

U.S. DEPARTMENT OF TRANSPORTATION
PIPELINE AND HAZARDOUS MATERIALS SAFETY
ADMINISTRATION (PHMSA)

OFFICE OF PIPELINE SAFETY

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GAS PIPELINE ADVISORY COMMITTEE (GPAC)

and

LIQUID PIPELINE ADVISORY COMMITTEE (LPAC)

+ + + + +

JOINT MEETING

+ + + + +

TUESDAY
AUGUST 25, 2015

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The Committees met in the Potomac
Ballroom, Crystal City Marriott at Reagan
National Airport, 1999 Jefferson Davis Highway,
Arlington, Virginia, at 1:00 p.m., Massoud
Tahamtani, Meeting Chair, presiding.

PRESENT:

MASSOUD TAHAMTANI, LPAC Member (Government),
Meeting Chair
CHERYL F. CAMPBELL, GPAC Member (Industry)
J. ANDREW DRAKE, GPAC Member (Industry)
SUSAN L. FLECK, GPAC Member (Industry)
PAULA A. GANT, GPAC Member (Government)
ROBERT W. HILL, GPAC Member (Public)
RICHARD F. PEVARSKI, GPAC Member (Public)
RICHARD H. WORSINGER, GPAC Member (Industry)
CHAD J. ZAMARIN, GPAC Member (Industry)
LANNY W. ARMSTRONG, LPAC Member (Public)
C. TODD DENTON, LPAC Member (Industry)
TIMOTHY C. FELT, LPAC Member (Industry)
MICHELE F. JOY, LPAC Member (Industry)
RICHARD B. KUPREWICZ, LPAC Member (Public)
CHARLES LESNIAK, III, LPAC Member (Public)
CRAIG O. PIERSON, LPAC Member (Industry)
JOHN D. QUACKENBUSH, LPAC Member (Government)
CARL M. WEIMER, LPAC Member (Public)

ALSO PRESENT:

MARIE THERESE DOMINGUEZ, Administrator, PHMSA
JEFF WIESE, Associate Administrator for Pipeline
Safety, PHMSA
KRISTIN BALDWIN

LINDA DAUGHERTY

JOHN A. GALE

ALAN MAYBERRY

JIM PATES

CAMERON SATTERTHWAITE

CHERYL WHETSEL

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

2 1:00 p.m.

3 MR. WIESE: Good afternoon, everyone.

4 We're still in the informal session here. I
5 haven't turned it over to Massoud, because I know
6 better than that. As soon as I do, we'll be
7 marched down to complete everything, but I wanted
8 to take time out to welcome you all here. It's
9 been a while since we've talked, and actually,
10 looking forward to it.

11 We have some really good report outs.
12 Todd and Chad will be reporting to us, along with
13 Linda on midstream issues. I'm really excited to
14 hear how that's all coming out.

15 At any rate, I welcome you again. My
16 name is Jeff Wiese. I'm Associate Administrator
17 for Pipeline Safety at PHMSA.

18 We have kind of an aggressive agenda
19 here. My apologies to those of you who are doing
20 last minute catch-up and have a presentation to
21 deliver, but I know there's going to be exciting
22 stuff.

1 I'm pleased that we have an
2 opportunity, as this committee has asked me
3 numerous times before to engage in policy level
4 discussions. For Marie Therese Dominguez, our
5 new Administrator, I would say once upon a time,
6 it was called the Technical Advisory Committee,
7 but we really didn't talk many technical issues.

8 I think we crossed those years ago and
9 moved onto policy. But we changed the name, not
10 long ago, to sort of reflect that, and most of
11 the debates that you're going to have today and
12 tomorrow will be of a policy nature.

13 We have no votes for you now, but
14 thankfully, we should have some votes coming up
15 soon.

16 So, as the proposed rules play out,
17 and we get the comment period, you know the
18 drill. We will digest that. We'll bring it
19 back, we'll talk to you about what we're hearing
20 from all the stakeholder groups. We'll solicit
21 your advice at that time and at that time, there
22 would be a vote.

