (phonetic). But  
20 others on the committee commented that SME BOS  
21 and risk analysis are recognized across different  
22 areas and reflects the reality about how humans

1 think about risk and how it must be addressed.

2 Another comment was there was a  
3 challenge to the zero cost conclusion in the  
4 pipeline risk analysis that data collection was  
5 zero cost.

6 And also there was concern that  
7 917(b)(3) is a mandate for using a GIS system  
8 which might be impractical for small operators.

9 Based upon on what PHMSA heard, here's  
10 what we suggest that the committee consider. Of  
11 course, you can consider whatever you would like.

12 But number one is the rule includes  
13 allowance for missing data by a mechanism in 607  
14 to obtain missing data. Also just to add to  
15 that, if you go and you look in 917 presently and  
16 you look in B31.8S, Section 4.4.2 in Table 1, for  
17 HCAs this data collection were pertinent was  
18 already in the regulation and in B31.8S.

19 We realize that with what's in the  
20 rule and some of the congressional mandates we're  
21 expanding from just HCAs to all Class 3 and 4 as  
22 part of the mandate that we've got.

1           Also, if you go and look at B31.8S,  
2           Section 4.2.1, there is allowance for lack of  
3           data that only applies to threat identification  
4           and applicable threats. They should be assumed  
5           to apply where pertinent data is not available.

6           Data is used in the risk assessment  
7           for other purposes including risk management,  
8           identifying P&M measures, analyzing interactive  
9           threats. And the purpose of this risk assessment  
10          cannot be adequately implemented just using gross  
11          assumptions about the threat applicability.

12          Section 4.2 of B31.8S requires the  
13          operator to have a comprehensive plan for  
14          collecting data sets. And this has been a  
15          requirement in 917 referencing B31.8S, Section 4  
16          since 2004.

17          Some other PHMSA suggestions for the  
18          committee to consider is that the pipeline risk  
19          analysis zero cost was based upon 917(b) already  
20          being required.

21          At a minimum, an operator must gather  
22          and evaluate the set of data specified in

1 Appendix A of B31.8S and consider both the  
2 covered segment and similar non-covered segments,  
3 past incident history, corrosion control records,  
4 continuing surveillance records, patrolling  
5 records, maintenance history, internal inspection  
6 records, and all other conditions specific to  
7 each pipeline.

8 Also, 917(b)(1) is intended to reflect  
9 the set of data specified in Table 1 in Appendix  
10 A of B31.8S and existing 917(b)(1) plus the  
11 addition of seismicity-related data to implement  
12 the congressional mandate of the 2011 Act.

13 An additional suggestion by PHMSA for  
14 the committee to consider was to make minor  
15 adjustments to the listing of pipeline attributes  
16 in 917(b)(1) to be more consistent with the  
17 existing regulations of B31.8S. And PHMSA has  
18 done that in what we've considered.

19 Address the topic of SME bias by  
20 rewording 917(b)(2), and that the proposed rule  
21 would not require a GIS system, which any -- the  
22 one reference in there to GIS we would mark out.

1                   From that, I turn it back over to the  
2 Chair.

3                   MR. DANNER: All right. Thank you  
4 very much. We took public comments on these  
5 items yesterday. So I think we should just see  
6 if we can pick up where we left off with the  
7 committee conversation. So does anybody want to  
8 start us off this morning? Mr. Drake.

9                   MR. DRAKE: Yesterday we ended by  
10 looking at the proposed list. Could we put that  
11 proposed list back up there? I mean, I think  
12 that's really germane to the discussion is what  
13 are the list of attributes that we are now  
14 talking about. We had not seen that until  
15 yesterday.

16                   (Off mic comments.)

17                   (Laughter.)

18                   MR. DRAKE: So, while that's going up  
19 there, I have a question about, you cited both  
20 the NTSB report and the statute in making these  
21 recommendations. And the question I have is how  
22 prescriptive was that. Was there either



1 statutory direction or a recommendation by NTSB  
2 that we simply lift this table and put it into  
3 the regulations?

4 MR. MAYBERRY: Well, in summary, the  
5 NTSB really wanted us to give better clarity on  
6 the expectations in this area, in particular on  
7 the interactive threats. And so that's kind of  
8 the bottom line there.

9 MR. DRAKE: Okay.

10 MR. MAYBERRY: And by the way, I might  
11 add that, you know, the punch line here  
12 essentially with some changes is we're putting  
13 into code provisions of a standard that really  
14 are already in use. I mean, that's, again, with  
15 some exceptions, the B31.8S integrity management  
16 standards. So --

17 MR. DANNER: And these --

18 MR. MAYBERRY: And we already  
19 reference it.

20 MR. DANNER: Right. So these are  
21 already incorporated by reference into the code.  
22 Is that --

1 MR. MAYBERRY: Right. Exactly. I  
2 guess to that end, while the list looked  
3 daunting, it's really already in use.

4 MR. DANNER: All right.

5 MS. CAMPBELL: Mr. Chair?

6 MR. DANNER: Yes. I'm sorry. I  
7 didn't see your tent card.

8 MS. CAMPBELL: So --

9 MR. DANNER: Identify yourself,  
10 Cheryl.

11 MS. CAMPBELL: Oh, sorry. Cheryl  
12 Campbell, Xcel Energy. Apologies.

13 So I look at the list and, yes, I  
14 agree and understand that this was incorporated  
15 by reference. I think, is it the intent -- and I  
16 don't even know how to ask the question.

17 So there are different pieces of  
18 information and types of information on here that  
19 are pertinent and important at different points.  
20 And I thought yesterday we had seen -- I'm not  
21 seeing the jeeping records. I thought yesterday  
22 we had seen or heard -- Steve, I'm sorry. Was

1 that --

2 PARTICIPANT: It's embedded in the  
3 soil and backfill --

4 MS. CAMPBELL: It's embedded in some  
5 of the reports, okay, soil and backfill reports,  
6 okay.

7 So I guess my question is the  
8 intention -- there are certain things that over  
9 the life of a pipeline, right, they're relevant  
10 at certain points in time. And then as you move  
11 forward and incorporate a pipe into your system  
12 and into your processes and procedures, other  
13 pieces of information show up and that initial  
14 one was less.

15 So jeeping is a good example. If I  
16 can just maybe talk about jeeping. Critically  
17 important when you're building a pipe, absolutely  
18 agree with that. You fix, repair the issues you  
19 find. You put the pipe in the trench. It gets  
20 incorporated into your corrosion prevention  
21 program.

22 And at some point, that jeeping record

1 is no longer very interesting and doesn't really  
2 add anything to managing the safety of that  
3 asset.

4 So I guess what I'm trying to ask is  
5 the intention that operators collect all this  
6 data, maintain it for the life of the asset, and  
7 integrate it all the time even when -- so, for  
8 instance, if I'm doing an ILI, that's a much  
9 better indicator of today's external corrosion  
10 issues than those jeeping records were ten years  
11 from now. And I'm not that interested in that  
12 record anymore.

13 So I'm just struggling with a list  
14 this comprehensive when not all of it is  
15 pertinent all the time. So how do we -- and I  
16 thought what I heard us talk about yesterday was  
17 where it's pertinent. Well, how do make that  
18 clear, because I don't read it that way? The way  
19 it is today, I don't read it as when it's  
20 pertinent.

21 MR. DANNER: All right. Steve, do you  
22 want to respond to that?

1           MR. NANNEY: Yes. Well, first of all,  
2           this Table 1, if you look in the code in 917(a)  
3           now, for an HCA it's required. And this is the  
4           list that PHMSA was given by industry in B31.8S,  
5           Table 1.

6           So, you know, one point I'm hearing is  
7           -- are you wanting us to pull back from what was  
8           given to us in the past? But we have, you have  
9           asked, the committee has, and we've told that we  
10          would consider in as putting pertinent and  
11          putting, or pertinent, applicable, whatever terms  
12          in there that we would consider putting that in  
13          in everything. So, I mean, we hear you there.

14          But, again, our goal was to put this  
15          Table 1 into the code because I realize we've got  
16          HCAs that this has been applicable to. If you  
17          look at the mandate in the Act of 2011, it adds  
18          to Class 3 and 4. So we realize there's some  
19          additional areas that you may be having to get to  
20          it.

21          So, you know, if there's some  
22          additional language that the committee wants us

1 to consider, we'll consider it. But we think  
2 we've hit it correct.

3 MR. DANNER: All right. Thank you.  
4 Mr. Drake.

5 MR. DRAKE: Andy Drake with Enbridge.  
6 I think, just to make sure I'm clear, I have a  
7 couple of questions.

8 One, I think you just sort of hit on  
9 it. The applicability of this in this regulation  
10 is for HCAs, Class 3s and 4s, right? This list  
11 is derived from ASME B31.8 to the largest part.

12 The list that we saw previously until  
13 yesterday had a lot of other things in there. We  
14 talked -- I think we were kind of working through  
15 machinations of filtering some of those things  
16 out. You know, toughness fell out, and now  
17 jeeing is out.

18 And, you know, I'm sitting here  
19 reading this. I honestly don't see anything  
20 that's that concerning.

21 I do think there are some issues.  
22 We'd probably want some way of dealing with

1       practicability or some way of dealing with like  
2       very nits and nats almost, like bending method.  
3       Bending method is not relevant if you run a peg  
4       and you find out if you got wrinkles or not. I  
5       mean, they're either there or they're not no  
6       matter how you bend it.

7                 But that's the smallest part of this.  
8       I think the piece that is in my mind right now  
9       that is very relevant to the discussion is one of  
10      the points that you made yesterday. And that is  
11      how long do we have to populate this data and how  
12      do we behave or assume in the interim, because I  
13      think that's relevant.

14                I think we're moving in the direction  
15      of gathering this data. We've moved now to  
16      gather SMEs. Now we're going to move to gather  
17      it in additional areas.

18                I think it's good for us to be clear  
19      with one another. How long do we have before the  
20      expectation of full compliance is in place? And  
21      what is the behavior or expectation in the  
22      interim? Does that make sense?

1 MR. NANNEY: Chair, could I answer?

2 MR. DANNER: Yes, you can.

3 MR. NANNEY: Okay. How I would reply  
4 is from the committee guidance from the last  
5 meeting was us to consider one to three years. I  
6 know there had been discussion as up to five  
7 years.

8 And we had taken that one to three  
9 year timeframe that we had heard as they would  
10 have to have procedures and start within one year  
11 and complete it within three is what I thought  
12 the takeaway was from the last meeting.

13 And so we thought we heard the  
14 committee there, and so start with procedures  
15 within the first year and then the collection  
16 within three. That's very similar to what the, I  
17 mean, the liquid committee had come to us with.

18 MR. DRAKE: I think that's a relevant  
19 point. This same discussion has been carried in  
20 the liquids committee with adding additional  
21 data. And what was the protocol, just to be  
22 clear, there? It was five years or start it in



1 one year and head up to five years, or was it  
2 three or --

3 MR. NANNEY: I think it's just like  
4 what I just said. Now --

5 MR. DRAKE: Yes.

6 MR. NANNEY: -- I'll have to go back  
7 and look because my memory isn't as good as it  
8 was a few years ago. But if I --

9 (Off mic comments.)

10 MR. NANNEY: Okay. HCA?

11 MR. GALE: Yes.

12 MR. NANNEY: Okay. I need to -- one  
13 thing that John was reminding me, and I'll have  
14 to look, it may only be applicable to HCAs. I  
15 need to go back and look in 917(a). It may not  
16 be applicable to the Class 3 and 4 outside the  
17 HCAs. I need to look. I just don't have it in  
18 front of me right this minute.

19 MR. DANNER: All right. Sara, then  
20 Sue.

21 MS. GOSMAN: Good morning, everyone.  
22 I want to make a couple of points up front here.

1 The first thing is I want to thank PHMSA for  
2 choosing to incorporate this language in the  
3 regulation and taking the language out of the  
4 standard and putting it in the regulation and for  
5 one, you know, just very practical reason.

6 I was looking for Appendix A last  
7 night as I was prepping for this meeting and  
8 couldn't find it publicly available. I could pay  
9 \$145 to ASME to look at Appendix A. So perhaps I  
10 didn't find it.

11 But I think it gets to the point that  
12 this is hard information for the public to be  
13 able to review. And I'm glad that you're putting  
14 it in the regulation.

15 I like the categories of data that you  
16 have in the proposed rule. And I particularly  
17 like the data that is relevant to depth of cover,  
18 which it sounds to me like you were considering  
19 requiring if I got your list correct yesterday.

20 I also think that the data on  
21 encroachments is very useful. And I think one  
22 way of handling the question of whether things

1 are relevant at all to risk analysis is to use a  
2 word like pertinent here.

3 I think that this is actually a great  
4 example of a rule where we want to have a broad  
5 set of data listed. But then we want to give  
6 direction to the operators that what the data  
7 they need to be gathering and evaluating is the  
8 pertinent data.

9 So I'd rather see a longer list of  
10 important data sets with the understanding that  
11 it's the pertinent data that matters to the risk  
12 analysis.

13 On the question of timing, I mean, I  
14 think it's pretty clear from the language of the  
15 existing rule that this data, at least in  
16 Appendix A of the ASME standard, was supposed to  
17 be gathered and evaluated.

18 But I also understand that this is a  
19 huge amount of data. And I think if it takes us  
20 one to three years to get to the point where  
21 we're really there, then I think that's fine. I  
22 think that's okay to get to that point.

1           But, again, my interest here is in  
2 getting it into the code, I mean, take it out of  
3 ASME, put it directly into the regulations, try  
4 to be as broad as we can on the data sets, and  
5 limit it by some word like pertinent. Thank you.

6           MR. DANNER: Thank you. Sue.

7           MS. FLECK: Thank you, Chair. Susan  
8 Fleck, National Grid.

9           A couple of points, the first one is  
10 I agree with the use of the word pertinent in  
11 there, looking at the data sets and picking the  
12 right ones. And I think that would help make  
13 this a little more doable.

14           I want to make another comment about  
15 timeframe. We are supposed to be collecting  
16 this, and in most cases we were. For the older,  
17 for the really older lines put in before code, we  
18 don't necessarily have it. So you can't create  
19 something that doesn't exist.

20           The timeframe was really more for  
21 incorporating into our risk models, finding  
22 alternative data where necessary. We do need a

1 little time for that. And I think three years  
2 may be the right amount of time to let us do  
3 whatever we need to do to get that done.

4 And the only other thing I want to  
5 comment on is bringing in information from an  
6 external standard like ASME B31.8 is fantastic.  
7 But just plucking a table out and setting it in  
8 the federal code without all the supporting  
9 information that comes along with the standard is  
10 a little bit problematic.

11 I'd rather see the table inserted and  
12 the rest of the standard maybe incorporated by  
13 reference or something like that because I think  
14 there's some supporting information that makes  
15 this more usable. So those are my comments.

16 MR. DANNER: All right. Thank you.  
17 I don't see any other tents up. Oh, I'm sorry.  
18 Steve, did you -- all right.

19 I do have a question, though. If  
20 we're using the word pertinent, and I don't  
21 disagree with that, I just have a question again  
22 as a regulator. I don't want to create a

1       loophole where an operator says, well, we only  
2       have to do what is pertinent; in our view, depth  
3       of cover isn't pertinent, so we're not going to  
4       collect it, or, you know, half these things  
5       aren't pertinent.

6                   What kind of presumption or what kind  
7       of test do we have to determine whether the  
8       operator acted reasonably in determining that  
9       it's not pertinent to collect certain  
10      information? Sara, your card is up.

11                   MS. GOSMAN: So one suggestion I have  
12      is to use a sort of reasonable operator standard.  
13      I mean, you could put in pertinent according to a  
14      reasonable operator. There's probably better  
15      language out there, but essentially make it clear  
16      that it's not a discretionary determination, but  
17      it's one that you would expect a reasonably  
18      prudent operator to make.

19                   MR. DANNER: Okay. Thank you. Would  
20      there be any objection to that kind of a  
21      language? All right. Great.

22                   All right. Any further discussion?

1 You want to put a motion up on the -- John?

2 MR. GALE: Just one minute, Chairman,  
3 and we'll have something up on the screen.

4 MR. DANNER: Okay. Actually, I just  
5 want to say how impressed I am with the speed  
6 which you guys are getting the stuff up on the  
7 wall.

8 MR. MAYBERRY: I'm impressed with the  
9 speed of getting to a vote right now.

10 MR. DANNER: It's early in the day.  
11 We have lots of energy.

12 MS. GOSMAN: So I don't -- sorry. Can  
13 I just, having said speed, can I just have one  
14 more point --

15 MR. DANNER: Yes, and then Andy's  
16 going to slow us down, too.

17 MS. GOSMAN: Oh, did you have yours  
18 first? Okay. I'm going to take the blame. All  
19 right.

20 On the bias language, I just wanted to  
21 make sure I understood where we were going with  
22 that. It seems to me that, Steve, you laid out

1 the sort of arguments on both sides about the  
2 language on bias in the proposed rule. And I'm  
3 not sure I was clear on what we are voting on as  
4 it relates to that question.

5 I think that the language on bias in  
6 the proposed rule as it stands is good. I  
7 particularly like the reference to some external  
8 checks on bias not, and to be clear, not because  
9 I think that people are inherently biased or not  
10 doing the right thing, but because we all just in  
11 terms of our own sets of viewpoints, right, we  
12 all are biased in some way as we view  
13 information.

14 We're not, and never can be,  
15 completely objective on these issues. And I  
16 think it's important to build that in. And I  
17 think the language builds that in without sort of  
18 tarring and feathering an entire industry here.  
19 I think that's, as I read it, that's the purpose  
20 of that language.

21 MR. NANNEY: Is there --

22 MR. DANNER: Would you agree with



1 that?

2 MR. NANNEY: PHMSA would be fine with  
3 that if the committee recommends.

4 MR. DANNER: Okay.

5 MR. NANNEY: That's similar wording to  
6 what's in there.

7 MR. DANNER: All right. So can we  
8 continue on this for a second, Andy? All right.

9 MS. FLECK: I'm sorry. But I really  
10 don't understand what was just proposed around  
11 SMEs. And I'm very uncomfortable with having to  
12 have my SMEs, like National Grid, sorry, checked  
13 by external.

14 So I'm misunderstanding, and I really  
15 want to be clear on what you're saying about SMEs  
16 because we rely on our subject matter experts and  
17 their wealth of knowledge and years of experience  
18 to help us make the right decisions. And I don't  
19 really want to put unnecessary handcuffs on them.

20 I really want to make sure we deal  
21 with bias without killing the people who bring  
22 this tremendous amount of knowledge to us. So

1 please explain what you're proposing.

2 MS. GOSMAN: Sure. So all I'm doing  
3 is trying to defend the proposed rule language.  
4 I'm not adding anything else to it. I'm just  
5 trying to explain my position on why I think that  
6 language should stay.

7 Yes, I completely agree that it's a  
8 really important part of this, that there are  
9 subject matter experts and that we value what  
10 they do, yes.

11 (Off mic comments.)

12 MR. DANNER: Okay. Andy?

13 MR. DRAKE: I think it would help if  
14 we could see the language for the SME just to be  
15 clear. I mean, but I think we're all actually  
16 very close to agreeing how that would be carried.  
17 Just a point of order, it may be helpful if  
18 everybody could just actually see what it is  
19 we're talking about.

20 MR. DANNER: Okay.

21 MS. FLECK: Yes, can we see the  
22 section?

1 (Off mic comments.)

2 MS. FLECK: Chair, may I share what my  
3 one concern is?

4 MR. DANNER: Of course.

5 MS. FLECK: Okay. When I look at  
6 this, I really only have trouble with one word,  
7 and it's an and. Roughly in the middle of the  
8 paragraph, it says bias control measures may  
9 include training of SMEs and use of outside  
10 technical experts.

11 If that said or use of outside  
12 technical experts, I think I could be more  
13 comfortable. I just don't want to be backed into  
14 a corner where every time I'm making a decision I  
15 have to train my SMEs and hire a consultant. I  
16 just don't --

17 MR. DANNER: I --

18 MS. FLECK: I know it says may in the  
19 beginning.

20 MR. DANNER: Yes, that's what I was  
21 going to say.

22 MS. FLECK: It says may in the

1 beginning, but it could be -- words matter. And  
2 if it said or, I think I'd be far more  
3 comfortable that I have choices. So that's where  
4 I'm coming from.

5 MR. DANNER: Okay. And I guess I  
6 would see that as not a very significant change.  
7 So, Andy?

8 MR. DRAKE: I think that I'm prepared  
9 to make a motion on this. But I do think before  
10 I do so I just want to make one complement to  
11 Sue. And that is I think keeping the list that's  
12 being extracted from ASME in context is important  
13 because it helps clarify how we handle missing  
14 data and what assumptions that we make.

15 And I think that's your point is that  
16 if you just extract the appendix and you say you  
17 must have all this data, it gets out of context  
18 how the appendix was developed and how it's, how  
19 we work with it.

20 And I don't think anything is lost or  
21 compromised in that, especially as we work  
22 towards getting that data more definitive over

1 time certainly.

2 But I do think my recommendation would  
3 be to be careful as you lift that and make sure  
4 that the context that's in ASME comes with it as  
5 it is brought out. It will not compromise the  
6 list. It just tells people what assumptions to  
7 make in the absence of the data, which is  
8 actually in Steve's slides. It talks about how  
9 to make conservative assumptions. That's really  
10 the only recommendation.

11 And with that, I would propose to make  
12 a motion on this list.

13 MR. DANNER: All right. Before you do  
14 that, Chad's card is up.

15 MR. ZAMARIN: Yes, Chad Zamarin,  
16 Cheniere Energy. I just had one, a couple of  
17 comments about this SME section.

18 I do think just in practice in reality  
19 when you say something like -- I'm going to make  
20 this to Sue's point. When you say something like  
21 control measures may include training or outside  
22 consultants, you know, this is a code that's used

1 by inspectors. And when they come into our  
2 offices, you know, and they read something like  
3 that, I think that that sets a level of  
4 expectation that's pretty specific.

5 And I do think that you already said  
6 that, you know, the operator must employ measures  
7 that -- I don't know that I like correct any bias  
8 in SME input, but I don't think that's the point.  
9 The operator has to address the issue of SME data  
10 reliability. You know, that's what I think we're  
11 saying.

12 To specify how to do that and I think  
13 -- you know, for example, the way that we've done  
14 it in the past is we typically take our SMEs'  
15 input, and then we validate our risk assessment  
16 results against real life results that we've seen  
17 in the field. And we see if there are  
18 significant differences between what we hear from  
19 our SMEs and what we see in the results of our  
20 assessment.

21 We don't hire outside consultants. We  
22 don't, you know, do something, you know, that I

1 think would be considered exactly what the code  
2 suggests here.

3 So frankly my preference would be for  
4 it to just be a full stop after the operator must  
5 employ measures to adequately address, you know,  
6 the reliability of SME input. And I think that's  
7 where we were talking in the last meeting to try  
8 to simplify this.

9 But, you know, I don't know. I think  
10 you've already addressed that there's an  
11 expectation that the operator has to have a  
12 verification of SME data.

13 MR. DANNER: All right. Thank you.  
14 Diane?

15 MS. BURMAN: So, as I look at it, I  
16 think everybody -- and I apologize for not being  
17 here yesterday for the discussion. So I'm maybe  
18 going out on a limb in assuming some things. I'm  
19 assuming that everybody is in agreement that the  
20 subject matter experts should not be biased.

21 I'm assuming that everyone wants to  
22 make sure that there is adequate measures

1 employed to do that and that it's done in a way  
2 that's verifiable and gets us to the necessary  
3 information we need that's objective, traceable,  
4 verified, and validated.

5 I am concerned by the language on the  
6 bias control measures may include training of  
7 SMEs and use of outside technical experts going  
8 down. The concern I have is that it seems to  
9 indicate that we are promoting the use of  
10 training -- what that training is I'm not exactly  
11 sure -- and the use of outside technical experts  
12 who in and of themselves may have bias.

13 So I think if we all are in agreement  
14 and there's some standard that is utilized,  
15 giving flexibility to folks, that that's very  
16 important.

17 I'm not necessarily sure that the  
18 language helps us or harms us. I'm just raising  
19 it as sort of ultimately I think the threshold is  
20 we all want to make sure that we don't have bias,  
21 and we need to understand what the measures will  
22 be to ensure that the bias is not there, giving



1 flexibility to folks to do that. At least that's  
2 where I'm seeing it.

3 MR. DANNER: All right. Thank you.  
4 Steve? Oh, Chad.

5 MR. ZAMARIN: I'm just going to make  
6 one comment. Maybe it will help if I give an  
7 example. I've used this example in the past.  
8 You know, I think bias sounds somewhat like a  
9 scary word. But I'll use the example of coating  
10 condition.

11 You know, we have systems that span  
12 across the country. And we have a pipeline in  
13 one part of the system that's relatively new.  
14 And we might have a pipeline in another part of  
15 the country that's relatively old.

16 A person assessing the coating  
17 condition of that new pipeline, a relatively  
18 small amount of coating damage is often times  
19 interpreted as bad coating condition because it's  
20 a new pipeline and you expect very little coating  
21 damage on a new pipeline.

22 You might have a person assessing

1 coating condition on an older pipeline that that  
2 same amount of coating damage would be considered  
3 relatively minor.

4 And the bias we're talking about  
5 correcting most often is those two need to be  
6 reconciled, because if you're allocating your  
7 energy and your resources towards addressing the  
8 most significant threat, you want to make sure  
9 that you're not getting confused by those two  
10 different situations, one person assessing on  
11 their system that it's a very serious issue, even  
12 though relative to what you're seeing in another  
13 part of the system where it's considered a  
14 relatively minor issue, that relatively minor  
15 issue might actually be more significant.

16 So that's what I think in many cases  
17 we're trying to correct, that we're taking  
18 information from people and we're trying to  
19 calibrate it so that we can make the right  
20 decision when we put it together with all of the  
21 other information.

22 And I do think specifying how we

1 verify that information is troublesome because  
2 it's, there are a lot of different, you know,  
3 scenarios that can play out. So I agree with all  
4 the comments. Hopefully, an example like that  
5 makes sense.

6 I know bias sounds scary. We do need  
7 to make sure people aren't trying to influence,  
8 you know, the scary bias, but also just  
9 recognizing it's a factor that exists because  
10 we've got diverse systems with a lot of different  
11 people thinking in the context of their own  
12 situation and not necessarily where we're looking  
13 at the whole picture. Thanks.

14 MR. DANNER: All right. Steve?

15 MR. ALLEN: Steve Allen, IURC. Chad,  
16 I think you said that very well. And I agree  
17 with what you said.

18 You know, the language out there,  
19 again, not the wordsmith here, but I think the  
20 real issue is whether or not the operators have  
21 adequate measures or controls in place to ensure  
22 reliability or, and consistency in the

1 information. I mean, I think that's really, you  
2 know, where the rubber meets the road. It's  
3 ensuring reliability and consistency and  
4 accuracy, I guess, of SME input.

5 There are biases out there. And I  
6 think that's a great example that you gave  
7 regarding, you know, older pipeline, newer  
8 pipeline, coating differences. I mean, you have  
9 to reconcile that. And you have to -- you know,  
10 the input from the SME has to be driven towards  
11 what is the riskiest. I mean, you have to have  
12 some sort of a consistency there.

13 So I don't think it needs to be overly  
14 proscriptive. I think basically a statement that  
15 the operator must ensure that there are adequate  
16 controls or measures in place to ensure  
17 consistency and accuracy of SME input.

18 MR. DANNER: All right. Sue, and then  
19 Diane.

20 MS. FLECK: Sue Fleck, National Grid.  
21 One other thing I just wanted a little clarity  
22 from Steve on, the last sentence, I guess I never

1 really noticed this before. But it's saying the  
2 operator must document the names of all SMEs and  
3 information submitted by the SMEs for the life of  
4 the pipeline.

5 In a large company, we have 5 or 600  
6 people in our engineering department, that is a  
7 daunting task. What we do is we document where  
8 the information came from, what system, and the  
9 departments or the department heads or whoever is  
10 collecting the information.

11 But this is a new, this would be a new  
12 reporting requirement. And I want to know what  
13 you're really looking for here.

14 So are you really looking for the  
15 names and serial numbers of everybody who  
16 submitted a piece of information into a system?  
17 Are you looking for us to document where those  
18 system reports came from, because, again, this is  
19 coming out of our GIS systems, our work  
20 managements systems? But not every piece of data  
21 is tagged with a human being's name of who put it  
22 in there.

1           MR. DANNER: Steve, do you want to  
2 respond to that?

3           MR. NANNEY: Well, what we'd be  
4 looking there would be a procedure that  
5 documents, number one, how you use SMEs, what  
6 data you use them for, and actually if you are  
7 using them to make the judgement whether it's a  
8 lack of data or adding to or subtracting from  
9 data, however you plan to use them, that you  
10 document that, and you document who it is that  
11 you're using it.

12           I mean, you may suggest in your  
13 procedure that you have the department versus the  
14 person's name. But we would be expecting  
15 documentation, not that it just shows up and it's  
16 there. But we would expect in the procedure to  
17 document. In a lot of companies it would  
18 probably be an individual in a particular  
19 department.

20           MS. FLECK: Yes, and my fear is how is  
21 this enforced. When I look at code language, I  
22 always come back to how is a state inspector

1 going to enforce this. And I think this is going  
2 to be troublesome for a state inspector to know  
3 when and where to ask for the name of the person.

4 So, if we're talking about for data  
5 that's not in a system, so you're talking about  
6 anecdotal information, and you need to track it,  
7 but otherwise, you know, our risk models are  
8 pulling from systems. They're pulling the data.  
9 And hundreds of people put that data into those  
10 systems.

11 So, again, I don't quite understand  
12 what you're asking us to do and how I'm going to  
13 be in compliance with this section of the code  
14 when my state regulators come to call because  
15 it's a little ambiguous to me.

16 MR. DANNER: Okay. I thought I saw  
17 some tents up. Oh, Alan, you've got your tent  
18 up.

19 MR. MAYBERRY: Well, actually my  
20 comment was more related -- we're going to  
21 respond to Sue -- but related to the use of SMEs.  
22 I know it's interesting we, you know, we had a

1 lot of discussion here in the recent months on  
2 non-mandatory language like the word may.

3 But I think we understand the desires  
4 of the committee that we not box you in, that  
5 there's, that we, you know, with a proscriptive  
6 list of ways to do it, but that we address, as we  
7 address it through that third bullet up there,  
8 that we have the expectation there, but then we  
9 provide, you know, that there may be other  
10 methods to consider to address bias.

11 So that's all I was going to add  
12 there. If it needed to be, you know, as far as  
13 addressed in the voting language, I don't know.  
14 I think we understand what you mean as far as by  
15 addressing bias.

16 MR. DANNER: So my own response to  
17 that is that I find this to be instructive and  
18 illustrative. And so that second sentence, I  
19 wouldn't suggest taking it out.

20 But I could see, for instance,  
21 changing and to or, but also maybe saying bias  
22 control measures may include comma for example



1 comma, but just basically something that, you  
2 know, gives an idea of what we're talking about  
3 here, because I think without it then we're just  
4 throwing out with regulators will be buzzwords.  
5 And I do think this kind of instructive language  
6 is very helpful.

7 Thanks. What order? Steve, then  
8 Andy.

9 MR. NANNEY: Just to finish with what  
10 Sue asked and I think I had detailed, from the  
11 last meeting what we had heard on that and what  
12 we were considering what we thought the committee  
13 had said was that we would look at, for that last  
14 sentence -- I think that's what Sue was  
15 concentrating on -- that the operator must  
16 document the names and qualifications of any SME  
17 involved in data validation and information  
18 submitted by the SMEs for the current risk  
19 assessment.

20 That's what we thought we heard the  
21 committee say that they wanted us to change that  
22 to. In other words, if you're doing data

1 validation, what's your qualifications?

2 In other words, it would be just like  
3 any qualification you're doing on other things  
4 along the pipeline. You would have a procedure  
5 set up. And it would have what those  
6 qualifications would be. Then you would document  
7 for that person. It would be just like any OQ  
8 for any other covered task that you have.

9 And so that's how we heard the  
10 committee last time. And that's what we were  
11 considering if you recommend that.

12 (Off mic comments.)

13 MR. DANNER: Okay. I apologize. I  
14 lost track of the order. I think we'll start  
15 with Andy, Diane, and then Sara.

16 MR. DRAKE: I'm prepared to make a  
17 motion just to kind of keep your propellers in  
18 the water here.

19 MR. DANNER: Oh, okay. Well, then  
20 we're going to jump over you and go to Diane.

21 MS. BURMAN: So I actually -- Sue, you  
22 asked the question that I was going to ask, which

1 is when we originally were talking about bias, we  
2 had talked about after input and all of that  
3 wording. And then I realized that the operator  
4 sentence was different from the bias.

5 So I guess my question really is, when  
6 I first looked at the sentence, for me, it would  
7 be that I could, as a regulator, say give me the  
8 names of all your SMEs in one document and tell  
9 me all the information connected to it.