1 So, I think, you know, with no further
2 adieu, I would just say, I would like to get
3 started calling to order, maybe do a quick round
4 of introductions, since we have a lot of new
5 players in the room.

6 Lanny, am I catching you at a bad
7 time, or would you be willing to start over
8 there?

9
10 MR. ARMSTRONG: Lanny Armstrong, City
11 of Pasadena Fire Services Department.

12 MR. WIESE: Just as a reminder to
13 everybody, just press the red button, and then it
14 will --

15 MS. FLECK: Thank you. Susan Fleck,
16 National Grid.

17 MR. PEVARSKI: Rick Pevarski, Virginia
18 811.

19 MR. HILL: Robert Hill, Brookings
20 County, South Dakota.

21 MR. ZAMARIN: Chad Zamarin, Cheniere
22 Energy.

1 MR. WORSINGER: Rich Worsinger, City
2 of Rocky Mount, North Carolina.

3 MR. GALE: John Gale, PHMSA.

4 MR. SATTERTHWAITE: Cameron
5 Satterwaite, PHMSA.

6 MR. PATES: Jim Pates, Counsel's
7 office PHMSA.

8 MS. WHETSEL: Cheryl Whetsel PHMSA.

9 MS. BALDWIN: Kristin Baldwin,
10 Counsel's office, PHMSA.

11 ADMINISTRATOR DOMINGUEZ: Marie
12 Therese Dominguez, Administrator, PHMSA.

13 MR. TAHAMTANI: Massoud Tahamtani,
14 Virginia State Corporation Commission.

15 MR. MAYBERRY: Alan Mayberry, PHMSA.

16 DR. GANT: Paula Gant, U.S. Department
17 of Energy.

18 MR. LESNIAK: Chuck Lesniak, City of
19 Austin.

20 MR. WEIMER: Carl Weimer, Pipeline
21 Safety Trust.

22 MR. QUACKENBUSH: John Quackenbush,

1 Michigan Public Service Commission.

2 MR. PIERSON: Craig Pierson, Marathon
3 Pipeline.

4 MR. McCLAIN: Ron McClain, Kinder
5 Morgan.

6 MR. DRAKE: Andy Drake, Spectra
7 Energy.

8 MR. KUPREWICZ: Rick Kuprewicz,
9 Liquid, Public.

10 MS. JOY: Michele Joy, Shell Pipeline.

11 MR. FELT: Tim Felt, Colonial
12 Pipeline.

13 MR. DENTON: Todd Denton, Phillips 66
14 Pipeline.

15 MS. CAMPBELL: Cheryl Campbell, Xcel
16 Energy.

17 MR. WIESE: Excellent. Okay, thank
18 you so much.

19 I think with that, I will -- and
20 Cheryl probably has me wanting me to cover things
21 here. I'm not going to go through the agenda,
22 because you all have a copy in your book.

1 There's only minor modification to that.

2 Now, I will remind you about the
3 audience. This is a Federal Advisory Commission
4 Act meeting, and what that means mostly is, we're
5 here to solicit the advice from the members.
6 That doesn't mean that we won't create a public
7 opportunity for comment.

8 But I'm going to ask people -- this is
9 -- those of you who have been with us a while
10 know this. We've had a few meetings that were
11 disrupted. I see some disreputable characters
12 out there, but they don't look like the kind of
13 people who are going to disrupt this meeting.

14 But should you choose not to use the
15 public comment period, you'll be shown the door.
16 So, it's that simple. We try to advise people up
17 front, so we don't have a Christie Marie event,
18 like we had in Dallas, where the whole meeting
19 was put aside by people in the audience.

20 So, I think with that, I will mention
21 that the meeting is going to be recorded. So,
22 again, remind members that when you speak, it's

1 useful if you will use a microphone, the red
2 button. If you'll introduce yourself each time.
3 Sorry, we are making a court reporting, as you
4 know, and it's useful to the Court Reporter to
5 know who is speaking at that time and later.

6 Presentations and a transcript of the
7 meeting are always made available on our website.
8 So, I think that's it. I'll remind you that
9 we'll run today largely until about five o'clock.
10 Tomorrow morning, we'll begin again at nine
11 o'clock here, and I just wanted to take a little
12 bit of time to thank you.

13 There are a lot of people involved in
14 pulling meetings together. By now, most of you
15 know who they are, but John and Cameron and
16 Cheryl, for sure, and a lot of other folks on our
17 staff have been very helpful to that. So, I want
18 to thank them.

19 With that and knowing what I'm doing,
20 I should probably turn this over to Massoud, so,
21 sorry, thank you, and I conscripted Massoud sort
22 of at the last minute to help me here.

1 MR. TAHAMTANI: Well, I'd like to
2 thank you, Jeff, but that's all that I'd like to
3 do is thank you.

4 It would also -- it would be good to
5 know that I'm doing this, so I can practice a
6 little bit before I get here.

7 Anyway, formally this is a joint Gas
8 and Hazards Liquid Pipeline Advisory Committee.
9 Before we begin, a couple housekeeping items.

10 Please keep your cell phones on the
11 'quiet' mode. If you wish to speak and you are a
12 member of the committee, please raise your card,
13 put it up like we normally do. I will recognize
14 you, turn your phone on and speak, and as Jeff
15 said, if you're a member of the public and you
16 want to speak, again, let me recognize you, and
17 if you don't want to speak and provide a
18 statement, provide it to Cheryl or the Court
19 Reporter, and your statement will be covered.

20 With that, I will go to the agenda,
21 and our very first item on the agenda is to hear
22 from our newly appointed Administrator. So,

1 welcome.

2 ADMINISTRATOR DOMINGUEZ: Thank you
3 very much. Not to acknowledge the aging
4 population, but you know, glasses do help.

5 First and foremost, it's a pleasure to
6 meet several of you. I look forward to meeting
7 the rest of the members over the course of the
8 day.

9 Good afternoon. It's a real pleasure
10 to be here. Thank you all very much for inviting
11 me, and I am the newly minted Administrator of
12 PHMSA, Marie Therese Dominguez, and I am very
13 much looking forward to working with all of you
14 and learning from you, and listening to your
15 ideas and your suggestions, as we jointly work to
16 improve pipeline safety.

17 I'd like to thank Jeff and Alan and
18 Linda, and John and Cameron and everyone here,
19 Kristin, and I know Cheryl is here, and our
20 Counsel's office, everyone who has had a part in
21 organizing these meetings and facilitating the
22 program. I greatly appreciate your efforts. It

1 does take a good amount of time and energy, and
2 it's valued and I thank you.

3 I'd like to also introduce a few
4 members of our team, some new faces to PHMSA.

5 For those of you that haven't met
6 Stacy Cummings, our interim Executive Director.
7 Stacy is back here, and Artealia Gilliard, who is
8 our Director of Inter-Governmental and
9 International and Public Affairs.

10 I just wanted to make sure that if
11 people haven't had a chance to say hello to them,
12 as well, they're our newest members of the team.

13 I'd also like to acknowledge that I'm
14 really very honored to be here today, and I
15 really thank you all very much for your continued
16 service on these committees. It is not -- I'm
17 sure, given your demanding jobs and what you have
18 going on in your personal lives, and the work
19 that you do, we very much value your service and
20 it's really quite a distinguished group of
21 individuals, and your expertise is very valuable,
22 no matter which sector you're representing. Your

1 feedback is important, your perspective, and as
2 we look to set public policy and move forward on
3 new regulations, we very much value your input
4 and your ideas and your specific hat that you
5 wear and the experience that you bring to those
6 recommendations is very, very important.

7 Our nation's industry, energy industry
8 is rapidly changing and it's growing and it's
9 expanding, and we all know that, and thanks to
10 the innovations and new technologies that we
11 continue to experience, a very, very large
12 increase in production, which is leading to
13 energy independence for our country, as well as
14 new products and services, and as we grow, we
15 also have a lot of change that's occurring, and
16 it's our responsibility as PHMSA, to use our
17 regulatory and enforcement authorities
18 effectively, to ensure that all American's -- to
19 assure all American's, that even as the landscape
20 changes, safety of our pipeline infrastructure
21 and our operations remains paramount above
22 everything else.