10 But I understand from at least your  
11 point of view that that would be difficult to do.  
12 So that does get to the issue of what is the  
13 documentation that will be needed as it relates  
14 to the SMEs, because I do think it's important.

15 MS. FLECK: It is important.

16 MS. BURMAN: And it's also important  
17 that we don't then have difficulty in not wanting  
18 to make someone a subject matter expert for fear  
19 that then you're going to have to collect the  
20 information.

21 So, for me, what's key is why do we  
22 need the information, in what circumstances, and

1       how do we easily get that when it's necessary for  
2       us for oversight purposes.  So that's, I think,  
3       something that we need to figure out.

4               MR. DANNER:  All right.  Sara?

5               MS. GOSMAN:  Maybe this is just a  
6       question about how we're going to vote on this.  
7       I'm not sure if we're looking for some form of  
8       consensus on a specific set of principles, or it  
9       seems at this point we'd just like to take this  
10      conversation and all of the things that have come  
11      out of it and go back and consider how to -- I'm  
12      seeing nods.  All right.

13              I'll just say that I really like the  
14      idea of an illustrative list, and or is  
15      absolutely fine with me.  But, in my mind, these  
16      regulations, where we are able to give specific  
17      examples and make clear that they are only  
18      examples, I think it helps to be concrete about  
19      the expectations for the rules.

20              So I think that's helpful.  In  
21      whatever way we can draft a language to make sure  
22      that this is not going to be seen as a

1 requirement I think is fine.

2 I guess I just have another possible  
3 suggestion. Perhaps you have already done this.  
4 But I think this issue of bias is an interesting  
5 and difficult one.

6 I've read a little in the literature  
7 about bias in the context of risk management.  
8 And I wonder whether it makes sense to do a  
9 workshop or otherwise engage in this issue more  
10 as we focus on things like risk modeling  
11 methodologies and the information coming off of  
12 that. Thank you.

13 MR. MAYBERRY: You know, as we roll  
14 out our guidance or the results of the risk model  
15 working group, we do plan to have a public  
16 meeting. I think that's a good point. I think  
17 we'll roll that topic into that discussion.  
18 Appreciate it.

19 MR. DANNER: All right. Is there any  
20 -- Steve.

21 MR. ALLEN: Steve Allen, IURC. I'm  
22 sorry. I just, I lost track of where we came out

1 on that last sentence on operator must document  
2 the names of all SMEs and information submitted  
3 by the SMEs for the life of the pipeline.

4 That seems kind of onerous. I'm not  
5 quite sure what we get out of that. And actually  
6 where did we come out on the conversation?

7 MR. DANNER: You're talking about the  
8 last sentence. Well, I think Diane has some  
9 thoughts on that.

10 MS. BURMAN: Actually, you're the  
11 perfect person to talk to this issue on what you  
12 see the need for this information. I do think  
13 it's important that we look at whatever we're  
14 asking for, that we're clearly understanding what  
15 we want from it, and how it can be helpful. So  
16 it's important to me to hear that to work through  
17 how do we get to everyone being on the same page  
18 of that.

19 MR. ALLEN: Okay. Good question.  
20 Steve Allen, IURC.

21 I think it goes back to my previous  
22 comment where I think the operator just needed to

1 make sure that they have adequate controls and  
2 measures in place to ensure the reliability and  
3 consistency of SME input.

4 And if they can demonstrate that, I  
5 really don't care about who the SME was or what  
6 they're -- you know, as long as they have some  
7 controls in place that would demonstrate to me as  
8 a state regulator here's what we did and here's  
9 the threshold, if you will, of, you know, we're  
10 going to listen to Joe over here because he's  
11 been, you know, around the company for 30 years  
12 and put the line in 30 years ago.

13 Okay, fine, dandy. But I'd really  
14 rather see at a higher level some sort of control  
15 mechanism, you know, management control.

16 MR. DANNER: And you don't think  
17 that's captured by the language that says  
18 information submitted by the SMEs.

19 MR. ALLEN: Steve Allen, IURC. I  
20 think that just the language as it exists is  
21 troublesome to me because it just adds an awful  
22 lot of work to maintain that information. And

1 I'm not sure what the benefit is.

2 MR. DANNER: Chad, and then Diane.

3 MR. ZAMARIN: Yes, Chad Zamarin with  
4 Cheniere Energy. I just want to echo support for  
5 what Steve just said. I think what he described  
6 is setting the expectation. And what this does  
7 is list things to do and doesn't necessarily  
8 clarify what value it's adding, I mean, which was  
9 kind of the -- you know, that last sentence,  
10 what's the purpose?

11 I think the purpose is we want to make  
12 sure that controls are in place to ensure the  
13 reliability and consistency of SME data, whether  
14 that's bias, whether that's, you know, training,  
15 whether that's, you know, whatever it may be.

16 So, you know, that's why I kind of  
17 felt like even the focus on bias might not  
18 necessarily be the right way to do it. I think  
19 the point is measures need to be in place to  
20 verify the reliability and consistency, whatever  
21 the right terms are.

22 But I think the point is you're



1 setting the expectation of what you want to  
2 accomplish. You're not just giving a list of  
3 things to do. You're making it clear that this  
4 is why we want you to do things.

5 And these may be the right ways to  
6 achieve that or there may be other ways to  
7 achieve it. So don't box yourself in too  
8 tightly.

9 MR. DANNER: So, if it said something  
10 like operators must take, must document steps  
11 taken to correct bias?

12 MR. ZAMARIN: Yes, or verify the  
13 integrity of SME data, because I don't think it's  
14 just bias.

15 And I think bias is sometimes  
16 misinterpreted as a scary term, that somebody is  
17 trying to influence something. And my experience  
18 is that the bias is typically not nefarious.  
19 It's just the fact that different people think  
20 about things in different ways.

21 But the way this section is written  
22 it's like you're going to take my name and I'm

1 worried about your bias. It's kind of like holy  
2 cow, you know, I'm not sure I want to give you  
3 any information.

4 MR. DANNER: Yes.

5 MS. FLECK: We won't have any more  
6 SMEs.

7 MR. DANNER: All right. I don't know.  
8 I think in the world that we live in I don't know  
9 if that's how we would look at that word. But,  
10 okay, I think Diane, and then Sue.

11 MS. BURMAN: So this was helpful to me  
12 to hear from the industry and also from Steve  
13 because, to me, what it gets at is that the  
14 section after input, all of that doesn't really  
15 get to the heart of the agreements of working  
16 through.

17 And really it's the operator must  
18 employ measures to adequately correct any bias in  
19 SME input and be able to demonstrate that, which  
20 then gets to working with your regulator on how  
21 you're going to be demonstrating that  
22 information, which may in some cases mean you

1 need to document certain SMEs or whatever.

2 But it gets to the heart of what the  
3 issue is. The operator must document the names  
4 of all SMEs. To me, that sort of silences the  
5 focus on the purpose and rather more of a do you  
6 have documentation, yes, you're good, you're not.

7 MR. DANNER: So would you be okay then  
8 with the proposal that I just made, to say  
9 document the, must document the steps taken to  
10 ensure --

11 MS. BURMAN: I think I would take out  
12 all of after input and just say something, the  
13 operator must employ measures to adequately  
14 correct any bias in SME input and be able to  
15 demonstrate that or maybe then your language, but  
16 rather than trying to fit it into the last  
17 sentence, add it onto the input.

18 MR. DANNER: Okay. Let's --

19 (Off mic comments.)

20 MR. DANNER: Well, yes, let's -- I  
21 just want to make sure. I don't want to -- I  
22 actually -- as I said before, the bias control

1 measure sentence, if we just state that that's  
2 for example and change it to or, I would prefer  
3 to keep that sentence in. I think it's helpful.  
4 I think it's illustrative. I think it's  
5 instructive.

6 So I just would not be okay with that  
7 sentence coming out. I am okay with the other  
8 language that Diane had, if the PHMSA staff has  
9 captured that.

10 Diane, do you --

11 MS. BURMAN: So am I hearing -- I just  
12 want to make sure that we're looking at  
13 potentially changing must employ measures to  
14 adequately correct any bias in SME input and be  
15 able to demonstrate that; for example, bias  
16 control measures may include training of SMEs --

17 MR. DANNER: Or --

18 MS. BURMAN: -- or use of outside  
19 technical experts to assess quality of processes  
20 and the judgements of SMEs period. The last  
21 sentence goes away.

22 MR. DANNER: I would be okay with

1 that. Okay. Now, last tent card standing unless  
2 there's any other conversation here. Andy, do  
3 you want to address the motion?

4 MR. DRAKE: Good clarification of that  
5 section. This is Andy Drake with Enbridge.

6 I'd like to propose a motion that the  
7 proposed rule as published in the Federal  
8 Register and the Draft Regulatory Evaluation with  
9 regard to the provision for integrity management  
10 clarifications for threat identification, data  
11 collection, and data integration are technically  
12 feasible, reasonable, and cost-effective, and  
13 practicable if the following changes are made.

14 One, revise the listing of the  
15 pipeline attributes in 192.917(b)(1) to be more  
16 consistent with the existing regulations in  
17 B31.8S, add language to require operators to  
18 collect data that is pertinent and that a prudent  
19 operator would collect.

20 Two, implementation timeframe  
21 beginning in year one with full incorporation by,  
22 within three years.

1           Three, address the topic of SME bias  
2 by rewording 192.917(b)(2) including the  
3 elimination of the last sentence or revising the  
4 last sentence to incorporate the discussion we  
5 just had at the GPAC discussion.

6           And, four, do not require GIS system  
7 --

8           MR. HILL: Robert Hill, second.

9           MR. DANNER: Okay. We have a motion  
10 and a second. Thank you, Robert.

11          MR. HILL: Aye.

12          MR. DANNER: Wait, wait. I have not  
13 called the vote yet. And we haven't determined  
14 whether we say aye or yea. So, okay, is there  
15 any discussion on this before we go to a vote?  
16 All right. Seeing none, Cheryl, take it away.

17          MS. WHETSEL: Steve Allen.

18          MR. ALLEN: Yea.

19          MS. WHETSEL: Diane Burman.

20          MS. BURMAN: Yea.

21          MS. WHETSEL: Dave Danner.

22          MR. DANNER: Yea.

1 MS. WHETSEL: Terry Turpin.

2 MR. TURPIN: Yea.

3 MS. WHETSEL: Cheryl Campbell.

4 MS. CAMPBELL: Aye.

5 MS. WHETSEL: Andy Drake.

6 MR. DRAKE: Yea.

7 MS. WHETSEL: Susan Fleck.

8 MS. FLECK: Yea.

9 MS. WHETSEL: Rich Worsinger.

10 MR. WORSINGER: Yea.

11 MS. WHETSEL: Chad Zamarin.

12 MR. ZAMARIN: Aye.

13 MS. WHETSEL: Okay. Mark is not here.

14 Sara Gosman.

15 MS. GOSMAN: Yea.

16 MS. WHETSEL: Robert Hill.

17 MR. HILL: Yea.

18 MS. WHETSEL: Got a yea. And Bob and

19 Rich are not here, Rick. So the motion passes

20 unanimously.

21 MR. DANNER: All right. Thank you

22 very much. Steve, do you want to tee up the next

1 item?

2 MR. NANNEY: Very carefully or slowly.  
3 917(c) is the next one. It's on risk assessment  
4 functional requirements. And, again, here is,  
5 we're looking at the nature and application of  
6 risk models and to improve the usefulness of this  
7 analysis to control risk from the pipeline.

8 And the basis here is lessons learned  
9 from San Bruno and also from NTSB recommendations  
10 to PHMSA and to industry. PHMSA proposes here to  
11 incorporate concepts and requirements from  
12 B31.8S, Section 5 into the code.

13 And for this, it's to ensure that risk  
14 assessments adequately evaluate the effects of  
15 interacting threats, which was the main part of  
16 the recommendation from NTSB, contribution of  
17 individual risk and the effects of uncertainty,  
18 also to require validation of risk models in  
19 light of the incident, leak, and failure history  
20 of the pipeline and any other historical  
21 information.

22 And then also it's from input we got



1 from the July 2011 risk management workshop.

2 As far as GPAC discussion, again, what  
3 did we get there, suggests revisions to risk  
4 assessment requirements should be deferred until  
5 after the risk modeling workgroup issues its  
6 guidance was one part of the discussion.

7 The support for the proposed 917(c)  
8 was expressed and noted that the proposed rule  
9 language was written using a performance based  
10 approach and articulated functions and purposes  
11 of risk assessments without being proscriptive as  
12 to method or process to be used and is consistent  
13 with integrity management principles.

14 And also a concern of the intent or  
15 effect was to always require probabilistic risk  
16 assessment techniques.

17 Based upon what PHMSA heard from the  
18 committee, what we suggest is that the functional  
19 requirements listed in the proposed rule are  
20 consistent with the existing requirements in  
21 B31.8S, Section 5, also that the risk modeling  
22 workgroup guidance would be a resource for

1 operators but is not intended to be requirements  
2 or informed rule-making. So we were not planning  
3 to reference it in this rule-making.

4 Also, PHMSA suggests that the  
5 committee consider, one, retain the proposed  
6 requirements in 917(c). Again, as I said  
7 earlier, the risk model workgroup guidance would  
8 be a resource and not a rule requirement.

9 Also, we would restore reference to  
10 B31.8S, Section 5 to clarify that other methods  
11 besides probabilistic techniques may be used.

12 Paragraph (c), we'd change the term  
13 probability to likelihood. We would delete the  
14 term risk factors. It would then only be threats  
15 from paragraph (c)(2). It would provide a three-  
16 year phase-in period for risk assessments to meet  
17 the functional objectives specified in (c).

18 MR. DANNER: All right. Thank you  
19 very much. So let's open it up for public  
20 comment then. Is there anybody who wishes to  
21 speak to this matter? Okay. No public comment  
22 on this matter. Any committee comment on this

1 matter? Andy.

2 MR. DRAKE: This is Andy Drake with  
3 Enbridge. I appreciate the changes that you're  
4 proposing, Steve.

5 I think the concern that a lot of us  
6 had was the way the language was wording was  
7 probabilistic started to sound like a regulatory  
8 obligation, that we would be doing probabilistic  
9 modeling and that we would be determining  
10 absolute probabilities of failure, which is a  
11 hugely data intensive effort and maybe a goal out  
12 there for so many years from now. But it is not  
13 practicable at this juncture.

14 And I think changing to likelihood and  
15 those things picked up the concerns that I  
16 remember having in the last meeting. And we've  
17 discussed this. And I appreciate those changes.

18 MR. DANNER: All right. Is there any  
19 other comment on this item? Sara.

20 MS. GOSMAN: I think these changes are  
21 fine. And I'm glad that you kept or are thinking  
22 of keeping the rest of the text as it is.

1 MR. DANNER: Okay. Thank you. Any  
2 other comment? Sue, did you have your -- all  
3 right. If there's no further discussion, then I  
4 would entertain a motion. Okay, Mr. Hill.

5 MR. HILL: Thank you, Chairman. The  
6 proposed rule as published in the Federal  
7 Register and the Draft Regulatory Evaluation with  
8 regards to the provisions for IM clarifications  
9 for risk assessment, functional requirements are  
10 technically feasible, reasonable, cost-effective,  
11 and practicable if the following changes are  
12 made.

13 Restore reference to B31.8S, Section  
14 5 to clarify other methods besides probabilistic  
15 techniques may be used, in 192.917(c), change the  
16 term probability to likelihood, and delete the  
17 term risk factors from 192.917(c)(2), and provide  
18 a three-year phase-in period for risk assessments  
19 to meet the functional objectives specified in  
20 (c).

21 MR. DANNER: All right. Is there a  
22 second?

1 MS. FLECK: Second.

2 MR. DANNER: Okay. Sue Fleck second.

3 And, Cheryl, you want to -- well, is there any  
4 discussion on this item? Okay. Cheryl, take the  
5 roll.

6 MS. WHETSEL: Steve Allen.

7 MR. ALLEN: Yea.

8 MS. WHETSEL: Diane Burman.

9 MS. BURMAN: Yea.

10 MS. WHETSEL: Dave Danner.

11 MR. DANNER: Yea.

12 MS. WHETSEL: Terry Turpin.

13 MR. TURPIN: Yea.

14 MS. WHETSEL: Cheryl Campbell.

15 MS. CAMPBELL: Aye.

16 MS. WHETSEL: Andy Drake.

17 MR. DRAKE: Yea.

18 MS. WHETSEL: Sue Fleck.

19 MS. FLECK: Aye.

20 MS. WHETSEL: Rich Worsinger, Rich?

21 MR. WORSINGER: Yea.

22 MS. WHETSEL: Chad Zamarin.

1 MR. ZAMARIN: Aye.

2 MS. WHETSEL: Mark is not here. Sara  
3 Gosman.

4 MS. GOSMAN: Yea.

5 MS. WHETSEL: Robert Hill.

6 MR. HILL: Yea.

7 MS. WHETSEL: And Bob and Rick  
8 Pevarski. Okay. Motion passes.

9 MR. DANNER: All right. The motion  
10 passes. Steve, do you want to tee up the next  
11 item?

12 MR. NANNEY: 917(d) is the threat  
13 assessment for plastic pipe. Again, the issue  
14 here is the potential for incomplete assessments  
15 of risk from threats unique to plastic pipe.

16 And what PHMSA proposed to do here is  
17 to add examples of the threats unique to plastic  
18 pipe as follows, and it's what is in red or  
19 orange depending upon how you see the color up on  
20 the board.

21 Pipes such as poor joint fusion  
22 practices, pipe with poor slow crack growth

1 resistance, brittle pipe, circumferential  
2 cracking, hydrocarbon softening of the pipe,  
3 internal and external loads, longitudinal or  
4 lateral loads, proximity to elevated heat sources  
5 and point loading.

6 And, again, the basis of this is just  
7 to clarify by adding examples of the threats that  
8 are unique to plastic pipe to get, again, some  
9 examples similar to what we have on steel pipe  
10 and others in this 917 section.

11 Going on further, as far as committee  
12 comments on the next slide, there was no specific  
13 discussion or any proposals that we heard from  
14 the committee.

15 MR. DANNER: All right. Thank you  
16 very much.

17 MR. NANNEY: And can I just --

18 MR. DANNER: Oh, you have more, yes.

19 MR. NANNEY: One more. And with that  
20 is PHMSA suggests that the committee consider  
21 917(d). The proposed rule does not alter and  
22 update any requirements. Again, it just gives

1 unique examples of threats for plastic pipe.

2 Now, Mr. Chairman, I turn it back over

3 --

4 MR. DANNER: Thank you very much.

5 Okay. Is there any public comment on this item  
6 this morning? All right. Is there any committee  
7 discussion on this item? In that case, I would  
8 entertain a motion. Thank you, Sue.

9 MS. FLECK: The proposed rule as --  
10 Sue Fleck, National Grid. The proposed rule as  
11 published in the Federal Register and the Draft  
12 Regulatory Evaluation with regard to the  
13 provisions for IM clarifications for threat  
14 assessments for plastic pipe are technically  
15 feasible, reasonable, cost-effective, and  
16 practicable.

17 MR. DANNER: Is there a second?

18 MS. GOSMAN: I'll second it.

19 MR. DANNER: All right. Sara Gosman  
20 seconds. Any discussion? All right. Cheryl,  
21 let's take the vote.

22 MS. WHETSEL: And congratulations.



1 We're on a roll. This is good. Okay. Sorry,  
2 hope I didn't jinx it. Okay. Steve Allen.

3 MR. ALLEN: Yea.

4 MS. WHETSEL: Diane Burman.

5 MS. BURMAN: Aye.

6 MS. WHETSEL: Dave Danner.

7 MR. DANNER: Aye.

8 MS. WHETSEL: Terry Turpin.

9 MR. TURPIN: Aye.

10 MS. WHETSEL: Cheryl Campbell.

11 MS. CAMPBELL: Aye.

12 MS. WHETSEL: Andy Drake.

13 MR. DRAKE: Yea.

14 MS. WHETSEL: Sue Fleck.

15 MS. FLECK: Yea.

16 MS. WHETSEL: Rich Worsinger.

17 MR. WORSINGER: Yea.

18 MS. WHETSEL: Chad Zamarin.

19 MR. ZAMARIN: Aye.

20 MS. WHETSEL: Mark is not here. Sara

21 Gosman.

22 MS. GOSMAN: Yea.

1 MS. WHETSEL: Robert Hill.

2 MR. HILL: Yea.

3 MS. WHETSEL: And Bob and Rick are not  
4 here. And so the motion passes.

5 MR. DANNER: All right. Thank you  
6 very much. Steve Nanney, do you want to tee up  
7 the next item?

8 MR. NANNEY: I'll suggest that Alan  
9 stay away from the meeting. We got two completed  
10 while he was gone.

11 (Laughter.)

12 MR. DANNER: I just told him that.

13 MR. NANNEY: Anyway, looking at  
14 917(e), the subject matter there is cyclic  
15 fatigue, manufacturing and construction defects,  
16 and electric resistant welded pipe.

17 The issue is operators have made  
18 assumptions about seam type and stability of  
19 problematic seams that are proven in some cases  
20 to be invalid.

21 Some of the basis there has been  
22 Marshall, Michigan and San Bruno. We've also

1 gotten recommendations from NTSB that we have  
2 listed.

3           What does PHMSA propose to do? Well,  
4 one is to clarify that certain pipe designs must  
5 have been pressure tested to assume that seams  
6 laws are stable and that failures or changes to  
7 operations that could affect seam stability or  
8 evaluating using fracture mechanics analysis.

9           From the last meeting in the GPAC  
10 discussion, what were the committee comments?  
11 Number one, it was the proposal to address cyclic  
12 fatigue and requiring pressure test on seam  
13 threats as possible overcompensation.

14           Two, concern was expressed that  
15 proposed 624 for MAOP verification, when you've  
16 had an incident due to manufacturing and  
17 construction threats, is in conflict with  
18 917(e)(3) for MAOP verification, that 624 allows  
19 operators to pick one of five methods to  
20 establish MAOP, but 917(e)(3) only allows  
21 operators to consider the threat stable if you've  
22 had hydrostatic pressure test to 1.25 times MAOP.

1           Some additional PHMSA background  
2 information on 624 and 917(e)(3), we do not see  
3 that there's a conflict between 624 and  
4 917(e)(3), that 917(e)(3) allows operators to  
5 consider the manufacturing and construction  
6 threats stable if a pressure test has been  
7 successful and thus not conduct periodic  
8 integrity assessments for that threat thereafter.

9           The purpose of 624 is to verify MAOP.  
10 The code allows the assessments conducted under  
11 624 to count as an integrity management  
12 assessment. And also 624 is one and done in  
13 terms of establishing MAOP.

14           And then, lastly, conducting an MAOP  
15 verification process by itself does not allow an  
16 operator to discontinue periodic integrity  
17 assessments under the integrity management  
18 program for the operator.

19           Also, some additional background is,  
20 if an operator chooses to verify MAOP by means of  
21 a spike pressure test, then the requirement in  
22 917(e)(3) would be satisfied. The operator may

1       assume that the manufacturing and construction  
2       threat is stable. And periodic integrity  
3       assessments would not be required in the future  
4       for the manufacturing and construction threat.

5               It would not alleviate the need for  
6       periodic integrity assessments for time-dependent  
7       threats such as cracking defects or corrosion.

8               Also, based upon the discussion of the  
9       committee, PHMSA suggests that the committee  
10      consider the following items.

11              Retain the proposed revisions in  
12      917(e)(2), (3), and (4) with the modification  
13      described below. And, again, it's necessary to  
14      address the NTSB recommendations.

15              And that wording would be to address  
16      the overcompensation comment, consider changes to  
17      periodic cyclic fatigue analysis from annually to  
18      periodically based on changes to cyclic fatigue  
19      data and any other changes to loading conditions  
20      since the previous analysis was completed, not to  
21      exceed seven calendar years.

22              Mr. Chairman, I turn it back over to

1 you.

2 MR. DANNER: All right. Thank you  
3 very much. So let's take public comment if there  
4 is any. Is there anyone who wishes to comment on  
5 this matter?

6 MS. KURILLA: Hi, this is Erin Kurilla  
7 with the American Gas Association.

8 The first comment I want to make is  
9 that, just to remind the GPAC that they have not  
10 discussed this section yet. The comments that  
11 were highlighted during this presentation were  
12 actually from myself and one other commenter  
13 during the public comment during the January  
14 meeting.

15 But at that time, we were told that  
16 this section, 917(e), would be discussed after  
17 the conclusion of the MAOP reconfirmation  
18 section, 192.624, because 192.624 is referenced  
19 throughout 917(e).

20 And I don't believe the committee can  
21 accurately give commentary on this section until  
22 we understand the requirements within 624. Once

1 those requirements are understood and voted on,  
2 then I believe it would be appropriate to circle  
3 back on 917(e), especially (e)(2) and (e)(3).

4 And I just want to address the comment  
5 that there is no conflict between 917(e)(3),  
6 which addresses manufacturing and construction  
7 threats, and 192.624. I respectfully disagree.  
8 I think there is a major conflict between those.

9 Basically, at the end of that code  
10 section, it states that an operator must  
11 prioritize a covered segment as high risk for  
12 baseline assessments or subsequent reassessments  
13 and must reconfirm or reestablish MAOP in  
14 accordance with 192.624(c).

15 So that tells the operator they can  
16 pick from one of the five methods within 624 to  
17 state that their pipeline is in accordance with  
18 917(e)(3). Sorry, I'm going to code language the  
19 crap out of everyone right now.

20 However, when you go up to the  
21 beginning of that paragraph, it says an operator  
22 may consider manufacturing and construction

1 related defects to be stable defects only if the  
2 covered segment has been subject to a hydrostatic  
3 pressure test satisfying the criteria of Subpart  
4 J of at least 1.25 times MAOP.

5 So, if I can only consider that threat  
6 stable if I have a test of 1.25 times MAOP, then  
7 the remainder of my methods that I am pointed to  
8 in 624 are, therefore, kind of unavailable to me.

9 I think this is one place where code  
10 language really, really does matter. We've got  
11 to take a hard look at that.

12 But just more importantly, I don't see  
13 how we can talk about the stability of  
14 manufacturing and construction threats using a  
15 method from MAOP reconfirmation until I know or  
16 you guys know what is available to you for MAOP  
17 reconfirmation. Thank you.

18 MR. HITE: Hello, my name is Matt  
19 Hite, and I'm Vice President of Government  
20 Affairs for GPA Midstream Association. And we  
21 represent the gathering and processing segment of  
22 the industry. And we have several members of our



1 association here in the audience today. And we  
2 want to thank you for the ability to comment here  
3 publicly.

4 And I wanted to talk real quickly  
5 about, even though PHMSA's intention was to focus  
6 on gathering line issues at the next GPAC  
7 meetings, gathering line issues did come up a  
8 couple times kind of tangentially at yesterday's  
9 meeting. And I think it goes to show how  
10 intertwined all of these issues are in this rule.

11 And I want to say how impressive the  
12 group of GPAC members we have here are today with  
13 your various backgrounds and expertise.

14 However, as GPA Midstream feels as we  
15 get further down the road on this rule, it's  
16 becoming clear that gathering line issues are a  
17 major part of this rule. And I feel like the  
18 GPAC had very informed discussions yesterday and  
19 some spirited debates.

20 However, with all the experience and  
21 impressive backgrounds of the GPAC members, we do  
22 not have one member that is primarily a gathering

1 line operator or is involved in the day-to-day  
2 operations and management of gathering lines.

3 And, furthermore, if you look at the  
4 potential that this rule could possibly regulate  
5 close to 600,000 miles of pipelines, over 300,000  
6 miles of those lines are represented by the five  
7 GPAC industry members that represent the  
8 transmission and distribution section.

9 The other 3,000 miles have no  
10 representation are the gathering line. And  
11 that's one, a big concern for us because those  
12 issues are starting to come up.

13 And, for us, you know, I think GPAC  
14 would be well-served by having gathering line  
15 industry expertise as part of its informed  
16 discussions and debates as gathering lines are  
17 sure to play a larger role as GPAC starts to move  
18 towards those issues.

19 Having a gathering line representative  
20 on GPAC could be a solution. Another solution  
21 could be a subcommittee or workgroup that would  
22 focus on gathering line issues, or maybe there's

1 a legislative solution that Congress could  
2 potentially expand the size of the GPAC.

3           Regardless, I'm not sure exactly what  
4 the solution would be. But we want to make sure  
5 that we raise the issue of the lack of gathering  
6 line representation because GPAC needs to have  
7 these and continues to need to have these  
8 informed debates and have the stakeholders at the  
9 table. Thank you.

10           (Off mic comments.)

11           MR. DANNER: Other comment?

12           MR. MURK: Hi, Dave Murk from the  
13 American Petroleum Institute. And I just wanted  
14 to actually echo what Matt Hite just said on the  
15 gathering lines side. We have a lot of interest  
16 from our members as well.

17           And as we do move forward in the next  
18 few meetings and as we start that discussion with  
19 gathering lines, it's important for us to have  
20 the right representation and the expertise,  
21 whether that's through a subcommittee, as Matt  
22 mentioned or participation on the GPAC to support

1 that effort and that discussion.

2 So, again, American Petroleum  
3 Institute supports that as well.

4 MR. DANNER: All right. Another  
5 comment?

6 MS. GINSBERG: Susan Ginsberg with the  
7 Independent Petroleum Association of America.  
8 And I will very quick echo on that and the need  
9 for gathering input as these discussions take  
10 place.

11 And, you know, given that there is a  
12 very formal process for how the GPAC nominations,  
13 when there are openings and then the review  
14 process and the vetting, I really encourage PHMSA  
15 to set up a subcommittee that could begin  
16 providing input to the GPAC so that gathering  
17 issues can be discussed as a part of the big  
18 focus on gathering, but also as it affects some  
19 of the current issues that are being discussed  
20 now and at the next meeting. Thank you.

21 MR. OSMAN: CJ Osman with INGAA, just  
22 want to make one other point here for the PAC

1 members and for the record.

2 Similar to what Erin mentioned  
3 earlier, there are some other requirements in  
4 proposed 192.624(d) that the PAC hasn't discussed  
5 yet related to fracture mechanics. And that's  
6 being referenced in this section.

7 We are concerned about fracture  
8 mechanics, fracture mechanic modeling as an  
9 appropriate tool here and, again, think it would  
10 be appropriate to discuss that in context with  
11 where the fracture mechanics discussion is  
12 proposed in 624.

13 It's also important to note that ASME  
14 B31.8S already addresses how operators should  
15 analyze covered segments for manufacturing and  
16 construction defects. So we encourage the PAC  
17 and PHMSA to leverage that existing consensus  
18 standard and the processes outlined there. Thank  
19 you.

20 MR. DANNER: All right. Is there any  
21 other public comment? Okay. Then let's start  
22 the discussion in the committee. Chad?

1           MR. ZAMARIN: Chad Zamarin, Cheniere  
2 Energy, just a couple of comments.

3           First, I don't know that the -- I  
4 don't understand why the seven-year requirement  
5 would be added. I think the purpose of the code  
6 language is good.

7           And what it says is that for  
8 monitoring for cyclic fatigue we have to monitor  
9 for condition changes that would cause that  
10 threat to potentially activate. And that's what  
11 should trigger additional analysis, not some  
12 arbitrary date that is out there.

13           I think there's a very good reference  
14 in this language that says this is what triggers  
15 this reassessment. If you see conditions change,  
16 which means you have to be monitoring for those  
17 conditions, if you see these conditions change,  
18 then you have to perform the reassessment.

19           Having an arbitrary date out there I  
20 think just, it'll create work that's unnecessary.  
21 If nothing is changing, those conditions aren't  
22 changing, then you continue to monitor for

1 anything that changes.

2 So I would suggest that you not  
3 include a requirement to do something that we may  
4 have very good information that dictates is not  
5 necessary.

6 The other thing, I hear the comments  
7 from the public about the reconciliation between  
8 the two different sections of the code. I do  
9 understand we don't want to end up in a do-loop.

10 I do think this language is generally  
11 good. But I do think that if there's something  
12 that's good in the MAOP reconfirmation part of  
13 the code for addressing the one-time verification  
14 of stable conditions of the pipe, then it should  
15 be applicable for this section as well.

16 So I do think my only comment would  
17 be, as we think about this language and 624, that  
18 I would suggest that PHMSA maybe do, look at can  
19 we sync those two up. And if there are  
20 techniques that are valid for a MAOP  
21 confirmation, I would think those techniques  
22 would be valid for assessing the threats that are

1 outlined here. Thank you.

2 MR. DANNER: All right. Thank you.

3 Are there other comments? Yes, Cheryl.

4 MS. CAMPBELL: Thank you. Cheryl  
5 Campbell, Xcel Energy. I echo what Chad was  
6 saying.

7 And I guess I'm asking, I would ask  
8 Steve to comment on the perceived conflict  
9 because, I mean, I'm struggling, right, because  
10 if the only way to clear, to define this as  
11 stable, right, is a pressure hydro -- and I get  
12 that; I understand that -- then doesn't that kind  
13 of box it in?

14 So, to Chad's point, is there a way to  
15 sync this up, or am I just misinterpreting that  
16 there's a connection there?