1 So, how are we positioning PHMSA for
2 the future and for long-term success?

3 I would like to start by stating that
4 PHMSA is an agency committed to continuous
5 improvement. So, as the economy changes and
6 poses new challenges to the energy pipeline and
7 HAZMAT transportation sectors, we must look to
8 make sure that PHMSA, as an agency, is in deed
9 structured to be responsive and to drive
10 innovation that enhances our safety mission.

11 PHMSA employs world-class engineering
12 and science professionals with extensive
13 technical expertise and a deep knowledge of the
14 pipeline and HAZMAT sectors, and thanks to
15 increased appropriations from the Congress, PHMSA
16 has expanded our workforce by -- we're expanding
17 our workforce by over 25 percent right now. In
18 fact, in the pipeline sector alone, we're
19 recruiting 109 new positions, and we want to make
20 sure that we make good use of the additional
21 talent that our new employees are going to bring
22 to us, and to position the Agency for long-term

1 success moving forward.

2 As we assess our structure and our
3 processes, we have a great opportunity to align
4 our organization for the infusion of people and
5 resources, and in doing so, we'll gain greater
6 efficiency as we grow.

7 But effective regulators need to stay
8 ahead of industry and trends, which is why PHMSA
9 is investing in safety innovations, assessing our
10 data collection and analysis and leading the
11 conversation on safety technology.

12 In doing so, we will better position
13 -- we'll be better positioned to leverage our
14 data, our research and our development, and other
15 predictive capabilities that we use to manage
16 risk.

17 Some of you have heard me talk about
18 the Agency becoming synonymous with safety, trust
19 and innovation, and I wanted to expand on that a
20 little bit.

21 So, moving forward, I'd like PHMSA to
22 be synonymous with those three words, with

1 safety, trust and innovation, and safety and
2 hazardous materials transportation is the driving
3 force behind everything that we do at PHMSA.

4 It's the reason we exist, in essence.

5 We're self-assessing, adapting and
6 optimizing our regulations, our enforcement and
7 our processes to maximize safety, as the
8 regulated industries that you all represent in
9 many ways and the public, continue to evolve.

10 On the trust side, what we're looking
11 at is the trust factor that is so foundational to
12 any relationship, including our relationships
13 with our safety partners and other key
14 stakeholders.

15 So, the question we have on the table
16 is how can we assist with and incentivize high
17 performance among our many safety partners?

18 In the area of innovation, as
19 regulators, we need to stay ahead of the industry
20 and trends, and look to see why PHMSA -- which is
21 why PHMSA is really redoubling our efforts to
22 find potential safety innovations and lead the

1 conversation on pipeline and HAZMAT
2 transportation safety technology.

3 So, moving forward with the Advisory
4 Committees, I've talked about how PHMSA is
5 working to assess our structure and our processes
6 for strengthened safety partnerships, better
7 compliance and improved accountability.

8 We also have many opportunities to
9 improve, and your role as advisors is critical,
10 as we move forward. We rely on you to represent
11 our stakeholders, including the American public.

12 We understand that it demands not only
13 an adequate level of technical knowledge, but
14 also considerable time and commitment.

15 So, I want to sincerely thank you for
16 your time, your interest and your dedication to
17 serve in this important role on the Advisory
18 Committees.

19 There are obvious challenges we face
20 moving forward. Membership in the committees
21 continues to change. In the last 24 months, we've
22 seen eight members representing the Government

1 and the public sectors have to step down, but
2 we're working to recruit new members to the
3 committees, and I want your -- I want you to know
4 that we're aggressively pursuing that.

5 We're also working to balance
6 representation on the Advisory Committees to
7 ensure that your recommendations are born out of
8 diversity of interest, as well as a robust
9 discourse and consultation.

10 I am committed to fully staffing the
11 Liquid and Gas Policy Advisory Committees and to
12 working with the committees moving forward on our
13 aggressive agendas.

14 Your input moving forward for PHMSA's
15 priorities is critical to our ability to achieve
16 our safety mission. We know that the rule making
17 process is methodical, to ensure that new rules
18 are effective, efficient and reflect feedback
19 from all stakeholders, including the Advisory
20 Committee.

21 As I understand it, you'll be
22 discussing these recently published NPRM's

1 tomorrow, and looking ahead, PHMSA is focused on
2 publishing the NPRM's for the gas transmission
3 and hazardous liquid rules by the end of the
4 calendar year, and we're working aggressively to
5 try and do that.

6 Additionally, we'll be -- we will
7 continue to push forward to address the remaining
8 six open mandates on the 2011 Pipeline Safety
9 Act. Many of those mandates and actions are
10 being addressed in the proposed safety rules that
11 I just mentioned.

12 Further, PHMSA is also continuing to
13 address our open NTSB, GAO and OIG
14 recommendations through ongoing rule making
15 activity, studies, work groups, metrics and other
16 regulatory efforts.

17 I also saw that on the agenda, you all
18 will be discussing many other initiatives and
19 priorities over the next few days, including the
20 hazardous liquid integrity verification project
21 workshop, which is scheduled for Thursday, and
22 I'd like to point out that we have an upcoming

1 risk modeling workshop scheduled for September
2 9th and 10th, and I really hope that many of you
3 can join is. I know that it's an effort, but for
4 those of you that can, we would very much value
5 your participation.

6 In closing, I'd like to thank you
7 again for your time and your service. I'm
8 committed to safety and I know that you are
9 equally committed to that same goal, to make sure
10 that our pipeline system is as safe as possible
11 in operation.

12 We need to move forward toward an
13 enhanced safety management system for the
14 pipeline industry, and to do that, we will need
15 all of you to remain engaged, passionate and
16 committed to that safety objective.

17 Your perspective is incredibly
18 valuable to us, and I want to hear your ideas for
19 how we can best engage the Advisory Committee and
20 continue to raise the bar on safety at PHMSA and
21 across the board.

22 I look forward to working with you all

1 and I know that you have a very, very busy
2 agenda, so, let's get started.

3 MR. TAHAMTANI: Thank you very much.
4 I would assume you'll take some questions, if
5 there are any.

6 ADMINISTRATOR DOMINGUEZ: I'm happy
7 to.

8 MR. TAHAMTANI: Are there any
9 questions from the committee members? I know
10 it's right after lunch.

11 Let me -- this is not a question, but
12 it's a comment. As I said earlier, when I
13 introduced myself to you, I have worked with
14 PHMSA for almost 25 years, and Stacey Gerard
15 trained me. Jeff continues to train me.

16 MR. WIESE: I've straightened him out.

17 MR. TAHAMTANI: But I must tell you
18 that you mentioned safety, trust and innovation.

19 Clearly, there is no other mission for
20 PHMSA or for the state commissions that are
21 involved with pipeline safety. The problem is
22 that when something really bad happens, and the

1 industry hasn't done what they're suppose to do,
2 we both know that the people come after the
3 Government too.

4 It used to be that they didn't know
5 who regulated the industry, but today, even the
6 smallest fire that didn't damage anything, gets
7 on the six o'clock news, and I know that Jeff
8 deals with it, I deal with it regularly.

9 So, my comment is that PHMSA is going
10 a good job, even though you haven't received that
11 much good press lately.

12 The problem is that when people are
13 hurt, starting with PG&E and the Philadelphia and
14 the Harlem and all of that, people are looking to
15 the Government to fix it all, and we can't fix it
16 all.

17 So, your message is very well, I
18 think, on time to ask the members of the
19 committee, ask the industry, ask my counterparts
20 across the states, to do all we can. I'll talk
21 about what the states priorities are at the end,
22 are used to the authority given to me as

1 Chairman, to go last, even though he wanted me to
2 go first, to talk about some of these things.

3 But we must -- and you're saying this,
4 we must look at 192, 195, 193 as the floor, as
5 the price of entry into this business, not the
6 price to stay in the business, and it is all up
7 to PHMSA and it's up to the states to make sure
8 that our good friends in the industry do what's
9 right.

10 Every accident you look at, there is
11 this safety culture aspect of it, that has gone
12 bad and was going bad for years, to get us to
13 that point.