17 MR. DANNER: So, Steve Nanney, you've  
18 heard quite a bit that there is not a consensus  
19 around your statement that no conflict exists  
20 between 624 and 917. And insofar as one informs  
21 the other, does it make sense that we change the  
22 sequencing of this discussion so that those are



1 taken up together or at least closer together?

2 Yes, go ahead.

3 MR. NANNEY: If you don't mind, I'd  
4 like to answer Sue's question and --

5 MR. DANNER: Yes.

6 MR. NANNEY: -- yours and Chad's. So  
7 from the comments we heard last time, we went to  
8 periodically not to exceed seven years because  
9 this is in integrity management. And normally  
10 what we're seeing is a seven-year reevaluation  
11 interval of looking at threats. That's when  
12 under integrity management that's done. So  
13 that's why we put the seven years.

14 You'll still have to do it at that  
15 timeframe whether we put it in or not, look at it  
16 as a threat. So that's why we did that.

17 As far as if this is in conflict with  
18 624, I agree with what the public commenter said,  
19 is if we see that there's conflict when we get  
20 through with 624, we would come back to the  
21 committee and double back and look at it if we do  
22 see that there's conflict.

1 MR. DANNER: All right. Cheryl, and  
2 then Chad.

3 (Off mic comments.)

4 MR. DANNER: All right. Chad.

5 MR. ZAMARIN: Yes, I'd just like to  
6 respond to that, on the seven year. Integrity  
7 assessments are the collecting of information on  
8 a seven-year interval, or this is requiring an  
9 analysis when we're doing ongoing collecting of  
10 information to determine whether or not it  
11 warrants that further cyclic fatigue study. So I  
12 don't, I think that's actually kind of mixing  
13 apples and oranges.

14 We're going out on a seven-year basis  
15 to collect integrity management data to determine  
16 whether or not we need to take action. This  
17 language, I think rightly so, says you have to  
18 continuously monitor for conditions that would  
19 lead to requiring cyclic fatigue assessment.

20 We're having to do that on an ongoing  
21 basis the way this language is written, not on a  
22 seven-year interval. So I don't think it makes

1 sense to say everything, the data we're  
2 collecting on an ongoing basis is telling us that  
3 there is no threat, yet we're going to require  
4 action on a seven-year interval that is really  
5 meant to be the outcome of the integrity data  
6 collection and analysis.

7 So I'm struggling with just using the  
8 seven-year, you know, integrity assessment,  
9 reassessment timeline for requiring a cyclic  
10 fatigue study when we're continuously monitoring  
11 for conditions that should be the factors you use  
12 to determine whether or not you do that study.

13 MR. DANNER: All right. I can't see  
14 it. Sue?

15 MS. FLECK: Sue Fleck, National Grid.  
16 I'm also really struggling. If we're going to do  
17 this piece now before 624, then I want to see the  
18 language for 917(e)(3) up on the board so we can  
19 take a look at it, because I really think we  
20 should wait. But if we're going to do it now,  
21 we're going to have to do it seeing the language.

22 MR. DANNER: All right. So can we put

1 the language up, then, on --

2 MS. FLECK: I guess Section (e)(2) and  
3 (e)(3) probably.

4 PARTICIPANT: Oh, wow, that didn't  
5 make it better.

6 (Laughter.)

7 MR. DANNER: We might have to take it  
8 paragraph by paragraph.

9 MS. FLECK: We might. Okay. Why  
10 don't we look at (e)(2) first? And then we'll do  
11 it paragraph by paragraph.

12 (Pause.)

13 (Off mic comments.)

14 MS. FLECK: Is this whole section new  
15 or just --

16 MR. DANNER: Okay. All right. The  
17 language is now up.

18 MS. FLECK: Did we discuss this in the  
19 last meeting? This just doesn't look familiar.

20 MR. NANNEY: Sue, we did talk about it  
21 at the last meeting. And if you look under (2)  
22 where it says cyclic fatigue analysis must be

1 annually, not to exceed 15 months, what we were  
2 asked by the committee to consider, which we did  
3 and all, was to change the language to cyclic  
4 fatigue analysis must be performed periodically  
5 based on changes to cyclic fatigue or other  
6 loading conditions not to exceed 7 years.

7 MR. DANNER: So, in the last meeting,  
8 we went, last meeting we discussed moving it from  
9 annually or 15 months to every 7 years. And  
10 that's what you're now recommending.

11 MR. NANNEY: Basically, the  
12 periodically based upon loading conditions and  
13 then seven years based upon doing a -- so that  
14 you don't do one report, and you set it up on the  
15 shelf and forget about it, that when you go  
16 through your integrity management seven-year  
17 periodic reviews you look at it.

18 And, again, the proposed language,  
19 again, to read it, that we had heard from the  
20 committee the last time was cyclic fatigue  
21 analysis must be performed periodically based on  
22 changes to cyclic fatigue or other loading

1 conditions not to exceed seven years.

2 MR. DANNER: All right. Chad.

3 MR. ZAMARIN: I hear you, and it was  
4 a while ago. I don't remember what my position  
5 was in January. But I just vehemently disagree  
6 with the concept that we add something to do when  
7 we have data suggesting we don't need to do it.

8 You're already saying, you know,  
9 periodically based on changes to cyclic fatigue  
10 data. That means we're monitoring the pipeline  
11 to ensure that if something changes we have to  
12 perform that assessment again. But then you're  
13 saying, even if nothing changes, do it again in  
14 seven years.

15 That's adding a requirement. That's  
16 focusing resources on something that is  
17 unnecessary. And you've already put language,  
18 suggested language that ensures that we do that  
19 in the event that the data tells us to do it. I  
20 just think it's creating calories that are being  
21 expended for no good purpose.

22 MR. DANNER: All right. Steve, your

1 tent is up. Is your card up?

2 MR. NANNEY: That's up to the  
3 committee to recommend.

4 MR. DANNER: Yes, okay. So I guess my  
5 question to the committee, then, is if we did not  
6 have the seven-year date, what would be the  
7 practical effect. If there was no change in  
8 cyclic fatigue data, you would know that. You  
9 would be -- that would be the result of  
10 continuous monitoring?

11 MR. ZAMARIN: I'll let the committee,  
12 then, speak. But I'll just give you my -- the  
13 way I read this and I think it does -- I like the  
14 language. It says that you perform this  
15 assessment periodically based on changes to  
16 cyclic fatigue data and other changes to loading  
17 conditions since the previous analysis.

18 That means that we have to monitor for  
19 changes to cyclic fatigue data and for other  
20 loading conditions. And if those conditions  
21 change, you know, the technical rationale is that  
22 changes in those conditions could lead to cyclic

1 fatigue now becoming a threat. So then you have  
2 to do your assessment again.

3 Have those changes in those conditions  
4 been significant enough that cyclic fatigue is  
5 now a threat? If those conditions aren't  
6 changing, cyclic fatigue you've already assessed  
7 is not an issue.

8 So, you know, I think this tells you  
9 that you have to monitor for the conditions that  
10 could change, and if they change, could make this  
11 a threat worth reassessing.

12 MR. DANNER: I was not at the last  
13 meeting. Was there a concern that the word  
14 periodic was simply leaving too much discretion  
15 so that the company could simply choose what it  
16 determines to be periodic and, therefore, not  
17 undertake this analysis? I'll assume that was a  
18 rhetorical question. Sara?

19 MS. GOSMAN: So my understanding is  
20 that cyclic fatigue was an issue coming off of  
21 San Bruno and the NTSB report, and that it's an  
22 important issue for PHMSA to address.



1           As I read this particular provision,  
2 what I see is a requirement to evaluate this  
3 issue. And it seems to me that that's an  
4 important piece. If we're going to require an  
5 evaluation, I think it is important to require  
6 that evaluation within a particular time period.

7           And given its importance to what  
8 happened in San Bruno, I think that keeping it  
9 within a year is reasonable. But if that's not  
10 the will of the committee, I would still want to  
11 see some timeline in it.

12           MR. DANNER: Did the NTSB -- this is  
13 a question for Steve. Did the NTSB report have,  
14 did it make a recommendation with regard to  
15 timelines?

16           (Off mic comments.)

17           MR. DANNER: With regard to timelines.

18           MR. NANNEY: A recommendation for  
19 this?

20           MR. DANNER: Yes.

21           MR. NANNEY: Just general.

22           MR. DANNER: Okay. Just general? All

1 right. Thank you. All right. Chad, and then  
2 Andy.

3 MR. ZAMARIN: I just want to say that  
4 this section says you must do the evaluation the  
5 way I read it. So I think that's covered.

6 The question is, do you have to redo  
7 that evaluation on some ongoing basis if data is  
8 telling you that it's unnecessary?

9 And so my point is I fully support  
10 doing the cyclic fatigue assessment on our  
11 pipelines. But if those assessments tell us that  
12 that's not a threat, the only thing that should  
13 require us to redo that assessment is a change in  
14 condition that could cause that threat to  
15 reemerge or to activate. And that's a  
16 technically justified way of monitoring our  
17 pipelines and determining when we should redo  
18 that assessment.

19 But I read this as saying you've got  
20 to do the assessment. What I'm struggling with  
21 is having some arbitrary seven-year reassessment  
22 when we're monitoring data that's telling us that

1 we don't have to do that. We shouldn't be  
2 putting resources into doing that assessment  
3 again. We should be putting those resources  
4 where the data is telling us there are real  
5 threats.

6 MR. DANNER: Andy.

7 MR. DRAKE: This is Andy Drake with  
8 Enbridge. I have a bit of a pragmatic question  
9 here. I mean, Steve, this section applies to  
10 just HCAs and Class 3 and 4. Or does this  
11 section apply anywhere, that we should be doing  
12 cyclic fatigue on a broad basis?

13 MR. NANNEY: This is HCAs.

14 MR. DRAKE: Okay. So this is inside  
15 the context of HCAs.

16 And I think one of the questions that,  
17 or not question, one of the comments that I have  
18 is that to perform this we have to basically have  
19 some sort of known status of the pipe with  
20 nearness to critical defects, which means we have  
21 done a hydro test to 1.25 or something, or we  
22 have a lot of information from an in-line

1 inspection results or something. Then you can do  
2 a rainflow study or something to do a fatigue  
3 analysis to determine life.

4 And so my concern is we're basically  
5 talking in the few minutes about MAOP  
6 confirmation, which is a separate section. And I  
7 think that was very good comments earlier about  
8 keeping these two things at least separated.

9 MAOP confirmation, if we have to do  
10 MAOP confirmation, we're talking about doing  
11 hydrostatic testing to do that in an MAOP. That  
12 will take some period of time to complete that  
13 before we can even start to do a cyclic fatigue  
14 study.

15 You can't just start the study until  
16 you know sort of the status of the pipe as it is  
17 against nearness to critical proportion of  
18 defects. Then you can load on fatigue analysis  
19 on top of that.

20 I'm trying to make sure I'm getting  
21 these two in context. How does this fit into  
22 MAOP confirmation in time, because you're going

1 to start now -- one of the goals I think of the  
2 NTSB hearing was test untested pipe. That's  
3 really the nut of it about what to do with the  
4 grandfather clause.

5 So the big part of that was we need to  
6 go test the grandfathered pipes. And then  
7 there's some provisions about in-line inspection  
8 as that technology evolves.

9 But the timeframe to do the testing of  
10 the untested pipes is X number of years. So  
11 until we finish that, I don't know how you can  
12 start or you could finish this. Does that make  
13 sense? Can you help me kind of piece those two  
14 together?

15 MR. NANNEY: It does. But this also,  
16 if you look, 624 is for pipe that hasn't been  
17 pressure tested or lack of records or whatever  
18 you want to term in that for -- so some of this  
19 may not be applicable to 624. It may not be  
20 totally. It may be some of it, some subset.

21 So that's why I said we can circle  
22 back around later when we get 624. But this

1 doesn't -- the items we were talking about here  
2 today were items we had talked about previous  
3 that we thought the committee had reached a  
4 consensus on. So we were trying to get those out  
5 of the way and go back. So that's why we brought  
6 up what we did.

7 But not all of this applies to 624  
8 because some of this pipe you're going to have  
9 records on in other things, you know. So it may  
10 be a subset of what you're talking about but not  
11 the full set.

12 MR. DANNER: Diane, and then Sara.

13 MS. BURMAN: I'm going to defer first  
14 to Sara --

15 MR. DANNER: All right.

16 MS. BURMAN: -- because she was here  
17 for the discussion last time.

18 MR. DANNER: Okay. Sara.

19 MS. GOSMAN: I'm not sure that that  
20 helps me out very much, but okay.

21 So, Chad, just to follow up on your  
22 point, I understand the point of not wanting to

1 do an analysis if you don't feel like anything  
2 has changed.

3 As I read this section, it's an  
4 evaluation. And I would think that if you were  
5 evaluating this every year and nothing had  
6 changed, right, the end result of that would be  
7 you had evaluated it. The analysis didn't show  
8 anything different. You don't, then, prioritize  
9 differently in terms of your assessments.

10 So perhaps you could explain to me  
11 what the effort is here that you're concerned  
12 about that's going to take away resources from  
13 other areas.

14 MR. ZAMARIN: Sure. Cyclic fatigue  
15 study is a very complex engineering analysis,  
16 critical assessment that we do. We run modeling  
17 against the properties of the pipeline, and then  
18 we have to model all of the pressure cycles that  
19 the pipeline experiences.

20 We apply those against all of the  
21 conditions within the pipeline. And we try to  
22 assess what the growth rate would be of defects

1 that could be growing as a result of cyclic  
2 fatigue. And we try to determine how long it  
3 would take for those defects to pose a threat so  
4 that we take some action.

5 Typically, it requires outside  
6 engineering and consultants to perform those  
7 studies. It's costly. This is something that  
8 most operators don't internally have the  
9 capability to do, so we hire people to do that.

10 But what we do typically is we do that  
11 one time. And if it verifies that there aren't  
12 cycles occurring that would cause the conditions  
13 of your pipeline to grow over time and lead to  
14 failure, then what we do is we monitor those  
15 conditions that, if they were to change, could  
16 change the result of that cyclic fatigue study.

17 It's typically referred to, and the  
18 technical literature will tell you that it's a  
19 one-time study, that if you don't have the  
20 conditions present that lead to cyclic fatigue,  
21 you don't redo the study. You monitor those  
22 conditions that could change that determination.



1           And so, you know, my point is if we're  
2 monitoring those conditions and nothing has  
3 changed that would change the outcome of that  
4 analysis, but you're requiring that cyclic  
5 fatigue study to be reperformed, you're just  
6 creating a requirement that's unnecessary,  
7 costly, and it does require documentation. It  
8 requires resources to be expended. I just think  
9 on principle I've got an issue with that concept.  
10 Thanks.

11           MS. GOSMAN: Chair, could I follow up  
12 on that or --

13           MR. DANNER: Yes.

14           MS. GOSMAN: Okay. So I guess this  
15 is, then, a question for PHMSA. So in the  
16 original proposed rule, you have this as an  
17 annual requirement. So given what I've just  
18 heard from Chad, I'm trying to go back and figure  
19 out the rationale for the original time  
20 requirement. So why did you think that it was  
21 important to have this annually, if I may?

22           MR. NANNEY: Well, first of all, what

1 we were wanting to happen is for them to do,  
2 whether it was -- first, we wanted a timeline  
3 that they had to do it.

4 And at the last meeting, it was  
5 brought up. And we said, yes, we could go along  
6 with periodically as long as, just like what Chad  
7 was saying, you were looking to make sure that  
8 none of your parameters had changed.

9 So I guess the thing is, the answer  
10 was, yes, we would back off a little from the  
11 annually.

12 Listening to the discussion that I've  
13 heard everyone say, I think there's a couple of  
14 words we can change that can get the intent  
15 PHMSA's wanting, you're wanting.

16 I'm hearing Chad in what he's saying  
17 is what if we all considered confirm the cyclic  
18 fatigue analysis is valid periodically based on  
19 any changes to cyclic fatigue or other loading  
20 conditions not to exceed seven years.

21 In other words, you've got to do it  
22 based upon changes, but at least make sure the

1 data you've got in it is valid periodically, not  
2 to exceed seven years, along with your integrity  
3 management. And then if you find that it's  
4 changed, then you've got to do the full  
5 evaluation.

6 MR. ZAMARIN: Chad Zamarin with  
7 Cheniere. On this point, I would be comfortable  
8 with that change. I appreciate it.

9 MR. DANNER: Okay. Diane?

10 MS. BURMAN: Well, I am glad I  
11 deferred to Sara because you did touch upon the  
12 issue.

13 So, when I look at it, the focus for  
14 me really is on the meaningfulness of what we're  
15 trying to do. So the evaluation has to happen.  
16 And then it's what's the trigger to move into  
17 having to do it again.

18 And I think PHMSA offered up  
19 suggestions that I think seem to work that gets  
20 at making sure that we are doing something  
21 meaningful and only requiring more information if  
22 it's necessary. So I'm okay with the change.

1 MR. DANNER: Yes, I see this as  
2 keeping the cyclic fatigue data current. And  
3 that sounds like is really what we're after here.  
4 Steve?

5 MR. ALLEN: Yes, Steve Allen, IURC.  
6 Yes, I like where the conversation is going here.  
7 And probably being the only accountant in the  
8 room, I would like to point out that I think  
9 doing otherwise is probably not cost-effective.  
10 And someone's going to have to pay for it.

11 So I think monitoring the conditions  
12 is probably, addresses the, you know, what we  
13 were after with the rule in the first place I  
14 think.

15 MR. DANNER: Okay. Steve, your card  
16 is up. Did you have something to add?

17 MR. NANNEY: No.

18 MR. DANNER: Okay. Is there further  
19 discussion on this matter? Is there other  
20 discussion on other parts of this proposal?  
21 Okay. Sue.

22 MS. FLECK: Sue Fleck, National Grid.

1 I think we've covered number (2). And it might  
2 make sense to vote on that, 917(2), and then have  
3 a conversation about (3), because I think more  
4 of, more concerns are on (3), because we did  
5 discuss cyclic failure in the last meeting.

6 But I don't believe we have had the  
7 conversation on manufacturing and construction  
8 defects yet. So I think that could be pretty  
9 lengthy. So I'd suggest we get a vote on (2) and  
10 then have a conversation about (3).

11 MR. DANNER: All right. Any problem  
12 with us breaking it up that way?

13 PARTICIPANT: No, that's fine.

14 MR. DANNER: Okay.

15 MS. BURMAN: I just want to --

16 MR. DANNER: Yes, Diane.

17 MS. BURMAN: I just have one question.  
18 Can we go back to the first slide that talked  
19 about the conflict? I just want to see that  
20 slide. I think it was where we first opened it  
21 up.

22 MR. DANNER: There.

1 MS. BURMAN: Okay. So did we resolve  
2 or are we going to the no conflict between 624 --  
3 and that's the next one. Oh, that's (3). Okay.  
4 I'm good then.

5 MR. DANNER: That's the next one, yes.

6 MS. BURMAN: But, okay. And there's  
7 nothing if we vote on (2) that doesn't change  
8 unless we have an issue with (3), right?

9 MS. FLECK: It's separate.

10 MS. BURMAN: Right, I know. But it's  
11 related in there. Okay. I just, I'm just making  
12 sure that I fully understand. Thank you.

13 MR. DANNER: Okay. So is your card up  
14 for purposes of a motion? Okay. Then why don't  
15 you --

16 (Laughter.)

17 MR. DANNER: All right. So why don't  
18 you go ahead then?

19 MR. DRAKE: This is Andy Drake with  
20 Enbridge. I still am trying to clarify what is  
21 the rationale and the premise under which the  
22 cyclic fatigue study is predicated.

1           I can't, you know, I'm really just,  
2 maybe I'm being too much of an engineer here.  
3 But I don't know how you initiate the cyclic  
4 fatigue study until there's some certainty of  
5 what the material's nearness to critical  
6 proportions defects are, which -- are we  
7 predicating that the cyclic fatigue, that all the  
8 cyclic fatigue analysis must be predicated on the  
9 fact of having passed a hydrostatic test?

10           That is a very significant discussion  
11 for this committee. If we say you must evaluate  
12 whether cyclic fatigue or other loading  
13 conditions da-da-da-da could lead to a failure,  
14 you have to have some basis for that engineering  
15 decision. What is that? It's not just the  
16 cycles. It's the cycles on a material that you  
17 know something about.

18           So are we already precluding that the  
19 material has been tested to some level? If we  
20 are, we should stop and have that conversation.  
21 This is a very significant conversation.

22           MR. DANNER: So you want to, Alan, do

1 you want to address that?

2 MR. MAYBERRY: Yes. I don't think --  
3 we can't assume that that's been done unless --

4 MR. DRAKE: Okay. Well, then how do  
5 I do the cyclic fatigue study? I mean, it's just  
6 a cart and a horse kind of question. How am I  
7 supposed to start doing this?

8 I get it, you know, once we decide  
9 we've done it and nothing's changing, how often  
10 we have to refresh that. I just want to know how  
11 you get in the door. How do you start this?

12 MR. MAYBERRY: Well, how has it been,  
13 being done?

14 MR. DRAKE: There is a lot of  
15 assumptions made. And I think that's what, you  
16 go back to the very genesis of the B31.8S  
17 document about materials.

18 First, it's presumed that the pipe is  
19 pipe, that it was manufactured in accordance with  
20 API standards, which requires a mill test to a  
21 certain level. So once we get through that mill  
22 test and that mill test is documented, you have



1 some certainty about how close the defects are to  
2 critical proportions. And you can base the  
3 cyclic fatigue study off of that.

4 But that's not an installation test.  
5 And some of the things you've got listed there  
6 are things that might happen after manufacturing.  
7 So that's what I'm trying to ascertain. How do  
8 we play this? How does it play?

9 MR. MAYBERRY: Yes, that's a chicken  
10 or egg deal. But that discussion will have,  
11 really deals with a path forward, a path to get  
12 to where you need to be.

13 This deals with where you are now,  
14 which may be, include pipelines that might, you  
15 may have everything, the information you need,  
16 but there's a varying degree of knowledge on it.  
17 But --

18 MR. DRAKE: I'm fine --

19 MR. MAYBERRY: -- a pathway, and we'll  
20 discuss that, you know.

21 MR. DRAKE: I agree. And that's all  
22 I'm trying to clarify is --

1 MR. MAYBERRY: Okay.

2 MR. DRAKE: -- if those as functions  
3 are embedded into this, okay.

4 MR. MAYBERRY: Okay.

5 MR. DRAKE: Just I think they should  
6 be on the record that it's assumed, well, it is  
7 not presumed that you have hydrostatically tested  
8 all this to do the cyclic fatigue, that you may  
9 be incorporating other assumptions into the basis  
10 of near critical proportions before you start  
11 that, which may be back to ASME.

12 It's not been hydrotested post-  
13 installation, so we're assuming a manufacturing  
14 test. We're making these other assumptions, and  
15 then we're loading the cyclic fatigue data onto  
16 those assumptions.

17 But we got to make sure we're clear on  
18 this, because if we're not clear, we actually are  
19 getting our cart out of order about, well, we  
20 presumed that you just hydrotested everything.  
21 And we haven't even had that discussion yet.

22 And we won't finish the hydrostatic

1 testing for some period of time. So I can't do  
2 the cyclic fatigue study until I do that if  
3 that's the requirement. That's all I'm trying to  
4 make sure we're clear on.

5 MR. DANNER: So, Alan.

6 MR. MAYBERRY: I think we have an  
7 understanding there that, you know, like I said,  
8 that we provide the path or we deal with the  
9 pathway to get to where you need to be with the  
10 information. We'll deal with that separately.

11 If we need to come back and revisit  
12 this, we will. I don't, hopefully, don't think  
13 we will because they're really different issues.  
14 This deals with what you, the requirement you  
15 already have under EMP (phonetic), providing  
16 further clarification. We'll deal with what you  
17 know about the system later. All right.

18 MR. DANNER: Okay. So we will have a  
19 mental footnote on our recommendation this  
20 morning that that issue has to be addressed.  
21 Okay.

22 With that, any further discussion?

1 Okay. Then I would entertain a motion. Is there  
2 a motion to put up on the screen? Anybody want  
3 to take this one up? Chad, why don't you make  
4 the motion?

5 MR. ZAMARIN: Yes. I'll make a motion  
6 that the -- this is Chad Zamarin with Cheniere  
7 Energy and make a motion that the proposed rule  
8 as published in the Federal Register and the  
9 Draft Regulatory Evaluation with regard to the  
10 provisions for IM clarifications for cyclic  
11 fatigue are technically feasible, reasonable,  
12 cost-effective, and practicable if the following  
13 changes are made: revise 192.917(e)(2) based on  
14 the GPAC discussion and considering PHMSA's  
15 proposed language at the meeting.

16 MR. DANNER: All right. Is there a  
17 second?

18 MR. DRAKE: I'll second.

19 MR. DANNER: Thank you. Mr. Drake  
20 seconds. Is there any further discussion before  
21 we vote? Steve.

22 MR. ALLEN: Steve Allen, IURC. I just

1 want to make sure that the conversation regarding  
2 monitoring the conditions was really the trigger,  
3 not that you have to do the evaluation within a  
4 period of time. You have to monitor the  
5 conditions and based on those changes. That's  
6 the conversation that we're going to -- I just  
7 want to confirm that. Thank you.

8 MR. DANNER: Okay. Thank you. All  
9 right. Any further discussion? All right.  
10 Cheryl, do you want to -- oops, I'm sorry. I see  
11 a card.

12 MS. FLECK: Sue Fleck, National Grid.  
13 I just want to be on the record that I still  
14 believe we should vote for this after we finalize  
15 624.

16 MR. DANNER: All right. We have a  
17 motion before us. Diane.

18 MS. BURMAN: I actually support that,  
19 because if people are thinking that that's going  
20 to define here and we are getting to that today,  
21 right?

22 (Laughter.)

1 MR. DRAKE: Possibly not.

2 MS. BURMAN: All right.

3 MR. DRAKE: Chair.

4 MR. DANNER: Yes, Andy?

5 MR. DRAKE: This is Andy Drake with  
6 Enbridge. I think I should clarify why did I  
7 second that motion after my long discussion about  
8 hydrostatic testing and the cart and the horse.

9 I think the qualification that Alan  
10 gave is exactly what we needed to be successful  
11 in working in the interim. We're trying to get  
12 to a place where we clarify 624 and the MAOP  
13 confirmation in the next discussions.

14 We are currently trying to work  
15 through. We currently are doing cyclic fatigue  
16 loading condition studies with a lot of  
17 assumptions.

18 What I've heard is we're going to  
19 continue to use those assumptions as we have in  
20 the past and that the hydrostatic testing  
21 discussion that we'll do in 624 for MAOP  
22 confirmation will help tighten that up over time,

1 but it's not assumed that we will have to do that  
2 now.

3 And that's all I was really trying to  
4 clarify is that there's not some presumption that  
5 we would have 624 resolved as a basis to do the  
6 cyclic test. We will continue to do the cyclic  
7 testing as, or cyclic studies as we have been  
8 with those assumptions in place. Is that fair,  
9 Alan?

10 MR. MAYBERRY: Yes, that's fair. We  
11 could write rule language to tie the two  
12 together. But I think it would be exceedingly  
13 complicated.

14 MR. DRAKE: I think that would be very  
15 dangerous.

16 MR. MAYBERRY: Yes. So we understand.

17 MR. DANNER: And I also heard that if  
18 in the discussion on 624, if we feel a need to  
19 revisit this, we can do so. So, all right.  
20 Chad?

21 MR. ZAMARIN: Yes, Chad Zamarin with  
22 Cheniere Energy. And just to get comfortable

1 with this, I've been going back and forth.

2 In this particular vote, the only  
3 reference to 624 is to 624(d) and that is the  
4 methodology for performing the cyclic fatigue  
5 analysis. It is not the sections around  
6 reconfirmation of MAOP and the requirements to do  
7 so.

8 So I'm comfortable with the reference  
9 here. I'm sure we'll visit that language when we  
10 get to it. But it's a limited part of 624(d).  
11 And I don't think it's in conflict.

12 MR. DANNER: All right. We have a  
13 motion and a second before us. Why don't we take  
14 the roll on this one, Cheryl?

15 MS. WHETSEL: Okay. Steve Allen.

16 MR. ALLEN: Yea.

17 MS. WHETSEL: Diane Burman.

18 MS. BURMAN: Aye.

19 MS. WHETSEL: Dave Danner.

20 MR. DANNER: Aye.

21 MS. WHETSEL: Terry Turpin.

22 MR. TURPIN: Aye.



1 MS. WHETSEL: Cheryl Campbell.

2 MS. CAMPBELL: Aye.

3 MS. WHETSEL: Andy Drake.

4 MR. DRAKE: Aye.

5 MS. WHETSEL: Sue Fleck.

6 MS. FLECK: Yea.

7 MS. WHETSEL: Rich Worsinger.

8 MR. WORSINGER: Aye.

9 MS. WHETSEL: Chad Zamarin.

10 MR. ZAMARIN: Aye.

11 MS. WHETSEL: Sara Gosman.

12 MS. GOSMAN: Yea.

13 MS. WHETSEL: We're getting a little  
14 slap happy here I think. Robert Hill.

15 MR. HILL: Yea.

16 MS. WHETSEL: Okay. Bob and Rick are  
17 not here. Motion passes.

18 MR. DANNER: All right. Thank you.

19 Now, speaking of fatigue, why don't we take a  
20 break? And it's 10:43. Can we be back in ten  
21 minutes? Thank you.

22 (Whereupon, the above-entitled matter

1 went off the record at 10:43 a.m. and resumed at  
2 11:15 a.m.)

3 CHAIRMAN DANNER: So, we are going to  
4 table, for the time being, 917(e)(3) and (e)(4)  
5 and we will take those up soon. We're going to  
6 skip over to the P&M measures. But before we do  
7 that, I wanted to recognize Commissioner Burman.  
8 Commissioner, is there something you wanted to  
9 say?

10 MS. BURMAN: Thank you. I don't know  
11 if this is appropriate at this time, but I did  
12 want to just recognize that, before we took a  
13 break, at the public comment section, that there  
14 were two individuals who spoke about the need for  
15 focus on gas gathering lines.

16 And as it relates to the membership of  
17 the composition of this group, I really defer  
18 that to the Secretary for that, especially since  
19 I just got on, I shouldn't be weighing in on  
20 that. But I do recognize the sensitivity.

21 As a New York regulator, we do, under  
22 our Part 255, as well as odorization and other

1 things, we do weigh in on gas gathering lines.  
2 It's something that we look at. We have a number  
3 of gas gathering lines in New York, and so, I  
4 will be sensitive to the issues and looking at  
5 it.

6 So, I really just wanted to recognize  
7 those public comments as important to take into  
8 consideration the issues as it concerns gas  
9 gathering lines. So, again, I don't mean to  
10 speak inappropriately, but I just did want to  
11 weigh in.

12 CHAIRMAN DANNER: All right. And  
13 several cards have gone up, I'm assuming on that  
14 topic. Let's start with Chad. Oh, all right,  
15 Andy.

16 MR. DRAKE: This is Andy Drake with  
17 Enbridge. I think, I do appreciate your  
18 comments, Commissioner, and I appreciate the  
19 comments of the folks in the GPA about the  
20 upcoming discussion about gathering. But I do  
21 think, for the record, that Enbridge has  
22 significant gathering and processing in the

1 United States, gas gathering, and it's under my  
2 direct oversight.

3 And I think that we would always  
4 benefit from creating some venue, however that  
5 is, work groups or other ways, to get better  
6 counsel from that large group into the Committee,  
7 as we have in the past on other issues, like  
8 storage.

9 But I think it's just fair to go on  
10 record that there are folks on this Committee  
11 that do have gas gathering background and are  
12 technically competent on the discussion, they  
13 just would benefit from a more rich discussion  
14 with that membership.

15 CHAIRMAN DANNER: All right, thank you.  
16 Chad?

17 MR. ZAMARIN: Yes, Chad Zamarin,  
18 Cheniere. I would just also note, I think we  
19 hear those comments, we appreciate those  
20 comments. I also have a lot of experience on the  
21 gathering side, having been responsible for one  
22 of the oldest gathering systems in the country

1 during my time at Columbia Gas, in addition to  
2 new gas gathering and processing that we were  
3 building in the Marcellus and Utica. We  
4 recognize, though, that there is, I think, much  
5 input to be gained.

6 I also support the concept of a  
7 subcommittee or some other venue where we can  
8 hear the input and the unique concerns of others  
9 that find what we're working on relevant to their  
10 business. So, I would support that.

11 We've done that in the past, in fact,  
12 we did it for a midstream issue related to gas  
13 processing and the jurisdictional boundaries  
14 between PHMSA and OSHA. So, I think those venues  
15 work well for this Committee and might be a way  
16 to incorporate others' input into the process.

17 Thank you.

18 CHAIRMAN DANNER: All right, thank you.

19 Cheryl?

20 MS. CAMPBELL: Thank you. I too  
21 appreciate the input from that group, the  
22 industry. While Xcel Energy is not a major

1 player, we do have some gathering lines today.  
2 And like Chad and Andy, I have spent time in my  
3 career in the midstream space and working with  
4 gathering and processing and operations. So, to  
5 reiterate, I think the Committee does have some  
6 expertise in that area, but we welcome a way or a  
7 method to get more information.

8 CHAIRMAN DANNER: All right, thank you.  
9 Alan?

10 MR. MAYBERRY: On behalf of PHMSA, I'd  
11 just like to say, appreciate the comments,  
12 certainly. And they're not new to hear the issue  
13 or the desire to have different gathering  
14 representation.

15 As Diane had mentioned, ultimately  
16 it's the Secretary's decision. We are getting  
17 ready to issue a Federal Register Notice to  
18 solicit memberships for both the gas committee  
19 and the liquid committee. So, I would stay tuned  
20 for that and we'll just see what the outcome of  
21 that is. Thank you very much.

22 CHAIRMAN DANNER: Okay. Cheryl, your

1 card is up? Oh, okay. No, no problem. All  
2 right. Steve, are you ready to tee up the next  
3 item?

4 MR. NANNEY: The next item we'll be  
5 reviewing will be 935(a). And, again, the issue  
6 there is strengthening the requirements related  
7 to operator's use of insights gained from its  
8 program. It is prudent to ensure effective risk  
9 management.

10 And, again, the PHMSA proposes to  
11 clarify the expectation that operators use  
12 knowledge from risk assessments to establish and  
13 implement adequate P&M measures and to provide  
14 more explicit examples of the types of P&M  
15 Measures to be evaluated.

16 And the basis of this is PHMSA  
17 inspection experience, which shows that most  
18 operators do not implement additional P&M  
19 measures, based upon the evaluation required in  
20 935.

21 Again, from Committee comments was  
22 change to be made to 935(a) that removes the

1 statement that the operator must base the  
2 additional measures on threats the operator has  
3 identified to each pipeline segment.

4 The next comment was, removal of that  
5 sentence, so we believe implies that an operator  
6 must execute every single one of these P&M  
7 measures in 935(a) every single time. And then,  
8 based upon PHMSA's webinars and other  
9 discussions, we don't believe that was the  
10 intent, was another comment.

11 The potential Committee  
12 recommendations based upon the discussion there  
13 that we heard and also based upon some proposed  
14 changes to the regular text provided by some  
15 industry comments documented on April 5 was to  
16 clarify that it is not PHMSA's intent to require  
17 that all listed P&M measures be implemented.

18 With that being said, what PHMSA  
19 thinks from the last meeting, that we had heard  
20 that in the language that preventative and  
21 mitigating measures that operators must consider  
22 include, but are not limited to, I think the



1        comments was around the use of may, should, must,  
2        and consider, versus just must include. And  
3        PHMSA would propose that we use the wording must  
4        consider. Mr. Chairman?

5                    CHAIRMAN DANNER: All right. Thank you  
6        very much. Is there any public comment on this  
7        item? All right. If not, is there any  
8        discussion among the Committee Members? Andy?

9                    MR. DRAKE: Not to short-circuit the  
10       conversation, but I remember this discussion  
11       quite well. It was very much focused around a  
12       must and then a list. And that was, I think, an  
13       unintended consequence. I think the adjustment  
14       that you're talking about there reflects the  
15       conversation we had at the last meeting and it  
16       resolves a concern I have, anyway.

17                   CHAIRMAN DANNER: All right. Are there  
18       any other concerns among the Members? Sara?

19                   MS. GOSMAN: I support the must  
20       consider language.

21                   CHAIRMAN DANNER: All right. Any  
22       further discussion? All right, then. I would

1 entertain a motion. Mr. Drake?

2 MR. DRAKE: I'd like to propose a  
3 motion that the proposed rule as published in the  
4 Federal Register and the Draft Regulatory  
5 Evaluation with regard to provisions for IM  
6 clarifications for P&M measures are technically  
7 feasible, reasonable, cost-effective, and  
8 practical if the following changes are made, that  
9 is the clarification that it is not PHMSA's  
10 intent to require that all listed P&M measures be  
11 implemented and that the words must consider will  
12 be instituted.

13 MR. HILL: Robert Hill seconds.

14 CHAIRMAN DANNER: All right. Thank  
15 you, Mr. Hill. Again, any discussion before we  
16 take the vote? Let's take the vote.

17 MS. WHETSEL: Steve Allen?

18 MR. ALLEN: Yea.

19 MS. WHETSEL: Oh, Steve passes?

20 MR. ALLEN: Yea.

21 MS. WHETSEL: Yea? Okay. Diane  
22 Burman?

1 MS. BURMAN: Aye.

2 MS. WHETSEL: Dave Danner?

3 CHAIRMAN DANNER: Aye.

4 MS. WHETSEL: Terry Turpin?

5 MR. TURPIN: Aye.

6 MS. WHETSEL: Cheryl Campbell?

7 MS. CAMPBELL: Aye.

8 MS. WHETSEL: Andy Drake?

9 MR. DRAKE: Aye.

10 MS. WHETSEL: Rich Worsinger?

11 MR. WORSINGER: Aye.

12 MS. WHETSEL: Chad Zamarin?

13 MR. ZAMARIN: Aye.

14 MS. WHETSEL: Mark isn't here. Sara

15 Gosman?

16 MS. GOSMAN: Yea.

17 MS. WHETSEL: Robert Hill?

18 MR. HILL: Yea.

19 MS. WHETSEL: And Bob and Rick are not

20 here. Okay, measure passes.

21 CHAIRMAN DANNER: All right. Thank you

22 very much. So, let's tee up the next item. So,

1 go ahead, Steve.

2 MR. NANNEY: First -- whoops, somebody  
3 moved it on me. All right. Just to let  
4 everybody know that --

5 CHAIRMAN DANNER: Steve, excuse me,  
6 Alan, let me call on Alan.

7 AAM: Yes, I was just going to say,  
8 just for everyone's benefit, symbolically, we're  
9 moving beyond items from the last meeting --

10 (Laughter.)

11 AAM: -- and into new business. So,  
12 success.

13 CHAIRMAN DANNER: And --

14 AAM: And knock on wood, we'll see  
15 about that.

16 CHAIRMAN DANNER: And also, if we're  
17 going to vote on this first one, I wouldn't be --  
18 it wouldn't irritate me too bad.

19 (Laughter.)

20 MR. NANNEY: And that's what I was  
21 moving to, was to show 91. So, good job that we  
22 got finished with this. Going to the next topic,

1 and, again, it's a topic that we have not covered  
2 before, is MAOP exceedance reporting in 191.23  
3 and 191.25.

4 And, again, this is -- the issue here  
5 is this is the Congressional mandate, the 2011  
6 Act requires that operators report MAOP  
7 exceedances to PHMSA. And, again, the basis is  
8 Section 23 of the Pipeline Safety Act of 2011.

9 And PHMSA proposes to include  
10 reporting requirements in Part 191 to specify the  
11 procedures and information required to be  
12 included in MAOP exceedance reports. Again, in  
13 the Notice of Proposed Rulemaking -- and we're  
14 going back to the outline that we used in the  
15 last meeting on new topics, so you're going to  
16 see this reported a little different.

17 This is the Notice of Proposed  
18 Rulemaking comments and this is an overview of  
19 comments that we got from the public, from the  
20 Notice. Many commenters supported the reporting  
21 of MAOP exceedances. PHMSA was requested to  
22 revise 191.23 to require filing SRCRs only when

1 the operator is unable to meet the pressure  
2 reduction requirements or response time frames in  
3 Part 192.

4 And PHMSA just -- one thing we're  
5 doing a little different than the last meeting,  
6 we are, so that we keep them together, we're  
7 showing you -- if PHMSA feels like we need to  
8 give a response, we're giving a response right  
9 below the comment. If we don't feel like we need  
10 to give a response, we're not.

11 But in this case, we just wanted to  
12 make clear that what we would be doing would be  
13 the Congressional mandate of the 2011 Act and  
14 that MAOP exceedances would be reported without  
15 exception. This commenter was implying not to do  
16 that.

17 The next comment we got was an  
18 operator expressed concern that the proposed  
19 change would require the safety-related condition  
20 reports to be submitted any time the operator had  
21 to implement a pressure reduction upon discovery  
22 of an immediate condition.

1 PHMSA's comment is that the proposed  
2 rule would not require additional safety-related  
3 condition reports for pressure reductions in  
4 response to immediate conditions, only for an  
5 actual operational exceedance of the established  
6 MAOP, plus the margin allowed for operation of  
7 pressure limiting or control devices. Mr.  
8 Chairman?

9 CHAIRMAN DANNER: All right. Thank you  
10 very much. Again, this is something that the  
11 Committee has not discussed before, so let's  
12 start with public comment. Is there anyone who  
13 wishes to comment on this item?

14 MS. BYRNES: Hi, Corinne Byrnes,  
15 National Grid, just a brief comment. I see no  
16 problem in requiring operators to report  
17 exceedances.

18 I think the issue might be in  
19 requiring it to be done within the five days,  
20 because there might be some ongoing  
21 investigation, which would preclude us from being  
22 able to complete a full safety-related condition

1 report.

2 MR. SATTERTHWAITTE: All right. Got  
3 another comment?

4 MS. KELLER: Hi, this is Heidi Keller  
5 with the American Petroleum Institute. I'd just  
6 like to comment that API supports this proposal  
7 with respect to transmission lines, but wanted  
8 to, again, make the clarification that it does  
9 not apply to gathering.

10 During a webinar, during a series of  
11 webinars last summer, PHMSA stated that it was  
12 not their intent for this to apply to gathering,  
13 but because of the confusion within the scope of  
14 191.1, it could still lead an operator to believe  
15 that it applies to gathering. So, we'd just like  
16 to make that request. Thank you.

17 CHAIRMAN DANNER: All right. No  
18 further public comment. Any discussion among the  
19 Members here? There were two issues that were  
20 identified. One is whether five days is too  
21 prescriptive, if there's something that would  
22 stretch that out, like an investigation, ongoing



1 investigation. And the second is clarification  
2 that it does not apply to gathering lines. Sara?

3 MS. GOSMAN: I just want to respond to  
4 the five days. So, this is a provision directly  
5 in statute and Congress was clear that it would  
6 have to be reported on or before the fifth day  
7 following the date on which the exceedance  
8 occurs. I don't believe the agency has any  
9 discretion on this, it has to follow the statute.

10 CHAIRMAN DANNER: I would agree.  
11 Cheryl?

12 MS. CAMPBELL: I was actually going to  
13 propose a motion.

14 (Laughter.)

15 CHAIRMAN DANNER: Okay. Before --

16 MS. CAMPBELL: But if we're not ready  
17 to do that, I'm happy to put my --

18 CHAIRMAN DANNER: Okay. Well, I  
19 promise that I will turn to you for the motion.  
20 First, I wanted to get clarification from Steve  
21 about the applicability to gathering lines.

22 MS. CAMPBELL: Actually, Chair, I do

1 have a question related to the five days.

2 CHAIRMAN DANNER: Okay, go ahead.

3 MS. CAMPBELL: Today, right, we can  
4 file an initial report and then, as we complete  
5 an investigation, we can modify a report, right,  
6 or withdraw. Would that apply to this? Is it  
7 the intention, right, that that would apply to  
8 this reporting as well? If we find it does not  
9 apply?

10 CHAIRMAN DANNER: I'll refer that  
11 question to PHMSA.

12 AAM: This is Alan. I don't believe  
13 so, the way my understanding is of it. If it's  
14 an exceedance, it's a little bit different than a  
15 condition you might discover. That it's more  
16 likened to a close call as opposed to an outright  
17 going above the MAOP, so I think we're talking  
18 about a little bit different situation here. So,  
19 I don't think that would apply. But we're  
20 willing to accept your input on that, though.

21 CHAIRMAN DANNER: Okay. Then I had a  
22 question about gathering lines.

1           AAM: Okay, standby. This is Alan. I  
2 understand, it might already be in the write-up  
3 too, that effect of five days. All right. I  
4 stand corrected, it's already covered under  
5 safety-related condition reports, which does have  
6 that five day provision. My apologies. Yes,  
7 under 191.25.

8           CHAIRMAN DANNER: All right. And,  
9 again, there was a comment about the  
10 applicability of this to gathering lines and I  
11 just wanted to hear PHMSA's take on that.

12           MR. NANNEY: Well, if you read the code  
13 language in 191.23, it has far transmission  
14 pipelines.

15           CHAIRMAN DANNER: All right. Thank  
16 you. Any further discussion before we turn to  
17 Cheryl for a motion? Cheryl?

18           MS. CAMPBELL: Awesome. Okay. Cheryl  
19 Campbell, Xcel Energy. The proposed rule as  
20 published in the Federal Register and the Draft  
21 Regulatory Evaluation with regard to the  
22 provisions for MAOP exceedance are technically

1 feasible, reasonable, cost-effective, and  
2 practical if the following changes are made,  
3 clarify that MAOP exceedance reporting does not  
4 apply to gathering lines.

5 CHAIRMAN DANNER: All right. Is there  
6 a second?

7 MR. DRAKE: Second.

8 CHAIRMAN DANNER: Okay. Thank you, Mr.  
9 Drake. Any further discussion before we turn to  
10 Cheryl for the roll? Proceed.

11 MS. WHETSEL: Steve Allen?

12 MR. ALLEN: Yea.

13 MS. WHETSEL: Diane Burman?

14 MS. BURMAN: Aye.

15 MS. WHETSEL: Dave Danner?

16 CHAIRMAN DANNER: Aye.

17 MS. WHETSEL: Terry Turpin?

18 MR. TURPIN: Aye.

19 MS. WHETSEL: Cheryl Campbell?

20 MS. CAMPBELL: Aye.

21 MS. WHETSEL: Andy Drake?

22 MR. DRAKE: Aye.

1 MS. WHETSEL: Rich Worsinger?

2 MR. WORSINGER: Aye.

3 MS. WHETSEL: Chad Zamarin?

4 MR. ZAMARIN: Aye.

5 MS. WHETSEL: Mark is not here. Sara

6 Gosman?

7 MS. GOSMAN: Yea.

8 MS. WHETSEL: Robert Hill?

9 MR. HILL: Yea.

10 MS. WHETSEL: And Bob and Rick are not

11 here. How did I do that? Sue Fleck?

12 MS. FLECK: You did it on the last one

13 too.

14 MS. WHETSEL: I did? You know why,

15 because I changed --

16 MS. FLECK: Yea.

17 MS. WHETSEL: -- pages, that's why I

18 left you out.

19 (Laughter.)

20 MS. WHETSEL: I'm so sorry.

21 MS. FLECK: That's okay.

22 MS. WHETSEL: Okay. So, yea and yea.

1 MS. FLECK: You're retiring me before  
2 I'm due to retire.

3 MS. WHETSEL: I'm sorry. Okay. The  
4 motion passes. And just an administrative note,  
5 again, if you make a statement, please leave your  
6 card with me. Thank you.

7 CHAIRMAN DANNER: All right. Thank  
8 you. So, Steve, we're ready for the next item.

9 MR. NANNEY: We're going faster than I  
10 anticipated, so give me one minute.

11 (Laughter.)

12 CHAIRMAN DANNER: You want to go slow?

13 MR. NANNEY: You may need a faster  
14 moderator, I guess. Anyway, getting serious,  
15 this is the material documentation and then,  
16 following this, the integrity verification  
17 process. It's probably getting more into the  
18 meat of what people wanted to discuss.

19 And, again, this is in proposed  
20 Section 192.607. Going through this, 607 is the  
21 issue of missing records. And, again,  
22 immediately after the San Bruno, California

1 accident, NTSB issued three recommendations to  
2 PG&E.

3 NTSB recommended that PG&E conduct an  
4 immediate search for missing records, that they  
5 use verifiable records to determine a valid MAOP,  
6 and if a valid MAOP cannot be substantiated,  
7 conduct pressure tests to reestablish a valid  
8 MAOP. The results of the PG&E review revealed  
9 that PG&E could not substantiate MAOP for a  
10 significant amount of PG&E's transmission system.

11 In the wake of the San Bruno incident  
12 and the PG&E problems revealed by the records  
13 reviewed, Congress mandated in the 2011 Act,  
14 Section 23, that all pipeline operators conduct a  
15 records review for segments in HCAs or class 3  
16 and 4 locations and report the results to PHMSA.

17 The purpose of this validation shall  
18 be to ensure that the records accurately reflect  
19 the physical and operational characteristics of  
20 the pipelines and confirm the established maximum  
21 allowable operating pressure of these pipelines.

22 So, 192.607, why are pipeline material

1 records needed? First, they're needed to  
2 establish the design and maximum operating  
3 pressures, or the MAOP of the pipeline. They're  
4 needed for integrity management. And also,  
5 they're needed for anomaly evaluations for safe  
6 operating pressure.

7 In doing this, PHMSA in annual reports  
8 asks for information from operators. And, again,  
9 based upon the 2016 annual reports, there's a  
10 little less than 5,000 miles of pipe in HCAs, in  
11 class 3 and 4 locations, that had inadequate  
12 records to confirm MAOP.

13 For segments without such records,  
14 Congress mandated in Section 23 of the 2011 Act  
15 that PHMSA require the operator to confirm a  
16 maximum allowable operating pressure as  
17 expeditiously and as economically feasible. And  
18 also to determine what actions are appropriate  
19 for the pipeline owner or operator to take to  
20 maintain safety until a maximum allowable  
21 operating pressure is confirmed.

22 Again, what was in the Act, in Section



1 23(a) of the Act, pressure testing or an  
2 alternative equivalent means, such as ILI program  
3 for all gas transmission pipe not previously  
4 tested in class 3, 4, and all HCAs. And as I  
5 think we know, high consequence areas could  
6 include some class 1 and class 2 pipe also, where  
7 there's a site, identified site that would make  
8 it an HCA.

9 Also, PHMSA got and industry got from  
10 NTSB to delete the grandfather clause. The NTSB  
11 recommended that all grandfathered pipe be  
12 pressure tested, including a spike test for HCAs  
13 and non-HCA segments.

14 Also, NTSB, in P11.15 on seam  
15 stability, recommended that the pressure test to  
16 1.25 times MAOP before treating manufacturing and  
17 construction defects as stable, for all pipe in  
18 HCAs and non-HCA segments.

19 Alternatives that PHMSA considered  
20 was, A, no action alternative was not feasible.  
21 Why? Because it was mandated by law. Two, the  
22 actions required by the existing regulations to

1 establish material properties for pipe segments  
2 would be very expensive.

3 So, we looked at what we could do  
4 there for establishing those. The current code  
5 in the design section does have some language and  
6 some guidance on cutting out and destructively  
7 testing test samples for every ten joints of  
8 pipe.

9 If you go look at 192.107(b) and  
10 Appendix B of the gas code -- and, again, I'm not  
11 going to read 107(b), but basically, it gives  
12 guidance of doing that sampling. And let me say,  
13 in what we were doing in 607, the operator always  
14 has the option of doing this, but that is not  
15 what we were recommending.

16 So, I want to be very clear, we were  
17 recommending either a destructive or a  
18 nondestructive type testing protocol for the pipe  
19 that's under 607. And why were we doing that?  
20 We were doing it because doing destructive  
21 testing as in 107 would be very expensive.

22 Also, simply pressure testing the pipe

1 does not address missing records needed for  
2 establishing design pressure, yield strength,  
3 wall thickness, seam type, some of those type  
4 information needed for analyzing defects and for  
5 the repair.

6           Also, if you look at the pressure  
7 testing, it's a yield-type two-to-one pressure  
8 test, which if you've ever done one of those and  
9 really gone to yield, you'll find that it is a  
10 lot higher than most operators realize. I  
11 personally have done it more than once and I know  
12 that for a fact.

13           So, when I hear and see some of the  
14 write-ups, I think some of them does not take  
15 into account what a two-to-one or a 0.5 percent  
16 yield test actually does on a large pipe.  
17 Because depending upon the strength of the pipe,  
18 you could easily be at 115 percent to 130 percent  
19 of what SMYS is in that pressure test, if you  
20 really do it the way it's described in the code.

21           And PHMSA's not, in this rule, trying  
22 to push operators in any form or fashion down

1 that road, we're doing, again, alternatives that  
2 we think are feasible and get us the same  
3 information. So, I don't want anyone to leave  
4 thinking that that's what we're doing. Now, let  
5 me say, they always have the option of doing  
6 that, but that's not what PHMSA's trying to say  
7 here.

8 Also, going to the next slide, PHMSA  
9 proposed a process that is based upon  
10 opportunistic sampling approach. There's no  
11 mandatory excavation solely for verification of  
12 pipe material properties would be required in  
13 this.

14 You verify material properties as the  
15 opportunities present themselves during the  
16 course of normal operations and maintenance, such  
17 as excavations for evaluation or repair of  
18 anomalies or defects. We do allow in this  
19 nondestructive testing to verify material  
20 properties where feasible, which is not currently  
21 spelled out or allowed in Part 192.

22 Also, the operator could elect

1 destructive testing per existing code if  
2 practical. In other words, if the segment is  
3 being replaced anyway, taken out of service, then  
4 the operator may want to elect to do destructive  
5 testing. Components, such as valves, flanges,  
6 and fabrications could be verified by code stamp  
7 or other markings.

8 PHMSA proposed a process that is based  
9 on, again, an opportunistic sampling approach.  
10 Over time, operators will gain data and records  
11 to provide confidence in material properties.  
12 And we hope that's been happening under IMP.

13 If you look at what we talked about  
14 earlier, in Table 1, it had those type properties  
15 that should be being accumulated over time in  
16 integrity management, in these high consequence  
17 areas. Again, that's been in place for 12 years.

18 And PHMSA hopes that when operators  
19 have gone and cut out defective pipe, if they  
20 didn't have those records, they would be getting  
21 it, or when they dug up the pipe. Again, this is  
22 set up to use the results where it's valid for

1 other unknown segments that are of the same type  
2 vintage of pipe.

3 And that this continued the program  
4 after a specified number of segment properties  
5 have been verified. Again, PHMSA considered the  
6 minimum material properties that must be known to  
7 establish MAOP and to operate and maintain the  
8 pipeline to assure operating pressure stays  
9 within the MAOP limits.

10 And one thing on this discussion, as  
11 we go through, on material documentation is,  
12 PHMSA wants to hear from the Committee, what is  
13 required? In other words, what does the  
14 Committee see required to verify MAOP and to  
15 verify material properties that Section 23 of the  
16 2011 Act says and what we've gotten from NTSB?  
17 What is needed for this? Have we got it right?  
18 What do we need to keep in? What do we need to  
19 take out?

20 Again, the pipe segments for which 607  
21 does not apply would continue to be subject to  
22 the existing rule requirements to establish

1 unknown material properties.

2 It may be that this sampling technique  
3 that the Committee may want to consider, in the  
4 Notice, to consider it for other segments. It  
5 would be good to know that and to hear that, if  
6 that's part of what the Committee wants us to  
7 consider.

8 Going to the next part is, what are  
9 some of the minimum material properties that are  
10 outline in the code that you need? If you go in  
11 and look, diameter wall thickness yield strength  
12 has got design pressure.

13 I see, I probably made a typo there on  
14 design pressure, I think it's 192.105, it's not  
15 905. I can -- so, that's a typo by myself. So,  
16 192.105 is design pressure. MAOP determination  
17 in 619(a) would be another.

18 The safe operating pressure of the  
19 pipe with defects under IMP in 933 would be  
20 another. And, again, some other material  
21 properties, ultimate tensile strength, is that  
22 needed?

1           Going to the next, is Charpy toughness  
2 needed? Is it needed only in areas where it's  
3 required for failure pressure or crack growth  
4 analysis? Especially if we allow the usage of  
5 ILI and other alternative methods other than  
6 pressure tests, do we need to know the pipe  
7 toughness to be able to come up with an  
8 alternative MAOP? And Congress is allowing us to  
9 do that.

10           Are chemical properties needed in  
11 this? That's one of the areas that we had  
12 outlined and talked about. Is it needed if  
13 you're welding on the pipe or does an operator,  
14 for preheat and things like that, where your  
15 carbon equivalents are over a certain amount,  
16 does there need to be other alternative measures  
17 or is that just normal in the operator's  
18 procedures?

19           The other item is seam type. The seam  
20 type, again, is in 917. It's also in the  
21 pressure testing requirements in proposed 624.  
22 Also, seam type, in 192.105, in your MAOP



1 determination, is something that's in there.

2 There are some derating factors based upon  
3 certain seam types.

4 Coating type, should we be getting  
5 that, realizing you may not need it for MAOP, but  
6 you are needing it for threat analysis in 917, so  
7 if you've got a pipeline that you do not know  
8 what the attributes are, shouldn't that be  
9 something that, I think, Table 1 in 917 would be  
10 asking us to get?

11 Test for the presence of stress  
12 corrosion cracking, seam cracking, or selective  
13 seam weld corrosion. In other words, should we  
14 be, when we do the digs to do the testing for  
15 this, should we test the pipe for cracking?

16 Some other issues is the proposed rule  
17 would only apply to pipeline segments in high  
18 consequence areas, class 3 and class 4 areas.  
19 The balance of the pipe segments in non-HCAs, in  
20 class 1 and 2 areas in non-HCAs, would continue  
21 to be subject to the existing rule requirements  
22 to establish material properties for unknown

1 pipe.

2 As far as PHMSA proposed to require  
3 operators to establish sample populations based  
4 on similar or comparable pipe to address the  
5 vintage, the manufacturer, the type seam,  
6 comparable key parameters, pipelines acquired  
7 from others, segments of pipeline systems that  
8 have been replaced, and other reasons that there  
9 may be a variation or the pipe properties are  
10 unknown.

11 In other words, no matter how you lost  
12 the records, we're not really trying to go there,  
13 as if it's needed, how do we get there? In other  
14 words, we don't have them, is it -- this 607 is  
15 not the correct method, what we'd like to hear  
16 from the Committee, what would be?

17 I mean, we've had Table 1 in 917 and  
18 B31.8S, Section 4 and we see that it may not be  
19 done, based upon the annual report data we've  
20 gotten. What should we be proposing? Again,  
21 some of the -- going down to the next section is,  
22 some of the Notice of Proposed Rulemaking

1        comments.

2                    What was proposed was widely supported  
3        by NTSB, Pipeline Safety Trust, the public, and  
4        safety advocates. Their concern was expressed  
5        that the need for this section reflects poor  
6        operator implementation of IMP, since the  
7        inception of Subpart O. And that was universal  
8        from all of those that we got.

9                    And, again, PHMSA's reply was that  
10       since 2004, 917 requires that operators establish  
11       a program to collect all data sets. In addition,  
12       for the remaining strength calculations, material  
13       and pipe properties must be known to reliably  
14       calculate the predicted failure pressure. In  
15       other words, where you've got the anomaly, you  
16       need to know the grade and wall thickness, those  
17       type properties, to be able to do it.

18                    And, again, I just -- I think we've  
19       all seen Table 1 before, but when we were making  
20       the slide, we did not know, but you can see the  
21       attribute data over there is some of the things  
22       that we've got in 607 to try to confirm.

1           And, again, it doesn't mean 607, we  
2 shouldn't consider maybe subtracting or adding to  
3 it, we're saying we're following Table 1 of  
4 B31.8S. Again, some other comments on that, and  
5 I'm not going to give you a chance, we've talked  
6 about this before, but B31.8S, Section 4.2 has  
7 the data requirements.

8           And just for the record, we are  
9 putting this up to just make sure that we're not  
10 -- this has been required, that the operator must  
11 collect data required to perform a risk  
12 assessment, implementation of an IMP program  
13 should drive this collection.

14           And Section 4.2.1 gives a prescriptive  
15 integrity management programs. Again, these data  
16 sets should or shall be gathered to evaluated  
17 each threat, for a prescriptive IMP program.  
18 Now, we realize that, by adding the additional  
19 footage or mileage for class 3 and 4 may not have  
20 been part of an HCA program in the past.

21           Another comment we got was recommended  
22 that PHMSA withdraw 607 for this regulatory

1 rulemaking, because it does not deliver clear,  
2 identifiable safety benefits and contains many  
3 serious unintended consequences that will have  
4 the effect of decreasing the integrity of  
5 pipeline systems. Availability of nondestructive  
6 testing personnel and equipment will be severely  
7 tax the available resourcing, making  
8 implementation impractical.

9 Proposed requirements in 607 are  
10 unnecessarily complex to achieve needed  
11 improvements to material validation. Cost will  
12 increase dramatically and many communities will  
13 experience significant disruptions and increased  
14 traffic safety risk exposure resulting from the  
15 proposed rule.

16 PHMSA's comment to that was, deleting  
17 this section would be unresponsive to both  
18 Congress and NTSB. Also, PHMSA believes that the  
19 concerns about costs and practicability and  
20 additional disruptions are based on an incomplete  
21 understanding of the proposed rule.

22 One commenter suggested that including

1 a deadline for operators to finish implementing  
2 the material documentation plan. And PHMSA --  
3 what's in the rule is the approach is  
4 opportunistic, in order to take advantage of  
5 excavations as they occur for other reasons.

6           Setting a deadline would be  
7 impractical in such a program. So, we do not  
8 have a timeline. We don't have one year, five  
9 years, or ten years, we've got it based upon  
10 going out as far as doing excavations.

11           Also, some comments we got. If an  
12 operator has previously established the MAOP per  
13 619(a)(2), strength test requirements, or will do  
14 so, per the proposed 624 methodology for pressure  
15 test or pressure reduction, the verification of  
16 pipeline material proposed in 607 is not  
17 necessary for the purpose of ensuring safe  
18 operation.

19           For remaining strength calculations,  
20 use supported sound engineering judgments or  
21 conservative assumptions that functionally serve  
22 as safety factors, when there are specific record

1 gaps. There were no details of what this would  
2 be, but this was the comment.

3 Again, PHMSA said, even in cases where  
4 MAOP has been verified with a strength test,  
5 material properties are necessary to conduct  
6 effective integrity management, including, but  
7 not limited to, calculation of predicted failure  
8 pressure in response to discovered defects. So,  
9 that's the reason we needed that.

10 The next comment we got on 607, that  
11 it could be interpreted as being applicable to  
12 distribution pipelines, both mains and services,  
13 and gathering lines. PHMSA should clarify that  
14 distribution and gathering facilities are exempt  
15 from the proposed rule. 607 applies to onshore  
16 steel transmission pipelines. The final rule  
17 will clarify that distribution and gathering  
18 lines are exempt from 607.

19 Some other comments that we got was  
20 that performing these examinations would require  
21 unnecessarily breaching the pipeline coating, an  
22 important component of effective cathodic

1 protection. Our comment there was, reapplying  
2 coating when pipelines are exposed is common and  
3 effective.

4 Another comment we got was it was  
5 recommended that PHMSA consider a performance-  
6 based approach to determine the minimum number of  
7 test locations at each excavation or above-ground  
8 location. PHMSA comment there, PHMSA will  
9 consider relaxing or revising the minimum number  
10 of test locations at each excavation.

11 Another comment we had was, a  
12 retroactive material verification rule would  
13 amount to a pipe replacement rule. Given the  
14 expense of performing the steps necessary to  
15 verifying a pipeline's material properties as set  
16 forth in the proposed rule, many operators may  
17 find it less expensive to simply replace the  
18 pipe. Again, PHMSA believes that the concerns  
19 about cost are based upon an incomplete  
20 understanding of the proposed rule.

21 Another comment we got urged PHMSA to  
22 restrict this to transmission pipe greater than



1 30 percent SMYS -- we left SMYS off --and based  
2 upon Leak Before Break concept. Again, PHMSA did  
3 not restrict it to equal to or greater than 30  
4 percent SMYS since the pipe has ruptured while  
5 operating at less than 30 percent SMYS.

6 Another comment we got was, suggest  
7 that PHMSA review the various cross-references in  
8 the Notice of Proposed Rulemaking and eliminate  
9 cross-references that would expand the  
10 applicability of 607 beyond onshore steel  
11 transmission lines in HCAs or class 3 or 4  
12 locations. Again, 607 is applicable to those  
13 locations specified in 607(a). PHMSA proposed to  
14 clarify language in other locations to avoid  
15 confusion on this point.

16 Another comment we got, we recommend  
17 that the language in proposed 607 be revised to  
18 include or refer to the option of using the  
19 provisions of 619(a)(1) for establishing MAOP  
20 when traceable, verifiable, complete material  
21 records are not available for calculating design  
22 pressure.

1                   Again, 607 requires material  
2                   documentation for purposes other than MAOP  
3                   verification. Also, all four of the tests in  
4                   619(a) must be satisfied to determine which is  
5                   lowest. Establishing wall thickness, seam yield,  
6                   and other parameters are necessary for integrity  
7                   management, as well as determining predicted  
8                   failure pressure of defects.

9                   Another comment PHMSA got was,  
10                  recommend changing the size limit for small  
11                  components from greater than or equal to two  
12                  inches to greater than two inches. And PHMSA's  
13                  comment is, PHMSA will consider this proposal.

14                  Another comment we got was,  
15                  implementation time frame should be extended one  
16                  year to develop the plan. And PHMSA's comment  
17                  there, will consider extending the implementation  
18                  to one year.

19                  Another comment we got, recommend that  
20                  PHMSA limit the required records to what is  
21                  needed to calculate design pressure in order to  
22                  determine MAOP. In other words, diameter wall

1 thickness, grade or yield strength, and  
2 longitudinal joint factor.

3 PHMSA, chemical composition is  
4 important for welding, seam type is important for  
5 IMP threat analysis, and coating is important for  
6 threat analysis, like for stress corrosion  
7 cracking.

8 Another comment we got was, 607(d)(4),  
9 all components do not have an ANSI rating.

10 PHMSA, we'll add where applicable in response to  
11 this component.

12 Another comment was, confidence  
13 specifications for NDE test would add significant  
14 cost for inherently inaccurate test results.

15 PHMSA's comment, we'll review the confidence  
16 specifications for NDE tools.

17 Another comment we got, comment to  
18 delete sampling requirement and not require  
19 performance of material document if, when the  
20 pipe is excavated for repair, a repair sleeve or  
21 replacement is installed.

22 PHMSA, operators can and should repair

1 the pipe if there's a defect. In such cases, the  
2 operator would then conduct NDE and material  
3 documentation that the exposed pipe needed  
4 repair.

5 To not perform any material  
6 documentation would defeat the purpose of the  
7 material documentation program, which is to learn  
8 about the pipe in the ground for which records  
9 are insufficient.

10 The purpose is larger than to ensure  
11 safety at one pipe location being excavated, but  
12 the entire pipeline segment. Information  
13 obtained must be applied to other similar pipe in  
14 the pipeline in order to establish material  
15 properties for unexcavated segments.

16 Another comment, do not concur with  
17 establishing a requirement for the specified  
18 number of excavations for material verification.  
19 The minimum number of excavations should be  
20 determined by the operator in their material  
21 verification plan and through statistical  
22 analysis to achieve targeted confidence levels.

1 PHMSA's proposed prescriptive sampling plan is  
2 too limiting. PHMSA, we'll consider adjusting  
3 the minimum number of excavations if credible  
4 alternatives are proposed.

5 Another comment we got, commenters  
6 support AGA's alternative approach to PHMSA's  
7 prescriptive and complex proposals related to  
8 material verification in 607, 624, and 710.  
9 Commenter stated that AGA's approach is more  
10 simplistic, would be easier to follow and  
11 enforce, and would focus resources on the areas  
12 of highest risk within pipeline systems. Again,  
13 PHMSA believes that the 607 approach is  
14 appropriate.

15 Another comment, encourage consistency  
16 between material documentation required in 607(c)  
17 and those listed within the prospective  
18 documentation requirements in 67, 127, and 205  
19 records for pipeline components.

20 Again, there's inconsistencies between  
21 these documentation requirements and it could  
22 create irrational scenarios where operators are

1 meeting the new documentation requirements, but  
2 find themselves still required to perform  
3 material verification requirements under 607.

4 PHMSA's comment, operators would only  
5 be required to verify material properties in  
6 accordance with 607 in cases where required  
7 documentation is missing. Operators that  
8 establish records per other requirements would  
9 not have to also comply with 607.

10 Some other comments we got to  
11 607(c)(2) and (c)(3), require the operator to  
12 know the weld-end bevel conditions for in-service  
13 valves and flanges. Once the weld-end is welded  
14 to a piece of pipe or other component, unaware of  
15 any method that an operator can employ to  
16 determine the bevel of a weld-end. PHMSA, we'll  
17 consider deleting the requirements associated  
18 with bevel end conditions.

19 Another comment we got, 607(d), there  
20 is no technical justification for the number of  
21 material properties tests being required at each  
22 test location by the proposed rule. The

1 requirement of five tests in each circumferential  
2 quadrant for nondestructive tests and one test in  
3 each circumferential quadrant for a destructive  
4 test is unsupported in the proposal.

5 PHMSA's comment, we'll consider  
6 reducing the requirement for the number of  
7 quadrants tested from four to two at each  
8 location, but not the number of tests at each  
9 location, because if you're doing a  
10 nondestructive type scenario, if you do just one  
11 sample, you may find that it may be a little bit  
12 of variation that may make your properties lower  
13 than you want. So, what we wanted to do was see  
14 five tests at each location.

15 Another comment we got was  
16 607(d)(3)(iii) would require testing for SCC in  
17 all cases. This requirement should be limited to  
18 only pipelines that are susceptible to SCC.

19 Again, PHMSA's comment, current methods for  
20 determining if a segment is susceptible to SCC  
21 have not proven to be sufficiently reliable.

22 PHMSA believes the information gained checking

1 for SCC will improve our understanding of SCC and  
2 enhance safety and integrity management.

3 Another comment we got, allow  
4 operators to establish design yield strengths for  
5 unknown pipe grades as described in 107(b)(1).  
6 PHMSA, operators must be following 107(b)(1) if  
7 tensile strength is unknown. In addition,  
8 operators must also follow 109 if wall thickness  
9 is not known and 113 if seam type is unknown.

10 Another comment we got, delete the  
11 notification requirement to use other technology.  
12 Again, PHMSA believes the notification serves an  
13 important function for oversight and is currently  
14 used in integrity management.

15 Another comment we got to 607(d)(3),  
16 recommend including language that would allow the  
17 use of advanced ILI and NDE, such as pipe  
18 identification, to comply with the requirements.  
19 Pipe identification would also enable a more  
20 accurate assessment interval, as (a) and (b) do  
21 not take into account the variation in pipe  
22 material and manufacturing that actually exists.



1 By using ILI data, an assessment of variation of  
2 the pipe can be used to determine an accurate  
3 assessment interval.

4 PHMSA, the proposed rule would allow  
5 either destructive or nondestructive testing, as  
6 long as the methods used are reliable and the  
7 results are confirmed. And also, again, the  
8 proposal was for other technology, you could also  
9 submit it in to PHMSA.

10 Another comment we got is 607(d)(3),  
11 the definition of excavation is unclear in this  
12 section. Pipe may be excavated to a point for  
13 many operational activities, including spotting  
14 for construction safety, installation of cathodic  
15 protection tests, or current source wires. These  
16 types of excavations are not opportunities for  
17 material verification.

18 PHMSA, we will consider limiting  
19 excavations to repair, remediation, anomaly  
20 examination, and maintenance and delete the  
21 phrase, or other reasons for which the pipe is  
22 exposed.

1           Another comment we got to 607(d)(3),  
2           SMEs in both metallurgy and fracture mechanics  
3           are not needed to validate nondestructive test  
4           methods. Engineers with knowledge in test  
5           validation methods, but not necessarily  
6           metallurgy or fracture mechanics are capable of  
7           validating NDE methods. PHMSA, we'll consider  
8           revising the rule to address this comment.

9           The next comment, recommend PHMSA  
10          allow alternative methods of assessing strength  
11          properties that provide a suitable lower bound to  
12          the actual strengths. Allowing alternative  
13          methods will provide flexibility, consider  
14          conservative, but realistic estimates of material  
15          properties.

16          PHMSA, proposed rule allows NDE  
17          methods that reliably provide a suitable lower  
18          bound for strength. Also, the proposed rule  
19          allows operators to submit notifications to use  
20          other technology.

21          The next comment, opposition to  
22          requiring operators to remove a cylinder of pipe

1 to perform destructive test and then perform a  
2 material test at each of the four quadrants on  
3 the cylinder that is removed.

4 This requirement is unnecessarily  
5 costly and has a negative impact on pipeline  
6 safety, since the integrity of the pipeline now  
7 has been compromised and a new joint of pipe will  
8 need to be welded onto the pipeline. The  
9 proposed rule would not require destructive  
10 testing, but allows it as an alternative.

11 The next comment we saw, 607(d)(6) to  
12 the requirement to obtain a "no objection letter"  
13 from PHMSA. In other words, they recommended  
14 deleting it. PHMSA enforcement and regulatory  
15 procedures do not provide for such letters and  
16 adding a new process that is not articulated in  
17 the rules or well defined would cause even more  
18 confusion.

19 Again, PHMSA, the "no objection  
20 letter" has been effectively implemented since  
21 the inception of integrity management rule in  
22 Subpart O.

1           The next comment we got, there is no  
2 benefit for determining pipeline chemical  
3 compositions with no direction or guidance for a  
4 company to apply the newly validated  
5 characteristic. There is a high probability that  
6 many pipelines that were otherwise considered to  
7 have an acceptable material documentation could  
8 now fail the proposed records requirements in  
9 607(c), thereby requiring additional  
10 verification.

11           PHMSA, chemical properties are needed  
12 for welding, for example, Appendix B Section  
13 2(b). PHMSA may consider adjusting the proposed  
14 rule to address this comment.

15           An additional comment we got, allow  
16 operators to use short duration spike portion of  
17 a spike pressure test to determine the lower  
18 bound of the yield strength of the test section,  
19 including all piping components that are  
20 subjected to the test pressure.

21           Such a test, if used for this purpose,  
22 must also confirm that yielding beyond that

1 experienced in a standard tensile test to  
2 determine yield strength typically on the order  
3 of 0.5 has not occurred. This confirmation may  
4 be demonstrated by data from a pressure volume  
5 plot of the test or a pressure test geometry tool  
6 inline inspection.

7 Again, PHMSA agrees that a yield test  
8 which would be greater than 110 percent of SMYS  
9 is valuable to confirm the pressure retaining  
10 capability of the pipe body and seam. It would  
11 not confirm other key parameters, such as wall  
12 thickness, seam type.

13 An additional comment, in  
14 607(d)(3)(iii), PHMSA requires the nondestructive  
15 testing to be validated with unity plots  
16 comparing the results from nondestructive and  
17 destructive testing.

18 This severely limits the value of  
19 nondestructive testing, since the operator will  
20 have to remove samples for destructive testing  
21 just to create the unity plots. It is also  
22 unclear how many destructive test samples would

1 be required. PHMSA will consider eliminating the  
2 term, unity plots, and generally specify the use  
3 of reliable engineering tests and analysis.

4 An additional comment we got, there is  
5 no NDE testing methodology for obtaining Charpy  
6 V-notch toughness. Thus, PHMSA's requirement to  
7 obtain Charpy values eliminates the availability  
8 of nondestructive testing.

9 Again, PHMSA's comment, PHMSA's intent  
10 was not to require Charpy in every case, but only  
11 to require Charpy where required for failure  
12 pressure and crack growth analysis. PHMSA will  
13 review the wording for this paragraph in this  
14 context. And that's the review of the comments.

15 (Laughter.)

16 CHAIRMAN DANNER: All right.

17 MR. NANNEY: Mr. Chairman?

18 CHAIRMAN DANNER: Thank you very much.

19 So, I note that it is 12:18. Before we take  
20 public comment, I think we should take a lunch  
21 break, if that would be okay with the Committee.  
22 So, we will come back at 1:30. Is that all

1 right? Does that give us enough time? We'll  
2 come back at we will immediately go into public  
3 comment. Thank you.

4 (Whereupon, the above-entitled matter  
5 went off the record at 12:18 p.m. and resumed at  
6 1:37 p.m.)

7 CHAIRMAN DANNER: Okay. Good  
8 afternoon, everybody. We are going to resume. I  
9 was asked before lunch, evidently the acoustics  
10 in this room are such that some people aren't  
11 hearing us in the back of the room, even when  
12 we're talking into the microphones.

13 So, let's try and use our outdoor  
14 voices and talk into the microphone and see if we  
15 can help some of the people in the back. And for  
16 folks in the back, if you are having trouble  
17 hearing, raise your hands and I think Cameron  
18 will keep an eye on what's going on back there  
19 and he can tell us if we need to be louder.  
20 Okay.

21 So, at this point, I would like to  
22 open it up for public comment. You can see on

1 the front here the topics that we'll be covering,  
2 so why don't we just go ahead and do that right  
3 now. So, those who want to make a comment,  
4 Cameron will find you with the microphone and  
5 let's begin.

6 MS. KURILLA: Mr. Chairman, would you  
7 like comments on all four topics or each topic as  
8 presented?

9 CHAIRMAN DANNER: So, thank you, we  
10 were just having a conversation about that this  
11 morning, Erin, and we thought that it was a  
12 little late, that you may have already prepared  
13 them in a single bucket, but actually, I would  
14 love to have it broken out, if we could -- maybe  
15 we can take all of the comments -- Alan, what do  
16 you think? Should we start with applicable  
17 locations and go from there?

18 MR. MAYBERRY: Well, I was thinking we  
19 could start -- because, as we -- after we accept  
20 the comments, we were going to go through it  
21 item-by-item individually and then go to the next  
22 item. So, I would just take the first section.



1 Yes.

2 MR. GALE: On the left screen, we have  
3 the actual reg's text of the applicable location,  
4 so the members in the audience can read that as  
5 we have the discussion.

6 CHAIRMAN DANNER: All right. So, let's  
7 just start with 607(a). So, Cameron, is there  
8 anybody who wishes to speak to this matter. And  
9 thank you for the question.

10 MS. KURILLA: No problem. Hi, this is  
11 Erin Kurilla with the American Gas Association.  
12 I wanted to make a comment on what pipelines are  
13 applicable to 607. And, really, generally, I  
14 think that fits in this is the general  
15 justification for the addition of 192.607 into  
16 pipeline safety regulations.

17 As Steve Nanney mentioned in the  
18 presentation, PHMSA's justification for the  
19 addition of this section, they believe is rooted  
20 in the 2011 Pipeline Safety Act, specifically  
21 Section 23 is what was referenced in the preamble  
22 and I know Steve mentioned as well during the

1 conversation before lunch.

2 I believe that this is a point that  
3 really needs to be discussed by the GPAC meeting.  
4 And, in fact, I think bringing up the legislative  
5 language could be of value for this discussion,  
6 most specifically, when you look at Section 23,  
7 if you'll indulge me for a second, there's really  
8 three sections, (b), (c), and (d) in Section 23,  
9 which I believe are applicable to both this  
10 discussion and the next discussion on MAOP  
11 reconfirmation.

12 Just to jog everyone's memory briefly,  
13 Section (b) is around the reporting of  
14 transmission pipelines in high consequence areas  
15 and class 3 and 4 locations that do not have --  
16 that have insufficient records to confirm the  
17 established MAOP.

18 Section (b) of Section 23 simply asked  
19 operators to report missing records to PHMSA, and  
20 they all do that annually as a part of their gas  
21 transmission annual report. Section 23(b) is  
22 already being done by operators.

1           The next section that I want to  
2 highlight is Section (d), which is testing  
3 requirements. In that section of Section 23 of  
4 the Pipeline Safety Act, it states that for  
5 transmission pipelines located in HCAs, only, not  
6 class 3 and 4 areas, and pipelines greater than  
7 30 percent SMYS that are untested, operators are  
8 to test the pipeline, either by pressure testing  
9 or an alternative method.

10           This section, Section (c) of Section  
11 23 is going to be critically important when we  
12 talk about Section 24, but I believe what PHMSA  
13 is trying to do in justifying 607 is point to  
14 Section 23(c). And just so we're all on the same  
15 page, I'll read it.

16           It says, in general, in the case of a  
17 transmission line of an owner or operator of a  
18 pipeline facility identified under the previous  
19 section -- which is those with missing records --  
20 the Secretary shall, A, require the owner or  
21 operator to reconfirm an MAOP as expeditiously as  
22 economically feasible and determine what actions

1 are appropriate for the pipeline owner or  
2 operator to take to maintain safety until an MAOP  
3 is confirmed.

4 So, I think -- I encourage the GPAC to  
5 have a discussion about how operators are going  
6 to do that in HCAs and class 3 and 4 locations.  
7 Meaning, how are they going to reconfirm the MAOP  
8 and what actions are needed while they're  
9 reconfirming the MAOP?

10 Those are the two Congressional  
11 mandates. And I think it is up for debate  
12 whether or not the requirements within 607 are  
13 actually the requirements within the  
14 Congressional mandate and I would encourage the  
15 GPAC to take a look at that.

16 MS. FARRELL: Lynda Farrell, Pipeline  
17 Safety Coalition. Okay. I'm not going to stand,  
18 if you don't mind. We did cover a lot before  
19 lunch and some of the emphasis of this is going  
20 to be lost by the lunch break, but I will say  
21 that, we strongly support recommendations that  
22 directly reflect NTSB recommendations. And if

1 Connie Jackson, City Manager from San Bruno, were  
2 here, she would be saying, finally, and NTSB  
3 would be saying, finally.

4 And so, rather than address, because  
5 we kind of jump back and forth here, are we going  
6 to address (a), (b), (c), or are we going to  
7 address, I'm just going to make a blanket  
8 statement here that the NTSB, in their report,  
9 found no evidence that, despite all the integrity  
10 management programs and all the, I think they  
11 said good intentions, they did not see a decline  
12 in HCA incidents from 2010 to 2013.

13 Yesterday, I noted some data from  
14 PHMSA and I actually have the numbers here today.  
15 The PHMSA data shows that in 1997, there were 49  
16 serious incidents and in 2016, there were 37  
17 serious incidents.

18 That's when I referred to it being  
19 fairly flat, that's not a good track record and I  
20 don't think that bodes well for the mantra that  
21 we try to tell the public that pipelines are the  
22 safest way to transport natural gas and liquids.

1           In 1997, there were 267 significant  
2 incidents and 305 significant incidents in 2016.  
3 That's an increase. And as far as injuries and  
4 deaths, they're both up, 77 injuries and ten  
5 deaths in 1997 and 82 injuries and 16 deaths in  
6 2016.

7           So, the comment Pipeline Safety  
8 Coalition would like to make is that, while this  
9 data continues to be repeated, any reduction in  
10 prescriptive material documentation runs contrary  
11 to the NTSB recommendations.

12           And I think there are a -- there's a  
13 preponderance of people who believe that the NTSB  
14 recommendations have been long pushed aside and  
15 not taken as seriously and not considered and  
16 implemented as stringently as they should. Thank  
17 you.

18           MR. COYLE: Hi, good afternoon. My  
19 name is Keith Coyle and I wanted to offer a  
20 comment for the Marcellus Shale Coalition. It  
21 would be really helpful if Steve could put up  
22 slide 105, that had the 192.107 requirements.

1       Would that be possible?    So, one of the -- I  
2       don't know, that's -- there's the 107.

3               So, one of the assumptions that PHMSA  
4       has made in preparing the cost/benefit analysis  
5       and in analyzing the materials verification  
6       requirements is this concept that the requirement  
7       up here on the screen can apply retroactively to  
8       existing pre-code pipeline facilities.

9               And I think everybody should pause  
10       when the agency says that, because there's a  
11       statutory requirement that prohibits PHMSA from  
12       retroactively applying design code requirements  
13       to existing pipeline facilities, particularly  
14       pipeline facilities that were installed prior to  
15       the federal statute, which was enacted in 1968.

16               So, the position that PHMSA has taken  
17       in the cost/benefit analysis is that, for pre-  
18       code lines, if you don't have design  
19       documentation, you need to go do this destructive  
20       sampling testing.

21               And if you go back and look at the  
22       rulemaking history and look at the GPAC meetings,

1 where they considered this very requirement, they  
2 were clear that this requirement was for pipe  
3 that had not yet been installed, that was of  
4 unknown specification or in-service pipe that  
5 people wanted to reuse in-service.

6 So, what people were talking about was  
7 where you had pipe that was not in the ground,  
8 what kind of testing would you need to do to  
9 substantiate materials properties for that pipe?  
10 And that is how everyone understood this  
11 requirement to apply.

12 What the agency is saying now, like  
13 four years later, is if you don't have design  
14 documentation, including for pre-code pipe and I  
15 think one of the GPAC members talked about  
16 systems from the 1860s that are in service or  
17 something like that, it's clear under the statute  
18 that that requirement cannot be applied  
19 retroactively to that pipe under any  
20 circumstances.

21 And when the agency says, well, this  
22 is a very cost prohibitive requirement to comply



1 with, I would say, yes. And the reason that it's  
2 cost prohibitive is because it's not supposed to  
3 apply retroactively and the testing itself has  
4 never been conceived of as a feasible method for  
5 reverifying existing pipe that's in the ground.

6 And this is a real serious issue, I  
7 mean it's \$2.7 billion in cost savings that the  
8 agency is claiming, and that's real money even in  
9 D.C. So, I just, I think for -- and it's causing  
10 a lot of uncertainty for existing systems,  
11 because the agency's position, as said in this  
12 slide and other slides is, everybody is supposed  
13 to be doing this right now.

14 And there's no support for that  
15 interpretation of the code. Not when it was  
16 adopted, not in its application, the only time  
17 that this theory emerged was in this rulemaking  
18 proceeding. And I would just have great concern  
19 with that interpretation and this tremendous cost  
20 savings that, in my opinion, does not exist.

21 MS. BYRNES: Hi, Corinne Byrnes,  
22 National Grid. Wow, there were a lot of comments

1 put up earlier. I would like to comment  
2 specifically on PHMSA's recommendation that they  
3 are not requiring operators to replace pipeline  
4 based on -- with this new rule.

5 And, first of all, National Grid does  
6 take pipeline safety very seriously. In general,  
7 we have good records, we do -- there are some  
8 minor record gaps. And based on that and based  
9 on the requirements for TVC records for material  
10 verification and operating in an urban area,  
11 highly congested, we will have no other  
12 alternative but to replace most, if not all, of  
13 those pipelines, at significant cost.

14 MR. RODRIGUEZ: Hi, this is Vincent  
15 Rodriguez from DTE Energy. We operate in  
16 Michigan, 2,000 miles of transmission pipe and  
17 about 200 HCA miles. We're also in support of  
18 the comment earlier about the cost estimate,  
19 about the retroactivity and the cost savings on  
20 it.

21 That we believe that it doesn't --  
22 it's kind of a misunderstanding of it, it's kind

1 of a misinterpretation of it. We also believe  
2 that the cost analysis for repairing it and  
3 setting everything up is also under represented.

4 We believe that the cost analysis to  
5 prepare everything for repairs, but it didn't  
6 include also pipelines that -- HCAs that are not  
7 applicable for the MAOP verification and  
8 pipelines in class 3 and 4 locations that are  
9 applicable to material verification.

10 So, we believe that PHMSA should  
11 reanalyze everything and to make sure that the  
12 cost analysis represents these retroactive and  
13 not retroactive activities that are within this  
14 rule.

15 MR. KERN: Good afternoon. I'm Mike  
16 Kern, I'm the Director of Transmission  
17 Engineering for National Grid. We have  
18 approximately 300 miles of HCA pipe. The  
19 majority of that is within an urban environment,  
20 so we have some experience operating in a very  
21 high-risk and rigorous environment.

22 So, I wanted to comment a little bit

1 about, what information do you need? So,  
2 information requirements for engineering analysis  
3 vary based on the type of calculation you're  
4 performing. Information required to calculate  
5 the MAOP of a pipeline is a lot different than  
6 what you need to do an engineering critical  
7 assessment.

8 National Grid does, though, fully  
9 support collection of data at every opportunity  
10 when you're on a pipeline. So, we like the way  
11 this is written, that it's an opportunistic type  
12 of information gathering, but we do have some  
13 concerns.

14 First, the requirements for material  
15 collection or data collection should really  
16 reside in the applicable section in the code.  
17 So, I understand while 192.607 is kind of a  
18 collection and a methodology behind it, but we  
19 also, in there, outline the requirements.

20 What information do you really need?  
21 It is confusing. I think we need to streamline  
22 that and make it simpler and we need to make it

1 very understandable as to, what information do we  
2 need for what type of engineering concern we're  
3 addressing? So, we'd like the information, then,  
4 for each section that we're addressing to be  
5 brought into that section of the code.

6 And we'd also like a clearer path for  
7 technology adoption. There's a lot of technology  
8 out there that's being developed, I think  
9 adopting that technology would be quicker if  
10 there was -- if the path to adoption was easier.  
11 I think a lot of people, a lot of operators are  
12 reluctant to pull in or invest the time for new  
13 technology if the path to getting that approved  
14 seems too onerous.

15 So, and I agree, it can't be a free-  
16 for-all, you can't have people doing whatever  
17 they want, I think there has to be an approval  
18 process, but I think we ask PHMSA to look at that  
19 approval process, because it's not business as  
20 usual, so we really want to bring these new  
21 technologies. There's a lot of things going on  
22 out there, National Grid is on the forefront of

1       trying a lot of that, but there has to be a clear  
2       path to adopting it.

3                 Two other things. One is, comment on  
4       the number of tests. I guess that's the last  
5       section, (d). We really need to look at the very  
6       prescriptive requirements for the testing and the  
7       number of tests.

8                 So, there's standards out there that  
9       are incorporated by reference, API 5L, I believe  
10      it's ASTM 8370, that are very prescriptive of the  
11      types of and the number of tests you do, as well  
12      as the location.

13                We really need to look at that and  
14      just look at the prescriptiveness of where those  
15      tests are taken. I think it should be left based  
16      on the technology that you're using. And I think  
17      that also should be brought into the request for  
18      alternate technology use.

19                And then, the last thing is, we talked  
20      a lot about chemistry. So, chemistry, what do  
21      you get from chemistry? If we can, it's good to  
22      have. But you get carbon equivalent, right?

1       What do you use carbon equivalent?  There's some  
2       other things you use it for, but really, the  
3       weldability of the pipe.

4                So, what are we welding on an in-  
5       service pipe, right?  We're putting hot taps,  
6       we're putting branch attachments for new  
7       customers, so without that information, there are  
8       other techniques, engineering techniques,  
9       engineering controls, such as a very rigorous in-  
10      service welding procedure that you can qualify,  
11      that you can use in place of that information.

12               So, if you're doing a destructive  
13      test, absolutely get the chemistry and the  
14      material toughness and everything you can get.  
15      But if you're doing in-situ testing, and I know  
16      there's some techniques out there now that are  
17      starting to develop to possibly do in-situ  
18      toughness testing, but the chemical part of that  
19      is not really available.  I mean, it's available,  
20      but I don't think it's that reliable.

21               So, in absence of that, I think when  
22      we lay out what's required from the sampling, it

1 should really reflect what technology is  
2 available and what's really doable now and, yet,  
3 leave the road open for future technology  
4 advancement.

5 MR. KIVELA: Rick Kivela with Enbridge.  
6 Several comments on this. And, first, Steve,  
7 thanks for going through that in such a logical,  
8 disciplined manner. I think the way you did that  
9 was very good. So, thanks for that.

10 A couple of comments on the  
11 requirements. First, as far as the attributes  
12 that are required here, it seems like before  
13 lunch we had a lot of discussion about data  
14 that's needed for integrity management purposes,  
15 and maybe it's misplaced, but in here, if that's  
16 already been discussed, maybe it belongs in  
17 Subpart O rather than in 607.

18 I agree with some of the other  
19 comments around the attributes that are required.  
20 Certainly, the MAOP attributes would be required  
21 under this and I would support that. There are  
22 some of the attributes that we should only be



1 collecting if we need them.

2 If a decision on a welding procedure,  
3 for example, requires the chemistry, then get the  
4 chemistry there. I agree with the previous  
5 comment that you're not going to be welding much  
6 on an in-service pipeline.

7 I think, while Steve mentioned that  
8 there's no time frame around this, in 624 there  
9 are time frames. So, I think that's a little bit  
10 of conflicting messages here.

11 And I think that the requirements in  
12 607 to do SCC assessments and selective seam  
13 corrosion assessments, while probably valid, it  
14 seems like it's misplaced in 607, that feels more  
15 like an integrity management effort that would  
16 either be in Subpart M or O. So, thank you.

17 MR. MCWHORTER: Dan McWhorter with  
18 Innovative Analytical Solutions. I just want to  
19 make sure we're still on (a).

20 (Laughter.)

21 MR. MCWHORTER: I've got some comments  
22 for (d), but I think we've gone a long way from

1 where we started and maybe we can get back to  
2 that. Are we going to get back to (d)? Yes, are  
3 we going to get back to discussing (d)  
4 individually or is this comments for the whole of  
5 --

6 CHAIRMAN DANNER: Yes, we're taking  
7 comments on (a), understanding that there's  
8 always some interrelation with other sections.

9 MR. MCWHORTER: Okay, thank you.

10 MR. SATTERTHWAITTE: Another comment?

11 MR. WEIMER: Carl Weimer with the  
12 Pipeline Safety Trust. Thanks for the  
13 opportunity to comment. And I wanted to say that  
14 the Pipeline Safety Trust supports what we've  
15 seen from PHMSA today from material  
16 documentation.

17 Frankly, when the rule came out and  
18 some of the information came out, we were aghast  
19 to find out that there were so many operators and  
20 so many miles in the ground where companies did  
21 not have the material documentation and did not  
22 know what they were doing.

1           Our understanding was that you  
2           couldn't do a legitimate integrity management  
3           program in a high consequence area if you didn't  
4           know what was in the ground and that much of what  
5           we've heard today from PHMSA under material  
6           documentation was actually already a requirement.

7           As integrity management evolves, we're  
8           glad to see PHMSA trying to pinpoint some of the  
9           specificity that's needed, because it was obvious  
10          that some operators didn't understand what was  
11          required and that there's too many miles of  
12          pipeline in the ground that wasn't clearly  
13          covered under integrity management the way it was  
14          supposed to be.

15          To get to the location, as the  
16          gentleman just said, we support, certainly, that  
17          this should apply to high consequence areas and  
18          class 3 and 4 areas. We, frankly, don't think it  
19          goes far enough.

20          As we move into the discussion of  
21          moderate consequence areas and even gathering  
22          lines, we support INGAA's commitments to moving

1 forward to make sure that all lines everywhere  
2 that are near human populations are safe.

3 We don't know how you can do a  
4 legitimate safety program if you don't have  
5 documentation for what you've got in the ground.  
6 So, I think as we move into the discussion of  
7 moderate consequence areas, we need to start  
8 talking about this and we hope operators are  
9 gathering this, because it may come at you at  
10 some point in the future.

11 And regarding gathering lines, if we  
12 have lines that are the same size, the same  
13 pressure, and the same risk factors as  
14 transmission lines that are gathering, we think  
15 this ought to apply to that too in high  
16 consequence areas, in places where people are  
17 living. So, I think that's coming too. So, we  
18 hope the gathering line industry is starting to  
19 collect this information.

20 MR. SATTERTHWAITTE: Comment?

21 MS. KELLER: Thank you. Heidi Keller  
22 with the American Petroleum Institute. I

1 understand that we are on (a), but this is more  
2 of a general comment in regards to PHMSA's  
3 collective proposals on IVP, 192.67, 607, and  
4 624.

5 Just wanted to take the opportunity to  
6 mention some comments that API put forward in our  
7 comments on the NPRM that were submitted last  
8 summer. API supports the NTSB recommendation and  
9 the Congressional mandates in the Pipeline Safety  
10 Act that were intended to inform the IVP  
11 proposals.

12 And it is clear to us that the primary  
13 underlying concern is the pressure testing of  
14 pipelines and the collection of records and  
15 documentation. However, API believes that there  
16 is a simpler and more efficient approach to  
17 addressing IVP.

18 And that would be a hydrostatic test  
19 that interrogates the entirety of a pipeline,  
20 with a spike test in accordance to 192.619(a)(1)  
21 and (a)(2) for MAOP and lower bound yield  
22 strength. We also feel that a hydrostatic test

1 could also be confirmed and quantified if needed  
2 by ILI tools before and after the testing.

3 Therefore, API urges the Committee  
4 Members to consider addressing the Congressional  
5 mandates and NTSB recommendations with language  
6 that provides an option to operators to confirm  
7 operating pressure limits and material  
8 documentation through hydrostatic testing and  
9 confirmatory ILI. Thank you.

10 CHAIRMAN DANNER: Is that it?

11 MR. SATTERTHWAITTE: I think that's it.

12 CHAIRMAN DANNER: Okay. That gets  
13 through the public comment on (a). And thank  
14 you, for those who made general comments, I  
15 understand that we didn't really provide you a  
16 venue, so appreciate you're taking the  
17 opportunity. Let's take comment now on (b),  
18 material document plan. Wait a minute, hang on  
19 just a second, Cameron. Yes, Andy?

20 MR. DRAKE: Is the intent for the GPAC  
21 to now comment on (a) or are we going to go back  
22 to the public to do (b)? I just --

1                   CHAIRMAN DANNER: So --

2                   MR. DRAKE: -- want to get protocol  
3 correct.

4                   CHAIRMAN DANNER: The conversation that  
5 we had earlier was that we were going to take  
6 public comment on the whole basket and then we  
7 decided to break up the basket for public comment  
8 purposes, just for following the public comment.  
9 Was it your understand then --

10                  MR. DRAKE: Yes.

11                  CHAIRMAN DANNER: -- that we would then  
12 take the public comments before we get into the  
13 discussion by this group. What is the sense of  
14 the Committee?

15                  MR. DRAKE: My recommendation would be  
16 to let us talk about that, because we're going to  
17 get so many conversations going on we're not  
18 going to keep them in order and in context. I  
19 think it will help the context of the discussion  
20 if we all can take it a step at a time. That  
21 would be my recommendation, anyway.

22                  CHAIRMAN DANNER: Okay. Understanding

1 that we've already had some bleeding across some  
2 of these subject areas. So, okay. Diane, did  
3 you want to --

4 MS. BURMAN: I do think it's  
5 appropriate for us to comment to the extent that  
6 we also understand that at the end, after we go  
7 through it all, there may be some need for some  
8 summary on each section, but also an opportunity  
9 for an overall public comment, after all of it  
10 has gone through as well, an engagement, so that  
11 we're not overlooking things.

12 CHAIRMAN DANNER: Okay. So, let's --  
13 now, again, it's my understanding -- I'm fine  
14 with that. It's my understanding, though, that  
15 we are not going to be taking any of these up for  
16 a vote today. Is that --

17 MR. SATTERTHWAITTE: Not unless you get  
18 a motion.

19 (Laughter.)

20 CHAIRMAN DANNER: Well, we won't have  
21 the benefit of staff writing the motion for us to  
22 read, so if there's going to be a motion, you're



1 going to have to write it yourself. Just be  
2 aware. Okay. I hear the sense of the Committee  
3 and so, why don't we dive into the conversation  
4 then? I see two tents up, so, Andy, why don't  
5 you start?

6 MR. DRAKE: This is Andy Drake with  
7 Enbridge. I really want to broach something that  
8 I think is really important. We kind of saw it  
9 perk up a little bit earlier about cyclic fatigue  
10 and that is, one of the things, I think, that's  
11 happening here is, we're trying to address a lot  
12 of issues in one place.

13 And I think we convoluted a lot of  
14 issues here. There's really a couple of issues  
15 on the table that we need to keep deliberately  
16 separate. One is MAOP confirmation, which is a  
17 one-time event, and integrity management, which  
18 is a reoccurring event that happens many times in  
19 a pipe's lifetime.

20 We've mangled those together and  
21 they're actually in one section of the code  
22 that's retroactive applying stuff that's not

1 retroactive. And it's, I think it's creating a  
2 very fundamental rift among us about, how does  
3 this work?

4 I think we would do better if we took  
5 the MAOP discussion separately and take the IM  
6 discussion separately. What data do we need for  
7 each of those? And I'm not advocating getting  
8 rid of any of the data at this point, actually,  
9 I'm just advocating trying to get things in the  
10 right bucket, so that -- and get them in the  
11 right part of the code.

12 Section O is integrity management, how  
13 we deal with missing records for things in there,  
14 we've already been talking about. I think some  
15 of this discussion belongs over there, it doesn't  
16 really belong here.

17 And what do we need to do to confirm  
18 the MAOP? It then becomes a very clear  
19 conversation, which is really around the  
20 Congressional mandate and the NTSB  
21 recommendations about how to reconfirm the MAOP.

22 It's really about testing untested

1 lines. We're going to end up running into the  
2 MAOP confirmation issue headlong, some of the  
3 pipes don't have the records, okay, well what are  
4 we going to do? We're going to test them.

5 Okay, well, then, some of these other  
6 discussions we're having going on aren't really  
7 pertinent to that MAOP discussion. They need to  
8 be parsed off. And I do think, in that interest,  
9 that there is some material that we can leverage  
10 as we look at MAOP confirmation, with a JIP that  
11 was done several years ago with the Joint Trade  
12 Association, that can be incorporated for the use  
13 of MAOP validation.

14 So, I'm not really contesting so much  
15 the applicability of this, high consequence areas  
16 and class 3 and 4 locations needing to confirm  
17 the MAOP, it's when we start extending it into  
18 integrity management, I think we may need to  
19 stop.

20 We've addressed now the Congressional  
21 mandate and Pipeline Safety Act, then have a  
22 separate conversation about extending integrity

1 management and cleaning some of that stuff up.

2 That would be my recommendation.

3 I think I'd also like to hold a place  
4 holder there, somewhere out there is a place  
5 about spike testing, the NTSB recommendation I  
6 think is not applicable. A spike test is an  
7 integrity test for cracks, it's not an MAOP  
8 validation test.

9 And there, again, we've kind of cross-  
10 threaded. We've got an integrity test being  
11 applied to an MAOP validation. The code is very  
12 clear how to do MAOP validation testing and we  
13 should use that for MAOP validation.

14 So, that's my outline, I think, of  
15 just very almost architecturally, and I am not a  
16 regulatory constructionist, so there are people  
17 in the room out here that can do that, but I  
18 think we need to pause and make sure we get that  
19 straight. Because if we don't, we're going to  
20 kind of build on top of a crumbly foundation  
21 that's cobbled together many different things at  
22 one time.

1                   CHAIRMAN DANNER: Thank you. Chad?

2                   MR. ZAMARIN: Chad Zamarin, Cheniere  
3 Energy. On the applicability piece, on piece  
4 (a), I do have a little bit of a concern. I,  
5 kind of like where Andy is, I think we need to go  
6 back to what the intent was. I think that the  
7 Congressional mandate and even the NTSB  
8 recommendations were focused on previously  
9 untested pipe.

10                   And this is kind of the start of a  
11 slippery slide down a path where we're  
12 researching all pipe in HCAs, class 3s and 4s,  
13 and where we think we might not have adequate  
14 material records, we're requiring a lot of work  
15 to be done. And even if that pipe has been  
16 previously tested.

17                   And so, we don't have the MAOP  
18 verification concern, but we're requiring records  
19 and data collection exercises that, frankly, I  
20 think aren't the intent of what we were trying to  
21 solve. We were trying to solve where we didn't  
22 have good quality information on pipe that hadn't

1       been previously tested that could lead to poor  
2       decision making and, ultimately, to risk to the  
3       public.

4               And so, I think the applicability  
5       should be to pipe that has not previously been  
6       tested, not to pipe that has a flange without a  
7       documented material rating. If that flange is in  
8       a pipeline that's been pressure tested, let's  
9       focus our energy on the areas where the risk is  
10      warranted, instead of driving us to initiate data  
11      collection efforts that aren't adding value.

12              So, I'm going to keep my comments to  
13      applicability. I've got more comments, I do  
14      think, on the rest of the section. But it also  
15      goes to, you're going to hear this recurring  
16      theme on MAOP establishment, safe pressure  
17      carrying capacity establishment, versus integrity  
18      management.

19              And I do think we're going to need to  
20      try to keep that clear in our heads that  
21      integrity management data collection should be  
22      driven by the integrity management activities

1 that rely upon that data.

2 And I think this section was meant to  
3 address MAOP, maybe not by PHMSA, but I think it  
4 should be meant to address MAOP establishment and  
5 the data required for that purpose on pipelines  
6 that were previously untested. Thank you.

7 CHAIRMAN DANNER: Thank you. Are there  
8 any other comments on this section? Oh, Cheryl?

9 MS. CAMPBELL: Thank you. I agree that  
10 -- my reading of the mandate was as Chad and Andy  
11 said, that this is around pipe that was not  
12 previously tested, where you -- or I would add,  
13 that you don't have a valid pressure test. Very  
14 supportive of making sure that we understand the  
15 maximum allowable operating pressure of the pipe  
16 and the system, particularly in those high  
17 consequence areas.

18 I think that where I struggle is,  
19 well, and I guess this is probably further on,  
20 but I'm going to say it here anyway, because I'm  
21 probably going to say it later on too, but my  
22 concern is, we go out and we collect a lot of

1 data that is certainly nice to have when you are  
2 installing the pipe, when there are other ways to  
3 operate the pipeline safely.

4 So, I'm supportive of this idea of,  
5 let's be opportunistic about collecting data, but  
6 I keep going back to that hydrostatic pressure  
7 test is kind of the gold standard. And if I have  
8 a valid one, and particularly if I can get an ILI  
9 tool in a pipe, I'm feeling really, really good  
10 about my ability to operate that pipeline safely.  
11 And that's the goal here is, can I operate that  
12 pipeline safely?

13 And then, I would echo Chad and Andy's  
14 comments about an MAOP test, a strength test is a  
15 one-time event. Integrity management is an  
16 ongoing thing and is a very different animal and  
17 something that we do again and again and again,  
18 over the life of the pipe.

19 There are times when you want to  
20 reconfirm MAOP, but -- and you might do some of  
21 that as you're doing integrity management. I am  
22 generally supportive of what we're trying to do



1 here, but I would caution us to keep it  
2 applicable to those pipes that don't have those  
3 valid pressure tests.

4 CHAIRMAN DANNER: Thank you. Sara  
5 Gosman?

6 MS. GOSMAN: So, it seems to me that,  
7 looking back at San Bruno, that part of what we  
8 learned from that experience was that there were  
9 just missing documents on pipelines that, by any  
10 reason of reading the IM requirements and  
11 otherwise being good operators, right, just were  
12 not there.

13 And I think part of what trust but  
14 verify means in regulation is that in some cases  
15 we need to be prescriptive around the information  
16 being gathered, because a large operator like  
17 PG&E clearly didn't gather what they needed to  
18 gather.

19 So, I think this -- there are lots of  
20 interesting discussions around where we're going  
21 to place this, how we're going to conceptualize  
22 this set of requirements around documentation and

1 testing, but I think the fundamental point I want  
2 to make here is that this is clearly necessary in  
3 order for us to have safe pipelines.

4 I also want to say, just because I'm  
5 a lawyer, that I think PHMSA clearly does have  
6 authority here to issue these rules. I think,  
7 for one reason, because they have authority over  
8 operation of existing pipelines.

9 I don't read this as an original  
10 design standard, nor do I think PHMSA is relying  
11 on that. I think these are operational  
12 requirements, you need documentation for  
13 operation.

14 And then, just on the last point of  
15 cost versus benefits, I think another important  
16 thing to keep in mind here as we discuss this set  
17 of issues is the way that this discussion can go  
18 is that we think a lot about cost. That's  
19 important, but that's only one side of the  
20 equation.

21 So, on the benefit side of this, by  
22 nature, benefits are hard to quantify. So, when

1 we look at the unquantified benefits side of  
2 these kinds of discussions, what we see is there  
3 are large categories of benefits that we simply  
4 cannot quantify. We know they're there, we know  
5 they're important, but we can't necessarily  
6 quantify them. That still means we need to take  
7 them into account.

8 So, I would argue that we have a lot  
9 of benefits here past the sort of quantification  
10 of avoided compliance costs or this particular  
11 incidence and their consequences, broader  
12 benefits that include things like, communities  
13 feeling safer about having pipelines sited there.

14 And it strikes me that those kinds of  
15 benefits, which are ultimately benefits to  
16 operators as well, because they can site their  
17 pipelines more easily, are things we need to take  
18 into account on the other side. Thanks.

19 CHAIRMAN DANNER: All right. Thank  
20 you. Steve Allen?

21 MR. ALLEN: Steve Allen, IURC. A  
22 question, of the 5,000 miles of pipe in HCAs and

1 class 3 and 4 locations that have inadequate  
2 records, do we know how many of those miles have  
3 previously been pressure tested? Chair, may I?

4 CHAIRMAN DANNER: Leave that one up for  
5 a second.

6 MR. ALLEN: May I?

7 CHAIRMAN DANNER: Hang on just a  
8 second, yes.

9 MR. ALLEN: Okay.

10 CHAIRMAN DANNER: Yes, Steve, go ahead.

11 MR. ALLEN: Well, the reason why I ask  
12 that is, going back to what the NTSB said that  
13 PG&E had to do immediately after San Bruno, I  
14 mean, there were three things.

15 One of them was to conduct a pressure  
16 test to reestablish a valid MAOP. And that's one  
17 of the three biggies, that needs to be done.  
18 Conducting immediate search for missing records,  
19 okay, that's been done.

20 So, across the country, we've seen  
21 what missing records we have and, honestly, that  
22 really doesn't come to anybody's surprise, I

1 don't think, with some of the old pipe that we  
2 have in the ground. I mean, all right, so tell  
3 me something I wouldn't have guessed.

4 And then, the use of verifiable  
5 records to determine a valid MAOP. I thought  
6 pressure testing aligned to establish MAOP was  
7 probably the most preferred method. Am I wrong  
8 in that?

9 I'm trying to understand what having  
10 valid records or some of the minute details about  
11 a pipeline, how does that add to the value that  
12 we gain of having established an MAOP through  
13 pressure tests?

14 I mean, if we have the MAOP  
15 established through the pressure test, then I  
16 think going forward in time, I think  
17 opportunistically, yes, we ought to probably go  
18 ahead and try to get some of this information.  
19 But if you already have an MAOP established,  
20 then, what's the term, juice for the squeeze, I'm  
21 not sure that it's there.

22 (Laughter.)

1                   CHAIRMAN DANNER: All right. Thank  
2 you. Now, you mentioned that there might be  
3 another slide that had other information, is that  
4 -- are you looking for that or are we moving on?  
5 All right, that's it, okay. All right. So, I  
6 don't know which of the two of you were first,  
7 why don't you duke it out?

8                   MR. DRAKE: I'd like to follow back on  
9 something Sara said, because I don't think that  
10 we're that misaligned. I think records are very  
11 important and we need them to make good choices.  
12 What we're -- what I'm talking about, I don't  
13 speak for everybody here, but what I'm talking  
14 about is, separate the purpose we're trying to  
15 accomplish with some of these things.

16                   We've got a lot of things that we're  
17 trying to do. One is MAOP confirmation. Another  
18 is integrity management. You need records for  
19 both of them, but we don't need all of these  
20 records to define MAOP.

21                   And I think part of what Steve said  
22 resonates with me, on juice for the squeeze, is a

1 lot of the grandfathered pipes are already  
2 tested. That is there, so what is the record  
3 that we're preferring for them to have? It is a  
4 pressure test record to confirm the MAOP. Okay,  
5 fine, they've confirmed their MAOP.

6 Then, the next discussion is, what  
7 kind of material information do they need to make  
8 ongoing integrity management decisions? It's a  
9 separate discussion and it's a lot of different  
10 kinds of information. But I think that that was  
11 very clearly what the NTSB was trying to get at.

12 And I think the reason that this is so  
13 important is, when I look at the PG&E incident in  
14 San Bruno, and I think that's the right way to  
15 talk about this, it wasn't San Bruno's issue, it  
16 was PG&E's issue, and I think that the unknown  
17 unknowns is part of what we have to be managing  
18 here.

19 I don't know that they knew what they  
20 didn't know there. They did not know that  
21 something that wasn't pipe had been installed  
22 into their system. We could squeeze their brain

1 in a wise and that record would never pop out of  
2 it, because they didn't know that.

3 And that really puts the importance of  
4 the balance of both, we want to know records and  
5 make the test, because if the records are  
6 incomplete or inaccurate, we still have to make  
7 sure the pipe is safe. We need both of them.

8 And I think that's what I hear Steve  
9 saying is, we can go through exhaustive records  
10 and we still need to test, because we need both  
11 of them. And I think that's something that we  
12 want to keep in balance here and that's really  
13 why I'm pushing so hard, separate this discussion  
14 about MAOP validation and deal with that issue.

15 Once we get clear on that, then what  
16 we need to do with integrity management, there's  
17 an ongoing discussion and I like this proposal  
18 that Steve has actually put in front of us,  
19 opportunistic data gathering, we kind of talked  
20 about that, actually, in Appendix A, we'll make  
21 these assumptions in the meantime and, over time,  
22 we'll keep working endlessly to get better and



1 better and better.

2 But there's a certain urgency in HCAs  
3 in particular to make sure these people are safe.  
4 And it isn't squeezing someone's head in a vise  
5 about records, it's about making sure we're sure.

6 CHAIRMAN DANNER: All right. Thank  
7 you, Andy. Chad?

8 MR. ZAMARIN: Thanks. Chad Zamarin,  
9 Cheniere Energy. Two things. One, I think I  
10 somewhat agree on the benefit of an opportunistic  
11 approach, and we'll get into this more later, but  
12 I, frankly, don't like collecting data for  
13 collecting data's sake.

14 And I think, I'll just use one example  
15 and, again, I'm maybe jumping forward a little  
16 bit, but we talk about chemistry, why would I go  
17 to the expense of collecting chemistry data if  
18 it's on a pipeline that I never do welding, if  
19 the only reason to have chemistry data is to  
20 support decisions around welding?

21 It's extra expense, it's extra time,  
22 it's an unnecessary burden that, again, we're

1 focusing resources on activities that aren't  
2 contributing to pipeline safety. So, I think  
3 we'll get more into that, about letting the  
4 process drive what we're collecting and why  
5 versus just collecting it and then maybe figuring  
6 out some data that was useful to have. So, I  
7 think that conversation is coming.

8           The only other thing I would raise  
9 that I forgot to mention in my first comments is,  
10 I saw that we pretty quickly dismissed the  
11 criteria around less than 30 percent SMYS. I did  
12 -- I think it was a useful reminder from someone  
13 in the audience who described that the  
14 Congressional mandate did talk about the  
15 difference between a high pressure pipeline and a  
16 low pressure pipeline, and the fact that those  
17 are two different risk profiles. And I do think  
18 that's something we need, maybe, to revisit.

19           I'd like to understand a little bit  
20 better why we think that we do have the same or  
21 sufficient risk to warrant the work on less than  
22 30 percent SMYS. I know, Steve, you mentioned

1 that there had been ruptures, historically, on  
2 less than 30 percent SMYS.

3 I think it's up to us to recognize  
4 that the Congressional mandate did differentiate  
5 between pipe operating at a stress less than 30  
6 percent and pipe above and I think we should take  
7 a look at, are we extending beyond the mandate  
8 for good reason or just because it's convenient  
9 to do so? So, I would appreciate, maybe between  
10 now and the next meeting, if there's some  
11 information on the differentiation that we could  
12 maybe take a look at. Thank you.

13 CHAIRMAN DANNER: All right. Sue.

14 MS. FLECK: Sue Fleck, National Grid.  
15 I'm going to pile on a little bit to what Andy  
16 and Chad have been talking about, and do it  
17 through a question. I think there is a big  
18 difference between the data that you need to have  
19 or the pressure test that you need to have to  
20 validate your MAOP and then, the data and the  
21 information you need going forward for your  
22 integrity management program.

1           So, I guess my question for PHMSA is,  
2           is it your belief and is it your intent here that  
3           an operator has to have a pressure test and all  
4           of these material records to have a valid MAOP?

5           CHAIRMAN DANNER: Do you want to take  
6           that under consideration or answer that right  
7           now? Under consideration, okay. Sara?

8           MS. GOSMAN: So, I really appreciate  
9           this discussion and I am trying to focus on the  
10          (a) part, the applicability. But, obviously, the  
11          applicability then goes to the question of, what  
12          are we -- why is this category important, right?

13          And I take all these points, I think  
14          -- back to this question of unknown unknowns,  
15          which I love the Rumsfeld reference, I think what  
16          this is trying to do is make the unknown unknowns  
17          known, right?

18          Because you have a particular category  
19          of information that you're now requiring  
20          operators to look for, and that that set of  
21          information is the baseline for which we think  
22          operators should be safely operating their

1 pipelines. And then we go from there.

2 At that point, then we talk about  
3 reconfirmation, then we talk about integrity  
4 management, but we start from the principle that  
5 there is a set of information about pipe that's  
6 crucial to understanding operation. That's the  
7 way I think about this particular set of issues  
8 and this is why I think it's important to have  
9 this rule.

10 CHAIRMAN DANNER: All right. Steve  
11 Allen?

12 MR. ALLEN: Steve Allen, IURC. I think  
13 Sara said something here that kind of clicked  
14 with me here, making the unknown known. I think  
15 what you're saying, it's very important for  
16 integrity management, not necessarily for  
17 establishing MAOP, if you have a valid pressure  
18 test. Period. I just wanted to get some  
19 confirmation if that's what you guys in the room  
20 are saying.

21 CHAIRMAN DANNER: All right. So,  
22 you've been asked to repeat that.

1           MR. ALLEN: If -- okay. Making the  
2 unknown known is important for integrity  
3 management purposes, but it's not necessarily for  
4 establishing MAOP, a valid MAOP, if you have done  
5 pressure testing.

6           CHAIRMAN DANNER: Yes.

7           MR. ALLEN: So --

8           CHAIRMAN DANNER: So, to require a  
9 valid pressure test and the records to go along  
10 with it, is probably an overreach --

11          MR. ALLEN: For MAOP, but not for  
12 integrity management.

13          CHAIRMAN DANNER: Right. And then, the  
14 opportunistic approach that Steve has mentioned  
15 here for gathering the unknown information as you  
16 go, as you're investigating and anomalies and  
17 whatever opportunities you have out there, makes  
18 a lot of sense.

19          MR. ALLEN: Okay. So, we heard the  
20 example from Chad that you've tested the pipes,  
21 but you don't have record on the flanges. So, at  
22 some point, you're going to want to have those

1 records of the flanges, right?

2 MR. ZAMARIN: Well, since you brought  
3 up my comment, Chairman, if I could --

4 (Laughter.)

5 CHAIRMAN DANNER: I was asking Steve,  
6 but go ahead.

7 MR. ZAMARIN: No, but the reason I said  
8 it that way is I qualified it to say, only if you  
9 need it to make integrity management decisions.  
10 You have established the MAOP with a valid  
11 pressure test, now let's not go collect data on a  
12 flange if it's just sitting there under a valid  
13 pressure test at a safe operating pressure,  
14 unless integrity management tells you that you  
15 need to know information about that flange in  
16 order to make an integrity management decision.

17 That's what I'm trying to get to is,  
18 we're not collecting data for data's sake, we're  
19 collecting it because it's useful in the ongoing  
20 integrity management of the pipeline.

21 CHAIRMAN DANNER: Okay. Thank you.  
22 Diane?

1 MS. BURMAN: I just -- do both Sara and  
2 Steve agree with that?

3 MR. ALLEN: I do. I mean, only  
4 because, I guess, I know a little bit about this,  
5 not as much as many in the room, but I think I  
6 grasp the intent. And looking at it from a cost  
7 justification, I can't get there, by saying we  
8 have to do all of it. I can't get there.

9 MS. BURMAN: That's why I had you  
10 repeat it, because I thought it was a very  
11 critical issue in terms of making sure we're all  
12 on the same page. So, thank you.

13 CHAIRMAN DANNER: All right. So --

14 MS. GOSMAN: Commissioner, I'm sorry,  
15 just to answer your question. I think that it's  
16 important to focus on what the purpose of the  
17 information is, but I also think it's important  
18 to take a precautionary stance and say, there is  
19 a certain amount of information that's necessary,  
20 essentially, to grant a social license to  
21 pipeline operators to operate.

22 And it seems to me that we can talk in



1 detail about what that category of information is  
2 and perhaps there's room to move on that, but I  
3 think that that's fundamentally important to  
4 understanding what pipeline in the ground is.

5 CHAIRMAN DANNER: All right. Thank  
6 you. Sue?

7 MS. FLECK: Sue Fleck, National Grid.  
8 And I don't think anybody's disagreeing  
9 philosophically with what you're saying, we need  
10 to know what's in the ground. But I'll give you  
11 an example, a real example.

12 We've got some pipelines that were  
13 built a very long time ago, I think they might  
14 even be pre-code, I'm not positive. They have  
15 undergone pressure tests that were witnessed by  
16 the public service commission of that particular  
17 state, so they've been validated, pressure  
18 tested, one and a half times MAOP, multiple  
19 times, like twice in one case, three times in  
20 another case.

21 And we have great records, but we're  
22 missing a few records for a valve here, a valve

1       there, something like that.  If this gets put in  
2       as written, I'm going to have to replace that  
3       pipe, because I will never be able to get 100  
4       percent of those records.  But I have multiple  
5       valid pressure tests witnessed by the public  
6       safety people, I have most of the records.

7                 And so, we're just saying, when is  
8       enough enough?  And that was enough to validate  
9       the MAOP.  Going forward with integrity  
10      management, I may need to try to recreate some of  
11      those records, and through opportunistic methods  
12      I will, but think about how that puts you in kind  
13      of an odd place.

14                So, that's why we tend to get a little  
15      bit sensitive about requiring this tremendous  
16      amount of information for every single thing you  
17      have.  We want to get back to, what do we need  
18      for what particular purpose, and then, hold us  
19      accountable for that.  But not all for  
20      everything.

21                CHAIRMAN DANNER: All right.  Thank  
22      you.  Diane and then, Sara.

1 MS. BURMAN: So, what I'm hearing,  
2 then, is that we have a fundamental threshold  
3 issue that we seem to all agree with, but then  
4 the next step is, do you go further and when do  
5 you go further and what's an alternative, if the  
6 records -- if you're going to get caught in this,  
7 trying to gather and collect records for  
8 gathering purposes, rather than addressing the  
9 core issue of, how do we ensure the integrity of  
10 our system, or your system, in a way that gets to  
11 the same results? Okay.

12 CHAIRMAN DANNER: All right. Thank --

13 MS. BURMAN: I don't have answers, I'm  
14 just processing it.

15 CHAIRMAN DANNER: All right. Thank  
16 you. Sara?

17 MS. GOSMAN: Thanks again for this  
18 discussion, it's very helpful and I appreciate  
19 the engagement. I guess I would, if PHMSA  
20 doesn't mind, I mean, I think that's a good  
21 example that Sue's just brought up and in my  
22 reading of the rule, the opportunistic sampling

1 is a chance for you, over time, to gather this  
2 information and there's not a cutoff that says,  
3 okay, enough, you didn't find that one piece of  
4 information, now we're going to require you to do  
5 X, Y, and Z. But I just want to maybe go back to  
6 PHMSA to ask a little bit about what the  
7 consequences of your particular hypo are.

8 MR. NANNEY: I didn't hear her example,  
9 I was talking to Alan.

10 (Laughter.)

11 MS. FLECK: Sure, no problem, Steve.  
12 And I might actually ask, Mike or Corinne might  
13 have more details. But it's my understanding  
14 that there's a couple of pipelines in our  
15 territory where we've had pressure tests done  
16 twice, so, once when they were first built and  
17 then, they were retested some time during their  
18 life, but we don't have 100 percent of the  
19 records that are required by the new rule.

20 So, kind of our hypothetical question  
21 is, we've got valid pressure tests, witnessed by  
22 the state regulators at the time, because we

1 always have to get them to sign off on the  
2 pressure tests, so, we had the MAOP, we  
3 reconfirmed it over time, but we don't have 100  
4 percent of the records.

5 So, do we have to replace that pipe?  
6 Does the code require us to go back and do it,  
7 because we can't get all of the records? So, the  
8 fear is, if the code language isn't written  
9 properly, we're going to have perfectly good pipe  
10 operating perfectly fine and we're going to have  
11 to replace it all.

12 And then, you're talking about, in  
13 some of service territories, you're talking about  
14 billions of dollars to replace all those  
15 pipelines, it's not a small amount of money.  
16 These are downtown Brooklyn, downtown Boston, all  
17 over the place, and it's going to be a lot of  
18 money to replace. And they're fine, they're  
19 operating well.

20 MR. NANNEY: Well, just to answer your  
21 question, let's say the mileage you're talking  
22 about is a mile and a half of pipe and you had a

1 pressure test in the past and you've got it  
2 validated and you have some records, but maybe --

3 MS. FLECK: We have some records.

4 MR. NANNEY: -- well, it's like what I  
5 heard Sara saying, you take the opportunistic  
6 approach and when you went out and dug it, you  
7 would get that information. I would expect,  
8 based upon how this is written, if it's less than  
9 two miles, the way it's written, you would have  
10 to get probably two records in that two miles.

11 You'd have to do two nondestructive  
12 tests in that two miles and verify the wall  
13 thickness, the grade, the diameter, the seam  
14 type, would be how this is written. It wouldn't  
15 be that you'd have to go tomorrow and do it or  
16 anything, it would be opportunistic. That's how  
17 it's written right now.

18 The other thing, just to answer an  
19 earlier question that I think you had and I said  
20 I would delay, is I was hearing someone say that  
21 they do a 619 pressure test, I think under  
22 (a)(1), which would reference you to basically

1 doing a yield test.

2 And the thing that PHMSA had  
3 envisioned is not doing a yield test, but doing a  
4 class location type test, but getting these  
5 properties to supplement it, a combination of  
6 both.

7 We were not envisioning you having to  
8 do a yield test and everything, we were  
9 envisioning doing a 1.25 or if you wanted to do  
10 higher, fine, or a 1.5 and if you wanted to do  
11 higher, fine, but use these properties to  
12 supplement it. But let me say, if you want us to  
13 put in that you do a yield test in there, I think  
14 we can write that in and I think --

15 (Laughter.)

16 MR. NANNEY: But that's what I heard  
17 someone reference, is my only point. And that's  
18 what I heard Steve talking about.

19 CHAIRMAN DANNER: All right, Cheryl?

20 MS. CAMPBELL: Thank you. Cheryl  
21 Campbell, Xcel Energy. So, I'm going to -- I  
22 think this is my understanding, so, I mean, I'll

1 just throw this out there. But, again, love the  
2 opportunistic way of doing it, but back to San  
3 Bruno, that line, my understanding is that line  
4 did not have a valid pressure test.

5 And you could have collected data,  
6 opportunistically, on that pipe and you could  
7 have still ended up in the same place, right?  
8 The pressure test could have stopped that. So, I  
9 mean, and if that's the case, then, I mean, I'm  
10 going to go back to the pressure test being the  
11 gold standard for the strength of the pipe and  
12 operating the pipe safely.

13 And then, let's talk about, I mean, is  
14 it true that I have some pre-1970s pipe that's  
15 missing some of these pieces of information?

16 Yes. But do I have valid pressure tests on them?

17 Yes. I'm missing some and we're working hard on  
18 it, but that's what's critical, is, can I operate  
19 it safely around people?

20 And then, I would also ask, I think  
21 there's quite a bit of data and research and  
22 analysis out there that supports the value of a



1 hydrostatic pressure test around the strength of  
2 a pipe and supporting MAOP and I'm wondering if  
3 that information should be placed in the docket  
4 as reference for the Committee.

5 I mean, I think there's quite a bit  
6 out there that says, this is how you set it and  
7 it will suffice for measuring the strength and  
8 understanding what that MAOP is. So, my point  
9 is, no amount of records would have stopped that,  
10 but the pressure test would have.

11 CHAIRMAN DANNER: Okay. Chad, and then  
12 Andy, and then Steve.

13 MR. ZAMARIN: Chad Zamarin, Cheniere  
14 Energy. I respectfully think that the  
15 explanation that you have a valid pressure test,  
16 which I believe was the intent of the  
17 Congressional mandate, the NTSB recommendations,  
18 and then, you would still expend resources  
19 collecting data that may or may not add any value  
20 to ongoing integrity management is a huge  
21 departure from the intent of what we were trying  
22 to solve coming out of making sure another San

1 Bruno doesn't happen.

2 I mean, there's a lot of nice to  
3 haves, there's a lot of may be helpful to have  
4 someday down the road, but I think it's been our  
5 practice to focus our resources, focus our energy  
6 on the threats that exist and have that drive the  
7 activity that we do.

8 So, I'm going to go back to advocating  
9 for keeping this focused on MAOP reconfirmation  
10 on previously untested pipe. I don't like the  
11 thought that a pressure test is not the gold  
12 standard and you still have to go out and collect  
13 information, which you may never use or do  
14 anything with. It costs money, it takes time, it  
15 takes resources away from the work that we should  
16 be doing.

17 And the other thing I do want to  
18 mention, and Carl Weimer mentioned this in his  
19 comments, this is a blueprint not only for the  
20 mileage that you saw up on the screen. And we  
21 recognize that the code is a minimum standard to  
22 cover a minimum amount of pipe, but I can tell

1 you that operators look at this, at least  
2 operators that I know well, look at this as the  
3 blueprint for how to extend these practices  
4 across our entire system.

5 So, even though those numbers may look  
6 modest, we're planning to address integrity  
7 management and pipeline safety, as you heard,  
8 across the entire system, where anyone could be  
9 impacted by the operations of our pipelines. I  
10 don't want to be out there chasing records in  
11 those areas, I want to be out there pressure  
12 testing previously untested pipe, doing things  
13 that actually improve public safety.

14 So, I am very concerned with -- I get  
15 it, where we can kind of expand where it makes  
16 sense, but let's make sure we're focusing, and  
17 we're still on applicability, we're focusing  
18 where we get the bang for the buck, we get the  
19 result that I think we set out to achieve.

20 Thanks.

21 CHAIRMAN DANNER: All right. Andy?

22 MR. DRAKE: This is Andy Drake with

1 Enbridge. This is a great conversation, this is  
2 a conversation we've needed for a while, and it's  
3 going to be kind of bumpy and it's going to be  
4 okay. But I do think we need to help work  
5 through some things that may be confusing us.

6 I mean, when we talk about safe  
7 operations and hydro-testing being the gold  
8 standard for safe operations, I think some people  
9 probably hear that as supplanting integrity  
10 management. I do not and I don't think it was  
11 intended that way, but I just wanted to be very  
12 articulate about that.

13 Safe operations is integrity  
14 management and MAOP confirmation, it's both  
15 together. What we're trying to do is, there's  
16 two things we're trying to accomplish, and what's  
17 convoluting this a little bit is, we're talking  
18 about pipes that are currently in operation. So,  
19 they need both.

20 And we're trying to fix them both at  
21 the same time, and that's where we need to stop,  
22 because I think Chad is exactly right. I look at

1 this in the same lens I think that Carl does,  
2 eventually, we're trying to set a precedence for  
3 how we will deal with all the pipes in the United  
4 States. All of them, not just these little HCA  
5 guys, I mean, everything.

6 And I think making sure we're clear  
7 on, the hydro-test is the gold standard to set  
8 the MAOP. It is a fitness for service test that  
9 physically loads the pipe and it defines its  
10 fitness for service and strength in that service  
11 application. Then, as soon as we're done with  
12 that, we bring on integrity management, which  
13 requires a lot of data.

14 If we have data that helps support the  
15 MAOP confirmation, that's good. But most of the  
16 data that we need to make decisions about the  
17 integrity of pipe and safe operations, after  
18 we've confirmed MAOP, which could be a 15 second  
19 event, all right, we're done, now we've got to do  
20 IM, and those data requirements kick in  
21 instantly.

22 But that is a different event, because

1 MAOP is a one-time event in the cycles of these  
2 pipes. So, as we do it for HCAs, good. As you  
3 move to MCAs, good. As you move to LCAs, fine.  
4 IM keeps running all the time on all of them.

5 And I'm just trying to get through,  
6 how does hydro-testing fit into building public  
7 confidence about looking backwards retroactively  
8 at pipes about fitness for service of their MAOP?  
9 And it's a very important distinction.

10 It's so fundamentally important, I  
11 really think this is something we need to spend  
12 whatever time it takes to get through this. If  
13 we don't get this right, we will compromise, I  
14 think, even the design of the code. And we're  
15 kind of seeing that, with all this stuff tangled  
16 together.

17 Section O is specifically designed  
18 around integrity management. The 600 series is  
19 so much about retroactive MAOP validation. But  
20 somehow we've conflated those and that's  
21 fundamentally not going to work for us  
22 sustainably as we move on. And I really think

1 this is a place we've got to be very deliberate.

2 I don't hear anybody saying, I don't  
3 want to collect data to make sure the pipe is  
4 safe. I think what they're saying is, I want to  
5 make sure that setting an MAOP can be done using  
6 a hydro-test, because I don't know if I have some  
7 of the data that you want and I need that.

8 Then to make integrity decisions, we  
9 use opportunistic data gathering to close that  
10 space over time. And I think that's a very  
11 important rhythm distinction that we've got to  
12 get into.

13 CHAIRMAN DANNER: Okay.

14 MS. CAMPBELL: And can I just say,  
15 thank you for clarifying that? Because that's  
16 right, the MAOP I meant was for fitness of  
17 service gold standard, not for the ongoing  
18 operations, so thank you for clarifying that,  
19 Andy.

20 CHAIRMAN DANNER: Okay. Steve had his  
21 tent up and it's -- he put it down. So, I think  
22 --

1 (Laughter.)

2 CHAIRMAN DANNER: I think with that, I  
3 think we've got the issues out on the table.  
4 And, Chad, is your -- okay. In that case, are we  
5 ready to move on to (b)? All right. That was a  
6 good conversation.

7 Cameron, let's go into public comment,  
8 then, on the next -- do we -- we'll get the  
9 slides up here in a second. Okay. Material  
10 documentation plan, 607(b). Is there anybody who  
11 wants to speak to this matter?

12 MR. OSMAN: This is CJ Osman from  
13 INGAA, just one quick comment. Steve mentioned  
14 in his slide deck earlier that PHMSA was  
15 considering allowing a year for operators to  
16 develop the initial material documentation plan.

17 I think one thing that's clear today  
18 is there's a lot of work, potentially, involved  
19 in this process and we support the inclusion of  
20 the year for the initial material documentation  
21 plan.

22 MS. BARTHOLOMEW: Hello, Mary



1 Bartholomew, Southwest Gas Corporation. Just  
2 really briefly, we're an AGA LDC, have a lot of  
3 pipe in urban areas, and we'll be affected by not  
4 just this part of the rule, but a lot of the  
5 areas that are under consideration. What I would  
6 ask is, definitely I appreciated that PHMSA has  
7 considered adding more time.

8 And I think, in the general terms of  
9 the entire rule, not just this section, and all  
10 of the plans and procedures that will be required  
11 as a result of everything that's within this,  
12 that we need to be very cognizant of making sure  
13 that we don't short ourselves on preparing well  
14 thought out and very comprehensive plans.

15 And it's not just one, it's many. So,  
16 I just want to make sure that the GPAC keeps that  
17 in mind as they approve various lengths of time  
18 for implementing different things. Thank you.

19 MR. KANOY: Good afternoon, Chuck Kanoy  
20 with NiSource. We are also an LDC operating in  
21 over seven states. So, when we started thinking  
22 about documentation plans, we think about seven

1 different configurations of that. We currently  
2 have about 17 percent of our approximately 1,000  
3 miles that are in HCA. When we think about MCAs,  
4 we go up to 40 percent.

5 So, trying to do all that, figuring  
6 out where we need to take samples, isolate pipe,  
7 do things like that, do it safely, do it with the  
8 idea of also making sure that we continue the  
9 sustainability with our customers of their  
10 service. Those are all considerations on all  
11 those plans. And so, the time to do all that is  
12 really significant.

13 And so, I think that also then blends  
14 into, and I know we're not supposed to be  
15 thinking about the cost, because pipeline safety,  
16 but there is a cost and what does that do to our  
17 customers, then, in the cost of service in the  
18 long-run to do all these plans? Because it is a  
19 significant increase in what we're going to have  
20 to be doing.

21 CHAIRMAN DANNER: All right. Others?  
22 Okay. Committee Members, any discussion? Okay.

1 We'll move on then. Public comment on material  
2 documentation, 192.607(c).

3 MR. MOIDEL: Good afternoon. My name  
4 is Brian Moidel with Dominion Energy Ohio. Our  
5 company is also a member of AGA. We serve  
6 approximately 1.2 million customers in Ohio. We  
7 have approximately 1,000 miles of transmission  
8 pipeline and approximately 130 miles of that are  
9 in HCAs.

10 I'd also like to concur with the other  
11 statements from the previous industry speakers.  
12 I concur with a lot of their same points, just  
13 wanted to say that. In this section here, PHMSA  
14 has proposed additional material attributes, like  
15 we've heard, in our believe, beyond those  
16 necessary for operators to determine or to  
17 confirm MAOP or to perform remaining strength  
18 calculations.

19 These additional attributes include  
20 ultimate tensile strength, chemical composition,  
21 toughness, coating type, weld-end bevel for  
22 valves and flanges, et cetera. Dominion Energy

1 Ohio and industry represented by AGA feels that  
2 PHMSA should narrow the physical attributes to  
3 only those needed for MAOP determination  
4 calculations and remaining strength calculations.

5           These attributes would include  
6 diameter, wall thickness, the grade of the  
7 material or the yield strength, seam type or the  
8 longitudinal joint factor, and should be  
9 sufficient attributes to determine accurate MAOP  
10 and, if needed, remaining strength calculations  
11 for corroded pipelines.

12           We also believe that sound engineering  
13 judgments can be made for wall thickness, yield  
14 strength, and longitudinal joint factors.  
15 Operators have various documents, such as  
16 purchasing records, construction documents,  
17 operating records, engineering standards, all of  
18 these to support these judgments.

19           The additional attributes that PHMSA  
20 is requiring will result in an extreme burden to  
21 us, as we will be required to hire one or more  
22 third party vendors to test for everything that's

1 being required, as we don't have this capability  
2 in-house. Thank you for allowing me to comment.

3 CHAIRMAN DANNER: All right. Thank  
4 you. Are there others who wish to comment on  
5 this? All right. Committee Members, any  
6 discussion? Mr. Hill?

7 MR. HILL: I guess I --

8 CHAIRMAN DANNER: You need to speak  
9 into the microphone.

10 MR. HILL: I guess I'm confused, he  
11 just stated that they had all these records and  
12 everything on the pipeline, but then that he'd  
13 have to reinvent the wheel, when you've already  
14 got the -- I guess I'm confused there.

15 MR. MOIDEL: No. What I'm saying is,  
16 we have documents that may not tie exactly to  
17 that segment of pipeline that we installed, but  
18 we have purchasing records from that time that  
19 showed, this is what we purchased in that year.  
20 So, we can't exactly point to it, but it's in our  
21 records.

22 MR. HILL: Thank you for clarifying

1 that.

2 CHAIRMAN DANNER: Okay. Any other  
3 thoughts? I think the concern I hear is, the  
4 material documentation should be related to MAOP  
5 and not beyond that. Chad?

6 MR. ZAMARIN: Chad Zamarin, Cheniere  
7 Energy. I think I echo that comment, the way  
8 that I would say it though is, it does trouble me  
9 that we're collecting data here beyond MAOP  
10 confirmation and I think that doing so should be  
11 a discussion under Subpart O, where we might need  
12 to collect other data that's relevant to  
13 integrity management.

14 So, I do support in this section  
15 limiting it to those data elements that are  
16 necessary for MAOP validation. And I think we  
17 should have the conversation in Subpart O  
18 regarding what additional material verification  
19 might be required, based on what integrity  
20 management activities are being done.

21 And I would just also, it came from  
22 kind of where we started, I would also, if we get

1 the applicability right, want to see this data  
2 collected for untested pipe. Because I do  
3 believe that if you have a pressure test for the  
4 purpose of establishing a safe operating  
5 pressure, you've achieved your goal, and then  
6 we'll talk in Subpart O about how you maintain  
7 the safety of that pipeline and maintain its  
8 ability to operate at that MAOP. Thank you.

9 CHAIRMAN DANNER: All right. Thank  
10 you. Sara, and then Steve.

11 MS. GOSMAN: Thank you. In reading  
12 through this list of materials that are required  
13 under the proposed rule, I'm wondering if other  
14 members of the Committee can help me understand  
15 which particular pieces of information here are  
16 difficult -- I mean, that is, I don't understand  
17 whether it's an issue around getting that  
18 information, right, which is different from the  
19 question of whether that information is  
20 important.

21 So, there's the question of sort of  
22 the sampling process, which I think PHMSA has

1 made as easy as possible. And then, there's the  
2 question of, is this information the kind of  
3 baseline information that operators should have?

4 And, I think, when I read this  
5 information as a non-engineer, it seems to me  
6 like a set of sort of baseline information. So,  
7 again, thank you for your help in understanding  
8 that.

9 CHAIRMAN DANNER: You want to respond  
10 to that or --

11 MR. DRAKE: This is Andy Drake with  
12 Enbridge. It's a great question. Because I  
13 think that is the crux of possibly where we're  
14 disconnecting with each other. All that  
15 information is important. All of it is relevant  
16 in making good choices about safe operations.  
17 And we need that information over time,  
18 particularly with regard to integrity management.

19 But to clear up this discussion, we're  
20 trying to focus on how to confirm MAOP and  
21 address the NTSB mandate about untested pipes and  
22 pipes that were qualified under a grandfather



1 clause. What we're trying to do is, how do you  
2 get those pipes qualified for their MAOP? Which  
3 is a specific stage-gate event.

4 And the information to do that is a  
5 certain kind of data. There's a lot of data on  
6 here, chemistry, toughness, all of these things  
7 that we've seen on that long list, that doesn't  
8 have anything to do with qualifying for the MAOP.

9 And I think we've heard that, these  
10 are things to make decisions about fatigue or  
11 fracture toughness or sizing anomalies, those are  
12 all integrity discussions. You need that  
13 information, you just need it for integrity, not  
14 for MAOP validation.

15 And I don't mean to be really driving  
16 this home, but it's really important, because I  
17 think the difference is is the conversation we  
18 had yesterday afternoon and this morning, which  
19 is about, how do I behave in the interim while  
20 I'm collecting this information to do that, well,  
21 the ASME has all kinds of construct around what  
22 kind of assumptions to make until I gather that

1 data.

2 Steve's given us criteria on how to  
3 gather that data opportunistically over time. In  
4 the meantime, we making these conservative  
5 assumptions, per ASME, we're trying to do those  
6 things as best we can until we fill that space  
7 in, because you're talking about gathering a lot  
8 of data.

9 But that's over time, but right away,  
10 we need to confirm that these pipes are fit for  
11 service, that they've actually been tested, with  
12 whatever records you've got. And I think that's  
13 the distinction that I'm trying to get is, I want  
14 to make sure that the public has some certainty  
15 that they can point to and go, that line was  
16 tested.

17 It's not just about records, now we've  
18 got it certified, now we shift into integrity  
19 management. This is an ongoing engine that we've  
20 got to keep driving to get better and better and  
21 better over time. Does that help answer your  
22 question?

1 MS. GOSMAN: So, I guess -- yes. But,  
2 I mean, if we lifted this provision and put it in  
3 the integrity management rules, but kept it as it  
4 was, what would you -- I mean, is it --

5 MR. ZAMARIN: Can I add a little color  
6 to his answer? Maybe it'll help. This is Chad  
7 Zamarin with Cheniere Energy. Let me walk  
8 through (c)(1) as an example. To establish a  
9 safe operating pressure, a pipeline operator  
10 needs the diameter, the wall thickness, the yield  
11 strength, not the tensile strength, just the  
12 yield strength. They need to know the seam type  
13 or make an assumption about the seam type.

14 That's it. And you don't need the coating type,  
15 you don't need the manufacturing specifications.

16 And the code allows for conservative  
17 assumptions to be made in the absence of yield  
18 strength or seam type. And those have been  
19 proven to stand up for decades as valid,  
20 conservative assumptions.

21 For example, when we don't have yield  
22 strength on an old pipe, we have to assume 24,000

1 PSI as the yield strength. That was established  
2 through industry research that demonstrate that  
3 pipe for line pipe purposes had been, at its  
4 worst case, built with 24,000 PSI yield strength.  
5 So, the code has a very rational way of  
6 addressing a lack of yield strength data, for  
7 example.

8 So, when I look at Section (1), we've  
9 gone beyond what we need for yield strength and  
10 safe operating pressure determination and we  
11 started adding other data elements, and if you  
12 just read the code, frankly, without justifying  
13 why.

14 We don't use ultimate tensile strength  
15 in any activity related to establishment of safe  
16 operating pressure and I can't even think of a  
17 situation where we've used it for integrity  
18 management purposes. But let's let, if we do,  
19 let's let integrity management drive us to  
20 identifying that that's a valid data point that  
21 we're going to make use of.

22 So, I think what I would advocate for

1 is that we leave in this section those elements  
2 that are relevant to the establishment of a safe  
3 operating pressure and then, we allow the  
4 integrity management section to drive towards the  
5 data that we need.

6 So, when we start talking in the  
7 integrity management section about what we need  
8 to do to maintain that safe operating pressure,  
9 let's let that drive what data we should be  
10 collecting for the fit for purpose that we're  
11 trying to achieve. That's what I'm trying to  
12 advocate for.

13 So, I'm not sure if these are the  
14 right elements to lift and move into Subpart O, I  
15 think we need to have that discussion in Subpart  
16 O, because, for example, I've never used ultimate  
17 tensile strength in any integrity management  
18 activity that I've done. Would it be interesting  
19 to have? Sure, but it requires testing.

20 There are some noninvasive testing  
21 methods, still takes time, money, and resources.  
22 The most reliable way of doing it is cutting your

1 pipe out and testing straps on your pipe, sending  
2 them to a lab, going through a lot of expense,  
3 and for what purpose? So, hopefully that helps  
4 maybe provide a little bit more context. Thanks.

5 CHAIRMAN DANNER: All right. Thank you  
6 very much. Steve, you had your card up, are you  
7 --

8 MR. ALLEN: Yes, Steve Allen, I did.  
9 And just to kind of follow up. I get now what  
10 Andy was saying about, we need to separate  
11 establishment of MAOP, the information for  
12 establishing MAOP, and integrity management. And  
13 there's a lot of information here in (c) that is  
14 not required for establishing MAOP. So, I just  
15 wanted to say, I get it now and I think you're  
16 right. I think that we're trying to fit a square  
17 peg in a round hole here, it's more than what's  
18 needed.

19 But, again, to get back to what we  
20 talked about earlier today, a valid pressure  
21 test, I mean, that goes a long way. Absent that,  
22 I think you guys are saying, if you don't have

1 the records and you don't have a valid pressure  
2 test, by all means, we're going to go back and  
3 we're going to get the information that we need  
4 in order to establish MAOP using an opportunistic  
5 approach. I think that's right on the money.  
6 Now, how do we get this discussion over into  
7 integrity management? We'll get there.

8 CHAIRMAN DANNER: All right. I don't  
9 see -- oh, Cheryl?

10 MS. CAMPBELL: Yes, Cheryl Campbell,  
11 Xcel. So, Steve, can I just -- I just want to  
12 ask one clarifying question, something you said  
13 there that kind of made me go, right? So, if I  
14 don't have the information I need for a valid  
15 MAOP, I thought I heard you say, I'm going to go  
16 back and collect that data on an opportunistic  
17 basis.

18 And I guess, I think the way a lot of  
19 operators are approaching it is more, we are  
20 testing on a risk-based process. So, if I have a  
21 pipe, class 4, right, without a valid pressure  
22 test, it might be at the top of my list as

1       opposed to a pipe without a valid pressure test  
2       in a class 2.

3               SA: And -- Steve Allen, IURC. I  
4       thought that in the rule, it mentioned that,  
5       where if you don't have a valid pressure test,  
6       you don't have the document, you go back using an  
7       opportunistic approach to gather the information  
8       that you need.

9               But based on -- I thought I read in  
10      here, that the numbers of test data that you need  
11      to acquire, I mean, it's based on class, which is  
12      roughly representative of risk, I guess. So,  
13      maybe now I'm missing the point here. So, can  
14      you ask that again for me, Cheryl?

15              MS. CAMPBELL: Sure. And I might just  
16      be totally mishearing what you're trying to say,  
17      Steve, and I apologize. But I -- and if you're  
18      missing a valid MAOP test in an HCA or class 3 or  
19      4 location, I think what operators are trying to  
20      do and my friends here are probably going to  
21      correct me if I botch this, but we are trying to  
22      work through those as rapidly as we can on a



1 risk-based approach.

2 We're not waiting to gather data on an  
3 opportunistic approach, we're trying to actually  
4 perform the pressure test. Now, we might be  
5 gathering data at the same time, but we're  
6 actually going after the pressure test, as  
7 opposed to just gathering data.

8 MR. ALLEN: And I would say that was  
9 fine.

10 MS. CAMPBELL: Yes, I just thought you  
11 -- and that's why I asked the clarifying question  
12 is I thought we were talking about gathering data  
13 on an opportunistic basis in lieu of a test. And  
14 I don't think that that's what anyone was  
15 advocating.

16 MR. ALLEN: Right.

17 MS. CAMPBELL: Okay. Thank you. I  
18 apologize for misunderstanding.

19 CHAIRMAN DANNER: All right. Andy, and  
20 then Alan.

21 MR. DRAKE: I think you said something  
22 that's really important and I think this is maybe

1 under the water, why there's so much energy  
2 around this, why do we want to get moving on  
3 this?

4 In the INGAA group and I know many of  
5 the other trades joined in with the Integrity  
6 Management Continuous Improvement Protocols, a  
7 lot of that was in tranches, high consequences  
8 areas, we need to get out there, we need to  
9 hydro-test these if they haven't been tested,  
10 validate the MAOP, and then move on with  
11 integrity management.

12 Because of this discussion and the  
13 convoluted nature of it, a lot of people are very  
14 anxious that the hydrostatic test will not be  
15 respected if done, that there will be other work.  
16 And so, they're just waiting. And while we wait,  
17 there's risk.

18 MS. CAMPBELL: Yes.

19 MR. DRAKE: And that's absolutely  
20 inappropriate when we know what to do. And  
21 that's why I'm trying to separate these, not just  
22 for constructionism purposes, but we need to get

1 clarity around, a hydro-test is good to set the  
2 MAOP. Let's set the MAOP, now let's talk about  
3 integrity management.

4 And those conversations are going to  
5 happen very quickly, but with this convoluted  
6 nature, I think people say, well, if I hydro-test  
7 it, I might not be done, because I don't know the  
8 toughness or I don't know this or I don't know  
9 that and I may have to know that right away and  
10 if I don't know that, may not be able to use this  
11 pipe. Well, okay, I'll wait. And that's not  
12 appropriate.

13 And I think Steve has actually got the  
14 right design structure, starting to work here  
15 with this opportunistic gathering of data for  
16 integrity management. We don't want to get rid  
17 of that, we want to use that and we want to get  
18 people freed up that this pipe can be validated  
19 fitness for service with a hydro-test for HCAs  
20 and gather the integrity management data over  
21 time to close that space and make sure we can  
22 make the choices that we have to make.

1                   And in the vacuum of time or  
2                   certainty, we work very conservatively. I think  
3                   that rhythm gets people some confidence to move  
4                   forward also.

5                   MS. CAMPBELL: And I'll just follow  
6                   that up with, I'm one of those operators that's  
7                   probably hanging out a little bit, because we  
8                   have started hydroing, so if I have to go back  
9                   and redo a bunch of stuff, it's not going to be  
10                  pretty.

11                  And I'm sure I'm going to be talking  
12                  to my state regulators about that. But, yes, I  
13                  mean, we've taken the approach of, we're going to  
14                  be very proactive and we're going to go start  
15                  doing these hydro-tests.

16                  CHAIRMAN DANNER: All right. Alan, and  
17                  then Sara.

18                  MR. MAYBERRY: Yes, I was just going to  
19                  say, I think this discussion is really valuable.  
20                  And we're going to, obviously, take the comments  
21                  we hear today and come back at the next meeting.  
22                  So, I want you to come back remembering what we

1 talked about today, I'm sure you will.

2 But, basically, to try to -- I love  
3 how the attempt to really simplify things, but  
4 we're going from -- essentially, I think the  
5 intent here was to have a one-stop shop, that if  
6 you don't know what you have, here's a pathway to  
7 get there, to really a different construct of  
8 separating out for MAOP validation, so you know  
9 when you've reached the endpoint and established  
10 that and not mix up anything else with it. And  
11 then, push off the other attributes to a  
12 different section.

13 So, it's really a construct issue to,  
14 in your mind, simplify it. I mean, we can talk  
15 about the attributes, what's important, what's  
16 not, and I'm sure we'll talk about that later,  
17 but really a different construct is what you're  
18 looking for.

19 CHAIRMAN DANNER: Okay. Thank you.

20 Sara?

21 MS. GOSMAN: Just to complete this from  
22 my side before we move on. Again, I appreciate

1 all of the help in understanding these issues.  
2 I'm still back to feeling like the answer to my  
3 question was, yes, this information is important,  
4 yes, we need to know this for managing generally.  
5 Whether it's here in this particular section of  
6 the code or someplace else, I think that's an  
7 interesting and important question.

8 But I think this question, this narrow  
9 question of MAOP and making sure we have the  
10 information necessary for MAOP, is separate from  
11 this question of, what is the base set of  
12 information that we want to gather over time for  
13 integrity of those pipelines?

14 And if we move this section into  
15 integrity management, but we're doing the same  
16 thing, it seems to me that that solves that  
17 particular set of issues. I mean, that is -- I  
18 see this, again, as a sort of floor around what  
19 operators are doing on the management side of  
20 these pipelines and through integrity management,  
21 perhaps could be easily incorporated in there.

22 But the point is that there is a

1 baseline for this set of information, as opposed  
2 to sort of a discretion around what information  
3 to gather at any given point in time. All right,  
4 I'm done.

5 CHAIRMAN DANNER: All right. Thank  
6 you. You think we've got these issues out on the  
7 table and we can move on to verification of  
8 material properties? All right. Thank you, that  
9 was a good discussion. So, at this point, let's  
10 take public comment, then, on 192.607(d),  
11 verification of material properties.

12 MS. KURILLA: Hi, Erin Kurilla,  
13 American Gas Association. Two comments that I  
14 want to make, and I apologize, I'm going to  
15 shamelessly, since I have the mic, circle back on  
16 something Sara just said and the last discussion,  
17 which was around this notion that operators can,  
18 as proposed, opportunistically go get data per  
19 192.607.

20 I think a lot of the anxiety is  
21 because the number of times that 192.607 was  
22 proposed to be referenced in the proposed rule.

1 It shows up in 192.13, 192.485, 192.619, 192.624,  
2 192.713, 192.929, and 192.933. This is all the  
3 places where 192.607 was proposed to be  
4 referenced.

5 It no longer is opportunistic. If I'm  
6 trying to meet all these sections of code, I have  
7 to do, as it's written in the proposed rule, I  
8 have to go do 192.607 now and quickly. I don't  
9 get the luxury of doing it as I expose my pipe.  
10 So, I just wanted to get that on the record.

11 And then, if we're going to move on to  
12 607(d), I know there's a lot of people that are  
13 going to give public comments on this, just an  
14 issue that seems minor, but is huge on a burden  
15 on operators with literally zero net pipeline  
16 safety benefit, is the identification of pipeline  
17 populations in the proposed rule.

18 In 607(d)(i), it says, the operator  
19 must define a separate population of undocumented  
20 or inadequately documented pipeline segments for  
21 each unique combination of the following  
22 attributes: wall thickness, grade, manufacturing



1 process, pipeline manufacturing dates, and  
2 construction dates.

3 Meaning, as proposed, the operator  
4 would essentially, for those of you familiar with  
5 GIS, dynamically segment their pipeline and have  
6 individual plans for how they're going to address  
7 the material documentation in each one of those  
8 individually segmented populations of their pipe.

9 That -- going through that exercise,  
10 I would argue has zero impact on pipeline safety  
11 and is not necessary for the goals that you all  
12 just spent close to two hours discussing. So,  
13 thanks.

14 MR. ACUNA: Good afternoon. Alberto  
15 Acuna, Consumers Energy. Consumers Energy is one  
16 of the largest combination utilities in the  
17 nation. We're the largest utility in Michigan.  
18 We have 2,400 miles included in class 3 and 4 and  
19 HCAs. Six hundred -- I'm sorry, 2,400 miles  
20 transmission, 600-plus miles in the class 3, 4,  
21 and HCA.

22 And I was responsible for the project

1 addressing the 2011 Act. And so, I have a lot of  
2 understanding about just what we discovered in  
3 that record search and my concern is, is that the  
4 material verification requirements are going to  
5 be even more onerous.

6 And so, what I'd like to have the  
7 Committee consider, because I have heard a lot of  
8 great things here regarding the separation of the  
9 requirements for MAOP establishment versus the  
10 IM, but what I would like for the Committee to  
11 consider is, please, when it comes to the records  
12 requirements, understand what they were in the  
13 time frame when they were developed.

14 And then, secondly, this has been  
15 addressed slightly, but I want to make sure that  
16 we get this across, operators should not be  
17 required to test for every attribute that's  
18 listed, but those that are missing. I know  
19 that's a bit of specificity there, but I think  
20 it's important to get in. Thank you very much.

21 MS. ANSLINGER: Good afternoon. I'm  
22 Cindy Anslinger, I'm from Vectren Corporation.

1 We operate approximately 1,000 miles of  
2 transmission throughout Indiana and Ohio. Of  
3 that, we have about nine percent HCA, but about  
4 26 percent that's class 3. So, these sections  
5 could impact us pretty heavily.

6 We're also a member of AGA and support  
7 their comments. But I had a couple comments. I  
8 wanted to go back, I think we skipped Section  
9 (c), so I wanted to talk a little bit about  
10 material documentation of (c).

11 It talks about the valves and the  
12 flanges in those types of situations. One of the  
13 things that I wanted to talk about with those is,  
14 it talks about records for those, which we're  
15 talking about MAOP and the validation of MAOP.

16 And so, I wanted to talk about the  
17 pressure testing actually also supports and  
18 validates the flanges and the valves and  
19 different things we do there, versus digging them  
20 up and trying to find out what is there or  
21 possibly replace them and those types of things.  
22 So, there is concern for that with our area.

1           And then, also, Section (d), one of  
2           the things that I wanted to talk about is, the  
3           prescriptive measures that are called out within  
4           Section (d) around what you have to do to  
5           actually validate your information. It could be  
6           very cumbersome for operators to go and get that  
7           information.

8           And some of it actually can't be  
9           gathered by nondestructive measures. So, I want  
10          you to understand that it does mean we're going  
11          to go out and start cutting up our pipeline.  
12          We're going to have to start gathering some  
13          samples, which means we're going to be putting  
14          PUPs in places instead of a standard pipeline.  
15          Where you have a long, consistent section of  
16          pipe, you're now going to start gathering  
17          different sections to go out and be tested.

18          To me, that's a pretty big risk. You  
19          have a standard pipeline, you know what it is,  
20          and you're going to go start putting other  
21          different material in it in various areas and  
22          creating sections, where, from an integrity

1 management standpoint, we find more risk. So, I  
2 wanted to make sure that that was understood.

3 And then, also, I wanted to talk a  
4 little bit about, I didn't talk about (a), but  
5 the retroactivity concerns that are associated  
6 with Section (a). Because of the fact that we  
7 have go back, it says any pipeline before this  
8 time frame, so I just wanted to put that in front  
9 of everybody so that we could understand that.

10 Thank you.

11 MR. BELLEMARE: Hi, I'm Simon  
12 Bellemare, Massachusetts Material Technologies.  
13 So, we're not pipeline operators, we've actually  
14 been working on developing technologies for this  
15 in-ditch verification specifically, for the past  
16 two or three years. We have sponsorship from the  
17 National Science Foundation.

18 We have two tools, one for yield  
19 strength, one for toughness. And we have a  
20 handful of operators that have worked with us and  
21 we're very grateful for that, for the opportunity  
22 to be able to evaluate our tool. I'm going to be

1 speaking specifically on what can be done, I'm  
2 not here to say what should be done.

3 So, we can measure the yield strength  
4 very precisely. The ten percent requirement,  
5 with 95 percent confidence, it's just a matter of  
6 level of effort. And we're not the only one,  
7 there was other people in the business before us  
8 to do this and they put that claim, that they'll  
9 meet that requirement.

10 Everything that we do does not require  
11 chemistry. So, to the comment by the other  
12 operators that we would do chemistry if we were  
13 really concerned with weldability, for example,  
14 I'll support that, and that's not just for yield,  
15 it's also for fracture toughness.

16 So, to determine the yield strength  
17 precisely, we don't believe that there is a lot  
18 of value in testing at all these positions around  
19 the circumference. We believe, though, that that  
20 was already addressed by PHMSA in the  
21 presentation this morning, so when they have the  
22 revised criteria that we'd be testing two spots,

1 for example, that seems more reasonable.

2 Now, on the question of whether you  
3 make 25 measurements, I think that the  
4 prescriptive rule was thinking of indentation,  
5 you're going to make and do 25 measurements. But  
6 as a generality, in our case, we scan the  
7 surface, so we make continuous measurement, and  
8 we know of other devices that are going to come  
9 and essentially probe an area with  
10 electromagnetic methods.

11 And, therefore, I think there's going  
12 to be some difficulty there if there's a specific  
13 number put in there, as far as the number of  
14 measurement per location. What we find of more  
15 value is in the ability to combine the  
16 information from different digs.

17 There's more variation between  
18 different pipe joints than within a joint itself,  
19 so the idea that you'll have to remove the  
20 coating all around and all the cases to do these  
21 tests, that seems too onerous, based on the  
22 testing data that we have so far.

1           So, in terms of the seam  
2           determination, I know that there's been a lot of  
3           discussions related to that. It comes in the  
4           design pressure calculation, although to the  
5           extent that you know that you have an ERW seam,  
6           you can essentially evaluate that value.

7           So, my comment there and it's for  
8           everybody, including the public, the operator,  
9           the regulators here is, it's been established if  
10          a seam is high frequency, not normalized, that it  
11          will have a low toughness. And this is something  
12          that we and others can do in-ditch right now.

13          So, my suggestion, when there's a  
14          discussion about verifying the Charpy V-notch  
15          value would be to revise it to essentially  
16          evaluate the fracture toughness, and in such a  
17          way, that it can be a nondestructive technique,  
18          such as evaluating the details of the seam,  
19          whether it's normalized or not normalized,  
20          whether it's low frequency or high frequency.

21          So, you can put it in buckets of population, for  
22          which you have the laboratory test data. So,



1 it's just about trying to make it more practical.

2 We have to say that, essentially, the  
3 demand or the regulatory requirement is a driving  
4 force here. I do want to emphasize that if it  
5 wasn't for PHMSA, I don't think my company would  
6 be here today. Essentially, if the requirements  
7 are very loose, then very few things do get done.

8 And it's just part of the process  
9 here, that's been our experience, and so,  
10 therefore, I would be happy to answer any  
11 questions and continue to work with people to,  
12 essentially, bring a much value into this  
13 process. This is not supposed to be just  
14 checking a box, the purpose is to help pipeline  
15 safety. Thank you.

16 MR. MCWHORTER: Yes, Dan McWhorter with  
17 Innovative Analytical Solutions. We'd like to  
18 address the PHMSA requirement (d)(3)(iv), in that  
19 the nondestructive tests are performed to  
20 determine strength or chemical composition, the  
21 operators must use methods, tools, procedures and  
22 techniques that have been independently validated

1 by subject matter experts in metallurgy and  
2 fracture mechanics to produce results that are  
3 within ten percent of the actual, with 95 percent  
4 confidence for strength values.

5 That's not a problem. What does kind  
6 of bleed over is that you put the chemical  
7 analysis in that phrase, with the 25 percent of  
8 the actual value at 85 percent confidence for  
9 carbon percentage, and with 20 percent of actual  
10 value with a 90 percent confidence for manganese,  
11 chromium, molybdenum, vanadium, percentages for  
12 the grade of steel being tested.

13 That doesn't give you a target and  
14 most optical emission spectrometers are  
15 comparators. So, what you want to do is you want  
16 to compare to a standard.

17 And I recommend that you change that  
18 language to 25 percent of the actual value with  
19 85 percent confidence for the carbon percentage,  
20 but then 20 percent of the actual value with 90  
21 percent confidence for manganese, chromium,  
22 molybdenum, and vanadium percentages for the

1 grade being tested, if they are alloying  
2 elements.

3 If they are not alloying elements,  
4 then 20 percent of the maximum allowable  
5 concentrations allowed by API 5L with 90 percent  
6 confidence or 0.03 percent concentration,  
7 whichever is higher.

8 This would change the notes to reflect  
9 the footnotes API 5L in Tables 2A and 2B, for  
10 footnotes C, D, and E, and allow for portable  
11 systems to meet this specification. This also  
12 allows for TVC to be met with commercially  
13 available standards.

14 I think he was addressing some of the  
15 questions when it comes to the 20 tests per  
16 quadrant. When you get down to (vi) for  
17 nondestructive tests, at which each test  
18 location, a set of material property tests must  
19 be conducted at a minimum of five places for each  
20 circumferential quadrant of the pipe, for a  
21 minimum of 20 test readings at each pipe cylinder  
22 location, I recommend scratching material

1 property test and inserting tensile and yield  
2 measurements. And what that does it separates  
3 the tensile and yield measurements out from the  
4 chemical analysis.

5 After cylinder location, I recommend  
6 you put, for chemical analysis, a set of -- with  
7 OES, three tests at one location only. And,  
8 again, what that does is it eliminates the  
9 repetitive testing in different portion of the  
10 pipe that are not going to be utilized. Three  
11 tests with an OES system will give you the exact  
12 chemical analysis of the material you're testing.

13 MS. ANSLINGER: Sorry, Cindy Anslinger  
14 from Vectren again. There was one thing I forgot  
15 to mention and that was, in Section (a), where  
16 you say, for pipeline installed before the  
17 effective date that does not have reliable,  
18 traceable, verifiable, and complete material  
19 documentation records, and then you go on to  
20 state, for locations, I'm asking for  
21 clarification around, what if you already have an  
22 extensive material documentation process, but it

1 doesn't meet what's applicable in Section (d)?

2           So, maybe I didn't do 150 excavations  
3 or maybe I didn't measure five locations around  
4 my pipeline in these sections, I still consider  
5 it material documentation records and that I've  
6 gathered the information and it's TVC in my  
7 process and the way I have it built, but if I  
8 don't meet what's in Section (d), then I'm  
9 concerned I have to go back and retest a lot of  
10 pipe that I proactively went out to gather  
11 information.

12           So, I'd like to understand, if I have  
13 a process and it's a valid process, in my opinion  
14 and with my regulators that I've shared with  
15 them, is that accurate enough to say that I  
16 already have good material documentation?

17           MR. HARRIS: Steve Harris with Kinder  
18 Morgan. Just to add on to that, too, in one of  
19 the slides, Steve and PHMSA's slides, they  
20 mentioned where there are knowns, to take that  
21 information and extrapolate to where there are  
22 unknowns.

1           So, I would like a little more  
2 clarification and maybe the group to talk about  
3 that as well. To what degree of leeway do we  
4 have and what does that mean? And maybe, what  
5 are some examples?

6           MR. MCWHORTER: Dan McWhorter with IAS  
7 again. I'd like to confirm what she's saying.  
8 There has been a lot of people use these  
9 indentation methods to come up with the yield  
10 strength of their materials, along with doing an  
11 elemental analysis.

12           What elemental analysis does is it  
13 does predict your physical properties, that's why  
14 steel mills make different grades of steel. But  
15 the elemental analysis I've seen gives you a  
16 fingerprint per each joint.

17           And so, if I'm having -- and what I've  
18 seen in the field is that there are different  
19 grades or different elemental chemistries from  
20 joints that are welded together in the same  
21 segment. And if there's a technique by which ILI  
22 will come into effect, you can go in and you can

1 say, okay, I'm having trouble with this chemical  
2 fingerprint for this segment of pipe.

3 The other thing is, there are -- a lot  
4 of people have got data that has not been  
5 acquired by the four quadrant five tests  
6 requirements and that data has been validated and  
7 should be accepted by PHMSA.

8 CHAIRMAN DANNER: All right. Are there  
9 other public comments? Okay. It is 3:33 and I  
10 think that we've heard some good comments from  
11 the public and we are going to take them under  
12 advisement for the next ten minutes. And then,  
13 the Committee will reconvene and discuss this  
14 issue.

15 This is where I have to step out and  
16 go catch an airplane. So, Commissioner Burman  
17 has graciously agreed to take over the chairing  
18 duties for the next hour and a half and I  
19 appreciate that very much. So, we are taking a  
20 break.

21 (Whereupon, the above-entitled matter  
22 went off the record at 3:33 p.m. and resumed at

1 3:55 p.m.)

2 MS. BURMAN: So, I think we're all  
3 back now. I just want to do a time check for  
4 folks and make sure people understand where we  
5 are substantively.

6 We have to be out of the room about  
7 4:45, no later, so we also have to do some wrap-  
8 up at the end. So, what we're going to do is  
9 have a hard stop on substantive issues pretty  
10 much 4:30, 4:35. We're going to do right now  
11 Section D, open up for public comments, then the  
12 committee, and then we're going to go back as we  
13 had talked about in doing the A through D if  
14 anyone else had anything to add on the public  
15 comments and some summary of that, and then we're  
16 going to turn it over to Alan and folks for the  
17 wrap-up of the next piece which talks about where  
18 we're going from here, next meetings and some  
19 regulatory, whatever processes we need to do.  
20 I'm sure there's a whole slew of them. So,  
21 that's it.

22 Yes, so now we're on D?



1                   PARTICIPANT: No, we're on D, but we  
2 did cover --

3                   MS. BURMAN: We already did public  
4 comments, no one else has any? And now it's just  
5 committee deliberations. Okay, so I think we're  
6 all on track. Does anyone have anything to add  
7 before we go to committee deliberations?

8                   And again, my understanding is  
9 there'll be no voting on any of these items today  
10 unless somebody surprises us with a motion. So,  
11 please this is my first time doing this.

12                   (Laughter).

13                   I'll call you out of order. All  
14 right, here we go. Anybody have any comments?

15                   Okay.

16                   MR. TURPIN: So, it just seems like  
17 for a lot of the stuff we heard from the  
18 committee, a lot of stuff we've heard from the  
19 public, everybody tends to have the same  
20 identification of the fundamental issue which is  
21 Congress to go out and revisit MAOP, how do we do  
22 that, and then there's the ongoing how do you

1 continue to manage your integrity of your  
2 pipeline. Since I'm making this comment, that  
3 you put everything into one bucket I think for  
4 what looked like ease of execution and it appears  
5 that, that may have been your intent, but that's  
6 now it came across to most people who read it.  
7 Because I think when my staff went through this  
8 as well, we had concerns over this is going to  
9 end up having people take a lot of pipeline  
10 segments repeatedly out of service and have  
11 pretty large impacts to good reliability and  
12 deliverability. So as you consider these  
13 comments, keep in mind Congress did direct you to  
14 look at the reliability and deliverability when  
15 you looked at the safety aspect of the MAOP  
16 verification. So, that unintended consequences  
17 is always the trouble and putting ink to paper.  
18 That's my comment.

19 MS. WHETSEL: And for the record, that  
20 was Terry Turpin from FERC.

21 MS. BURMAN: Thank you, and now Chad.

22 MR. ZAMARIN: Chad Zamarin, Cheniere.

1 There's a lot in this section, so I'm just going  
2 to start with a little bit of it and maybe we'll  
3 get some more discussion going. I do want to  
4 point out some concern around D romanette iii, I  
5 think it's D romanette iii, and again, it relates  
6 to what we were talking about, but in this  
7 section we talk about collecting at each  
8 excavation a lot of material properties. I  
9 think, again, I don't think they're all relevant  
10 to MAOP and I think that we've actually taken  
11 integrity management and dramatically expanded  
12 data collection beyond where integrity management  
13 often lends us to. I'll give you an example; I  
14 know you mentioned in your slides concerns around  
15 stress corrosion cracking, but what you've  
16 basically done here is by putting it in this  
17 section you said that for stress corrosion  
18 cracking for selective seam weld corrosion, we  
19 have to do -- and I'll tell you mag particle is  
20 not a trivial inspection; it requires us to strip  
21 the coating off the pipe to prep the pipe itself  
22 in order to do a non-destructive evaluation to

1 determine whether or not there are cracks or  
2 other indications in that area.

3 We do that where we typically identify  
4 the potential threat of one of those defects.

5 This is having us do it everywhere, adds a lot of  
6 effort, time, resources and frankly I think when  
7 we do things in a ditch that aren't necessary,  
8 we're also introducing safety risks to employees,  
9 contractors and others that are doing that work.

10 Remember, getting in a ditch is still a dangerous  
11 -- first excavating the pipe and then getting in  
12 a ditch and doing work activity is a safety  
13 hazard that should only be done when necessary.

14 So my concern is if there's an issue with, as you  
15 mentioned in your slide, the process we're using  
16 to identify areas where we look for stress  
17 corrosion cracking, let's address that issue,  
18 that's a Subpart O integrity management issue.

19 If there's a concern, let's take that on in  
20 Subpart O, let's not just create a requirement in  
21 another part of the code that says do it  
22 everywhere because we don't like how it's working

1 in Subpart O. If there's an issue on Subpart O  
2 on where we should be assessing for stress  
3 corrosion cracking, let's address it in Subpart  
4 O, let's not just add the requirement across the  
5 board here in this section. Thank you.

6 MS. BURMAN: Okay, Andrew?

7 MR. DRAKE: This is Andrew Drake with  
8 Enbridge. I have a couple thoughts here  
9 listening to folks, I share some of the concerns  
10 I heard. I think to make this practical, there  
11 was a comment made about 30% is my, I think that  
12 is actually something that we really need some  
13 more data on. I think Chad talked about that a  
14 few minutes ago in our previous conversation. I  
15 really think we need to understand what is  
16 driving, bringing pipes below 30% into this  
17 discussion. It was not inside the congressional  
18 mandate, it wasn't inside the NTSB  
19 recommendations, the code actually differentiates  
20 at 30% there is a technical basis of leak rupture  
21 threshold criteria, whether it's between 25 or  
22 35% we can argue. But the point is if we don't

1 create that differentiation, we bring in a whole  
2 fleet of pipes that have extraordinarily low  
3 risk, this event, and I think we need to be  
4 prudent here. We can open up the door for that  
5 discussion in the next tranche or a later date or  
6 something if we can get some clarity around why  
7 that's so urgent, I'd just appreciate that. I  
8 don't think those represent the same level of  
9 risk and urgency as above 30%, and I think that  
10 was intrinsically identified in both the  
11 congressional mandate and the NTSB  
12 recommendations.

13 Chad touched on FCC, I think that's  
14 really prudent, it is not a trivial test that  
15 you're talking about doing this prudently and I  
16 think as a result we really need to get a little  
17 bit better at characterizing where we need to do  
18 that. Doing it everywhere is overwhelmingly  
19 overbearing and not productive. I think we need  
20 to at least sharpen what is the characteristics  
21 we think really drive this and start sampling in  
22 those areas. The other comment I had is about

1 107, that came up a couple times; I really think  
2 referencing 107 is out of context. 107 is not  
3 intended to identify pipes, attributes for pipes  
4 that are in the ground; it was identified in the  
5 code particularly for pipes that are on the ditch  
6 being considered for a new installation and it  
7 was a way if somebody lost the paperwork on these  
8 pipes that are racked up over here, so how do you  
9 characterize those. And they're right in front  
10 of you, they're not buried in the ditch and  
11 they're certainly not intended for wide sweeping  
12 applications that are operating pipes and I think  
13 we need to at least understand that conceptually  
14 that is not a congruent application.

15 This issue about spike testing for  
16 MAOP confirmation, this is a little bit of where  
17 we saw some convolution between integrity  
18 management and MAOP confirmation. Spike testing  
19 was specifically designed for hydrostatic testing  
20 on integrity management assessments for cracks,  
21 particularly stress corrosion cracks. And  
22 there's a reason why that was done. The MAOP

1 confirmation test is done for a very different  
2 reason, and the current code doesn't even require  
3 for a spike test to be done from the execution of  
4 pipe built tonight, so why would be spike test  
5 the pipe across the board because it's old if it  
6 doesn't have cracks? We've convoluted that again  
7 and I think we need to go back, the tests that  
8 are appropriate for validating MAOP is the test  
9 profile we want to use for validating old pipes  
10 and new pipes, that's the test we use. And I  
11 agree that the 125% criteria is probably the  
12 right target area, and I think the spike test and  
13 the high-yield stress test are appropriate for  
14 integrity tests on areas particularly where you  
15 have cracks, and I think that belongs back in  
16 Section O.

17 I think the other thing that came up  
18 certainly on break, several folks canvassed me  
19 asking for clarification, one of the things  
20 inside the INGAA, IMCI proposal was this sort of  
21 idea of stage-gating how to build confidence in  
22 old pipes everywhere, not just in HCA's. There



1 was an agreement or fundamental construct inside  
2 the INGAA proposal that because of the need to  
3 build confidence in high consequence areas  
4 quickly with the public that untested pipes in  
5 high consequence areas would be hydrostatically  
6 tested, and we created a stage-gate for that. So  
7 we parsed it off to HCA's and Class 3 and 4's and  
8 untested pipes in those areas would be hydro  
9 tested. And the hope was that as we got to the  
10 next tranche, MCA's and other things where we  
11 have to validate the MAOP, that we would have  
12 other tools that would have vetted out and  
13 demonstrated their capacity to displace or  
14 supplement hydrostatic testing. So the point was  
15 the first tranche would be working to develop ILI  
16 tools that when we got to MCA's would be ready  
17 and validated for use beyond HCA's. I think that  
18 that design in architecture is really important  
19 because we're trying to set a precedence here and  
20 a model that actually drives continuous  
21 improvement and expansion of integrity management  
22 fundamentally across the whole system. And I

1 think we lost a little bit of that here, and I  
2 think the point is we want to try to keep that  
3 incentive out of in front of operators and  
4 vendors to develop in-line inspection tools and  
5 other techniques that can be used in lieu of  
6 hydrostatic testing, but that's going to take  
7 some time. So in the short-term we're going to  
8 commit to doing something that's proven and works  
9 while we develop those tools for use on a wider  
10 scale later on. But I just wanted to get that on  
11 the record because I think that got confusing  
12 because all we're talking about here is really  
13 very tight population. So those are a couple  
14 things I just wanted to pass on.

15 MS. BURMAN: Okay, thank you. Sara?

16 MS. GOSMAN: Thank you. I just wanted  
17 to comment briefly on this section. I think it's  
18 a really interesting structure of trying to  
19 create a process that's not too burdensome on  
20 operators, but to get information over time, and  
21 I also note that at the end there's even an  
22 exception process for where you're not able to do

1 what's in the rest of it. So to me it looks like  
2 a fairly, very specific set of requirements in  
3 any given area, but also incorporates a very long  
4 timeline and an exception. I think that, I've  
5 been trying to sum up how I think about this  
6 particular set of requirements because I  
7 recognize that they are different than the  
8 traditional structure of this regulatory system,  
9 that this is outside of integrity management as  
10 traditionally understood a MAOP verification. I  
11 think just for a moment I wonder if you can think  
12 about the person living next to the pipeline and  
13 think about what they would think about a system  
14 that didn't require operators to gather basic  
15 information about the pipeline over time. Would  
16 they feel that that was a safe system? I think  
17 the part of what I want to try to do on this  
18 committee is bring that perspective in, I'm a law  
19 professor, but I also want to think about what  
20 the public perceives this regulatory system to be  
21 and how safe it ends up being. And I think that  
22 you would find that most members of the public

1 would want an agency to ensure that operators  
2 gather baseline information. Thanks.

3 MS. BURMAN: Okay. Chad and then  
4 Drew.

5 MR. ZAMARIN: Yes, this is Chad  
6 Zamarin, Cheniere Energy. Just maybe start by  
7 saying many of us, I think those on the committee  
8 and our companies, I think our number one  
9 priority is recognizing our responsibility to  
10 think continuously about the people that live  
11 along our systems. In fact, our careers are  
12 dedicated to that mission; it's not to try to  
13 squeeze every ounce of earnings out of our  
14 systems, our jobs are explicitly ensure that our  
15 pipes are safe and reliable. Frankly, it's  
16 what's best for the people along our pipeline and  
17 it's what's best for our business, it is what we  
18 want to do and we strive to do every day. And I  
19 would even say I applaud what we've been able to  
20 achieve with our broader industry group where we  
21 said we're going to go beyond the code, we've  
22 made public commitments to every stakeholder out

1       there that says we're going to cover every person  
2       living within the potential impact of our  
3       pipelines by the Year 2030. I mean, that is a  
4       very, I think, aggressive statement. The  
5       challenge that we want to avoid is we want to  
6       make sure that we have the means, the resources  
7       and the focus to achieve that, and I think what  
8       we spend our time trying to figure out is how we  
9       can focus the energy and the resources on the  
10      things that matter to the person living along the  
11      pipeline and making sure that we're not extending  
12      a lot of resources on things that aren't  
13      important to protecting those people that live  
14      along the pipeline.

15               I do want to mention that as we get to  
16      talking about Subpart O and integrity management,  
17      there is a very detailed data collection process  
18      mandated by the regulation and also prescribed in  
19      ASME B31.8S. For us to perform integrity  
20      management we have to collect a lot of data, that  
21      is not the minimum data requirement of the codes  
22      that I think we're talking about there; I really

1 think this section should have been meant to  
2 address the lack of records on previously  
3 untested pipe that was the issue of concern  
4 raised during the San Bruno investigation. We  
5 have a tremendous amount of data required in  
6 order to perform integrity management, but what  
7 I like about integrity management is the data is  
8 tailored to the unique threats that you're trying  
9 to address on your particular pipeline systems.  
10 It's a discipline process where you identify  
11 potential threats to your pipeline and then  
12 you're collecting information relevant to those  
13 potential threats, and if you don't have that  
14 information, you're going to have to assume that  
15 that threat exists until you either mitigate for  
16 the threat or you collect better information that  
17 allows you to declare that that threat no longer  
18 exists.

19 So that's why I'm advocating for the  
20 non-MAOP related issues to be discussed in  
21 Subpart O because I think there's a part of that  
22 process in Subpart O that helps us to process and

1 focus our energy on things that are meaningful to  
2 integrity management. I'll go back to this  
3 example, romanette iv and all of this discussion  
4 about chemistry and the quality of the tools that  
5 we're using to collect chemistry data. I have  
6 never in my career, and I spent my entire career  
7 working on integrity management, never in my --  
8 some of the oldest systems in the country,  
9 systems with the largest percentage of  
10 grandfathered, untested pipelines, I've never  
11 used chemistry as a core variable for determining  
12 an action I should take or a safety measure that  
13 was necessary for the person living along the  
14 pipeline. The only thing we've seen as a  
15 justification for requiring all this complexity  
16 around chemistry is a consideration in welding on  
17 pipelines which happens very infrequently, and  
18 when it does issue, the only thing you might do  
19 is additional pre-heating of the pipe. And I can  
20 assume that if I don't have that data, I'll  
21 assume that it's a high carbon equivalent pipe  
22 and I'll preheat it. It costs nothing versus

1 going out and spending all of this energy,  
2 collecting all of this data that I'm never going  
3 to use to help to protect that person living  
4 along the pipeline.

5 So I want to make it clear that we are  
6 not advocating for doing less, we're just  
7 advocating for not doing everything, we're  
8 advocating for doing the right thing. That's  
9 what I'm trying to get at. I think our goal is  
10 exactly the same, we do want to achieve safety  
11 for everyone living on the pipeline, but it pains  
12 me when we get trapped doing things that aren't  
13 contributing to that effort. Thank you.

14 MR. DRAKE: This is Andy Drake with  
15 Enbridge. I don't know that I can say that any  
16 better.

17 (Laughter.)

18 We're absolutely committed to trying  
19 to understand what the public is concerned about.  
20 It is our absolute, foremost goal to protect the  
21 public. And I do personally think of that and  
22 that lends at every crossroad, and I know you



1 know that. We've talked enough that I think you  
2 get that. I think what Chad's getting at is the  
3 right rhythm is if everything's a priority, then  
4 nothing's a priority and we don't end up doing  
5 service. There's things that we need to do  
6 quickly and we're trying to set that out in some  
7 sort of logical order, HCA's, high consequence  
8 areas, the highest consequence possibly should be  
9 there quickly. We should be absolutely testing  
10 those lines to make sure they're safe where  
11 they've not been tested before. Then I think we  
12 need time and space to gather and continuously  
13 improve, which is getting more data. I hope  
14 you're not hearing us saying that we don't want  
15 to gather this integrity data; I think there's  
16 some of it I agree with, there's some of it that  
17 doesn't make any sense. But I do think for the  
18 most part we do need some baseline of data; it's  
19 just not for MAOP confirmation, it's for  
20 integrity management and we need to collect that.  
21 The difference is we probably need time and space  
22 to do that, so we're trying to create the

1 separation to deal with urgent issues urgently  
2 and issues that we can more conservatively end  
3 and get better at over time over in that bucket,  
4 integrity management.

5 But we need that information. I hope  
6 we're not being heard as saying we don't want it,  
7 it's just for a different purpose and we need to  
8 gather that to be able to do it.

9 MS. BURMAN: Steve?

10 MR. ALLEN: Steve Allen, IURC. Steve,  
11 is there a reason why this was placed in Subpart  
12 L as opposed to Subpart O?

13 MR. NANNEY: Can I be honest? I don't  
14 know. But the thing was that integrity  
15 management high consequence areas, and this had  
16 Class 3 and 4 in it, would be the main reason it  
17 was not.

18 MR. ALLEN: Okay. Is there a way to  
19 reconcile that and address the concerns of  
20 separating some of this from the MAOP  
21 establishment?

22 MR. MAYBERRY: Steve, I think we're

1 going to take that under advice and come back. I  
2 think we've heard clearly that there's a desire  
3 among the group, especially the industry to maybe  
4 separate it, and we're going to take a hard look  
5 at that. I think in some sense it doesn't  
6 really, then we're arguing okay, what's the right  
7 data to collect and we'll deal with that, too.  
8 But we'll definitely address that and we'll come  
9 back to you next time and have something for you.

10 MR. ALLEN: Thank you.

11 MS. BURMAN: Okay, Chad?

12 MR. ZAMARIN: Thanks. Chad Zamarin,  
13 Cheniere Energy. I think Steve's probably right;  
14 my only comment would be I think the focus on  
15 Class 3 and 4 was to emphasize where our energy  
16 should be put for MAOP verification, and I think  
17 that relates to why we're making the suggestion  
18 the way we are. Thank you.

19 MS. BURMAN: Okay, we're going to take  
20 Steve and then just keep --

21 (Off-mic comment.)

22 MS. BURMAN: Oh, all right. Before we

1 open it up for some two minutes from the public  
2 comments on A through D, does anyone have  
3 anything else that they want to say?

4 All right, I am cognizant of the time  
5 check. Just before we go to A through D, we've  
6 done a lot today, we're going to have some sort  
7 of summary takeaway in a few minutes, but looking  
8 at it is it seems to me that we've been focused  
9 on what do we need to do to ensure we're  
10 promoting and encouraging the continued safety of  
11 our pipes and looking at what are the necessary  
12 protocols that need to be in place to ensure that  
13 we have the proper focus and the proper tools,  
14 not just for the operator but for the regulators.  
15 And then looking at ultimately are we doing it in  
16 a way that's being done in the most meaningful  
17 way, responsibly, and understanding that we need  
18 to have some regulatory certainty and legal  
19 certainty, as well as looking at what needs to be  
20 prescriptive and what also can be flexible and  
21 what are the parameters around that flexibility,  
22 understanding that there is a lot of information

1 that we need to question if we're asking for that  
2 information, what are we getting from it, and  
3 then does it take away from other things that we  
4 need to do and other resources that we need to  
5 do.

6 So from my perspective, this  
7 discussion is really helping to get at the heart  
8 of that and make sure that what is being done is  
9 looking at are we meeting the goals that we have  
10 set out and how do we do that. So before we --  
11 so now I hate that my back is to everybody, but  
12 does anyone -- we'll open it up for public  
13 comments now. Again, keeping in mind really  
14 we're trying to make sure that we have a time  
15 check so we can get to the next steps.

16 MR. MORTON: This is Jeff Morton with  
17 Enterprise Products, and I just wanted to make a  
18 clarification. It's a concern for Enterprise and  
19 I'm sure a lot of other operators, and Andy  
20 somewhat touched on it and Chad. The real  
21 question here is all the material requirements in  
22 this element, this is a retroactive section of

1 the code, so Enterprise as well as a lot of other  
2 operators we haven't sat around and waited for  
3 this rule after the PG&E issue, so we've done a  
4 lot of hydro tests and we've done a lot of  
5 efforts to address our TVC issue. If an  
6 inspector comes in today and I don't have all  
7 these records, I'm out of compliance regardless  
8 of my efforts, so it's really critical that it  
9 goes in the right section or good efforts will go  
10 to waste.

11 MS. BURMAN: Thank you for that. Does  
12 anyone else have any other comments? The  
13 committee have any comments?

14 Okay, I think we can move now, unless  
15 Alan tells me otherwise to -- you can if you  
16 want.

17 MR. MAYBERRY: I don't have a motion  
18 or anything.

19 MS. BURMAN: All right. So now we'll  
20 got to next steps and maybe we can also look at,  
21 with that focus some takeaways as well.

22 MR. MAYBERRY: Yes, sure. Appreciate

1 it. Just want to reiterate, I think I've  
2 mentioned this before; I think the dialogue here  
3 has been excellent, it certainly helped me --

4 PARTICIPANT: I can't hear you.

5 MR. MAYBERRY: I'll get it closer.

6 Okay, I just want to reiterate I think this  
7 dialogue has been very helpful. I've been to  
8 other meetings in the federal government where  
9 there's discussion of regulations and potential  
10 regulations and I think we're unique. I really  
11 think we have a good partnership between the  
12 industry, the government and the public  
13 stakeholders. I think the dialogue, the  
14 discourse that we can come together and talk in a  
15 civil manner, debate the issues and get your  
16 input, I think is just very valuable to us. And  
17 certainly, we got some good takeaways from these  
18 two days.

19 Half of the sector I know safety is  
20 non-negotiable, safety is paramount and the  
21 Secretary certainly shares that goal. And we  
22 certainly all together believe in that goal as

1 well. Like you said, at the beginning, a lot of  
2 times we have different ideas on how to get that,  
3 how to reach that, and certainly that's been the  
4 topic of discussion here today is how do we  
5 ensure safety and just different ideas on how to  
6 follow through on that mandate we all have. I  
7 think it's important that, and I know that we've  
8 talked a good bit about the statute, we certainly  
9 know very well as far as 2011 Act, and the more  
10 recently the 2016 Act. I think it's been  
11 discussed but I just wanted to reiterate that we  
12 do more than just mandate, I want to make sure  
13 that it's understood for the record, certainly,  
14 that we're not all about just doing what we're  
15 told to do. We do things based on our  
16 observations as well, so what's contained in the  
17 rule that we've been talking about includes some  
18 of that as well. I think that's very important,  
19 and it's what the Americans have entrusted us to  
20 do, to oversee pipeline safety in the U.S., so I  
21 think that's very important.

22 Just as a matter of housekeeping, I



1 know we did accomplish a lot, I'm pleased with  
2 what we've gone through, but I think the pre-  
3 briefing that we've had for you helped. I think  
4 that's something we started in the last I guess  
5 couple years. I think the ways we can probably  
6 improve it, I think leaving here today I think  
7 there's some things I'm going to look into that  
8 might help the committee better prepare for the  
9 later meetings, because I know these issues are  
10 really weighty and it might help to get a little  
11 bit more heads up on the direction we might be  
12 headed on these items, or the thoughts we had at  
13 least. Okay, thanks.

14 It seems to be going in and out. I  
15 guess before we end up, I'd like to have John  
16 Gale wrap up or give a wrap-up on what we've  
17 covered here the last couple of days.

18 MR. GALE: Thank you, Alan. John Gale  
19 here, PHMSA. Just in quick summary for the  
20 members; some of the things that we were able to  
21 come to closure on --

22 PARTICIPANT: I can't hear you.

1 MR. MAYBERRY: I feel your pain.

2 MR. GALE: Some of the things we were  
3 able to come to closure on --

4 MS. BURMAN: Why don't you use the  
5 hand-held mic?

6 MR. GALE: Thank you, Cameron. Again,  
7 some of the proposals we came to closure on, the  
8 proposals on cathodic protection, in particular  
9 192, 319, 192.465, 192.473, 478 and 192.935. We  
10 were also able to come to closure on certain  
11 proposals related to records for class location,  
12 a modification of the TVC standard with the  
13 removal of the word "reliable" and the record  
14 requirements for welder and joiners. We were  
15 also able to come to closure on many of the  
16 proposals related to IM clarifications, including  
17 the proposals in 192.917, B, C and D, and  
18 192.935. There were several areas where we did  
19 table for later discussion, especially in the  
20 area of records; the members requested to table  
21 areas of Section 192 13E, the record requirements  
22 of 192.67, 192.127, 192.205 and of course

1 Appendix A. We also tabled for later discussion  
2 is the proposals for IM clarification in 192.917,  
3 E3 and E4.

4 Of course we have several areas still  
5 remaining, we still have to finalize the  
6 proposals related to material verification, the  
7 proposals in 1926.24. Also, we of course have  
8 gathering line issues still to discuss, we have  
9 proposals related to strengthening IM repair  
10 criteria, or IM assessments, sorry, and also the  
11 repair criteria for both HCA's and non-HCA's and  
12 proposals related to assessments outside of  
13 HCA's.

14 That's a quick summary. Oh, I'm  
15 sorry; we also we're able to come to closure on  
16 the proposals on MAOP exceedance.

17 MR. MAYBERRY: Okay. Thank you, John.  
18 And then just a couple more -- can people hear  
19 me?

20 Okay, as far as -- whoa. Too much of  
21 a good thing there. Yes, here we go. For our  
22 next meeting we're looking at around the

1 September time frame, but you'll be receiving the  
2 Google poll, and for those in the public just  
3 stay tuned. I know a lot of times we announce  
4 these and the Federal Register a bit late, but if  
5 you could stay tuned to our website, and  
6 certainly working with the advocacy community as  
7 well you'll get a heads up, hopefully more than  
8 two weeks before the meeting. But we do expect a  
9 September time frame.

10 I'd like to also thank Dave Danner,  
11 and also Diane Burman for that matter; both of  
12 you came to your first meeting and then also  
13 chaired the meeting, so really did a nice job in  
14 the last hour, Diane. Very much appreciated.  
15 Excellent job.

16 And then finally, Sue Fleck, as you  
17 depart for other endeavors, for the next phase of  
18 your life, we wish you well. We really thank you  
19 for your service; I think your input has been so  
20 invaluable, I think we're better for that, and  
21 you've had a real impact on the policies you've  
22 put out and made some pretty weighty stuff over

1 the last few years during your tenure. Thank  
2 you, we wish you well.

3 And with that, I bid you safe travels,  
4 and I'll turn it back over to the Chair to  
5 adjourn the meeting.

6 MS. BURMAN: I also want to thank the  
7 PHMSA staff; you guys really have done a good job  
8 of helping work through all of these and I know  
9 that there's a lot of substance that you're  
10 processing. But the biggest kudos goes to  
11 whoever it is whose been moving around the  
12 things, that's incredible. So, thank you.

13 And I think with that, Cheryl, do we  
14 have any --

15 MS. WHETSEL: I just want to say if  
16 everyone would leave their name tag and tank  
17 card, that saves us a little administrative  
18 process for the next meeting. Except for Sue  
19 Fleck, she may take hers with her. And thank  
20 you, again. You'll be hearing from me on dates  
21 for the next meeting.

22 MS. BURMAN: And with that and no

1 further business, I think we're adjourned. Thank  
2 you.

3 (Whereupon, the above-entitled matter  
4 went off the record at 4:30 p.m.)

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This is to certify that the foregoing transcript

In the matter of: Pipeline and Hazmat Safety Admin.  
Gas Pipeline Advisory Committee

Before: DOT Office of Pipeline Safety

Date: 06-07-17

Place: Arlington, VA

was duly recorded and accurately transcribed under  
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Court Reporter

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