14 So, having said that, that was my
15 relaxing the rest of you to ask some questions.
16 So, once again, are there any questions? This is
17 a great opportunity. We may not see her until
18 next year. If you have any questions, please put
19 your card up or speak up at this point.

20 (No audible response.)

21 MR. TAHAMTANI: Great. I've got a
22 bunch of shy people here. We'll move on. Thank

1 you so much again.

2 ADMINISTRATOR DOMINGUEZ: Thank you
3 very much.

4 MR. TAHAMTANI: Jeff, I'm sorry.

5 MR. WIESE: No, just thank you for the
6 time. I just wanted to acknowledge the
7 Administrator and to encourage you to find time.
8 We've structured the agenda the way we did on
9 purpose. We wanted to provide you an opportunity
10 to get -- she probably gets more opportunity than
11 she wants, to hear from me, from Alan and from
12 Linda. We want her to hear from you.

13 So, we've structured the agenda this
14 way. We thought we'd do the Q&A and then go to a
15 series of stakeholder updates. Massoud will
16 arbitrate and using the authority that he has, he
17 chose to do clean up, so that he can pick all of
18 the good ideas people had and then said 'me too'.

19 That being said, I thought it would
20 give you a good opportunity to hear from -- what
21 people are doing and for the people in the
22 audience and maybe some of the members who don't

1 engage in this business full-time, as we do, to
2 understand, you know, kind of the breadth of
3 things that are happening.

4 It's not all about rules. It's not
5 all about inspection. It's not all about
6 enforcement. There are a lot of other activities
7 going on and we have a good group of people here
8 from a fairly diverse set of work places.

9 So, any rate, we'll have a structured
10 presentation, just five minutes each from these
11 folks, and then open it up to the rest of you.

12 So, if you hear things that you want
13 to jump in on later, make a quick note to the
14 members of the committee, and we'll be glad to
15 call on you at the end of this.

16 So, any rate, I wanted to welcome you,
17 to thank you, and thanks for putting up with us,
18 as we try to, you know, fire hose her with tons
19 of information, but any rate, thanks so much.

20 ADMINISTRATOR DOMINGUEZ: Thank you.

21 MR. TAHAMTANI: Thank you, Jeff. We
22 are now in the second item, stakeholder update,

1 and our first speaker is Carl, with pipeline
2 safety trust. Where are you, Carl?

3 So, again, introduce yourself for the
4 record, please.

5 MR. WEIMER: All right, I'm Carl
6 Weimer. I'm the Executive Director of the
7 Pipeline Safety Trust. I didn't bring any fancy
8 slides for this five minutes. So, I'm just going
9 to kind of wing it.

10 I was asked to kind of talk about what
11 our priorities are, kind of in the short-term
12 over the next year, and we mainly have five main
13 priorities that we're working on right now.

14 One of them is kind of the re-
15 authorization, the National Pipeline Safety
16 Program, it's up for re-authorization in Congress
17 this year. It's something we don't control. We
18 tend to get a call 10 days before some committee
19 decides to have a hearing, and get drug into
20 those things. I was one about a month ago, where
21 the Executive Director at that time of PHMSA did
22 a marvelous job. I was amazed at how much

1 information she had crammed in her head in the
2 month she had been at PHMSA.

3 ADMINISTRATOR DOMINGUEZ: That's that
4 fire hose.

5 MR. WEIMER: Yes, must be. So, that's
6 one that we have very little control over and
7 we're starting to hear inklings of, you know,
8 other hearings coming up. So, we'll be
9 responding to those.

10 I think most of the players are kind
11 of on record of wanting a fairly straight and
12 clean re-authorization with not adding a lot more
13 mandates into PHMSA, and we share that belief.

14 One of the other main issues we're
15 dealing with right now is we have our annual
16 conference. I think this is the tenth annual
17 conference, November 19th and 20th, in New
18 Orleans. So, a lot of my time between now and
19 then will be trying to figure out that agenda and
20 lining up speakers, and if anybody is interested,
21 I know there is a bunch of people in the room who
22 already signed up, that will be happening.

1 Then as always one of our main
2 priorities, it's a transparency and measurable
3 metrics, and they kind of go hand in hand, how do
4 you let the public know what's really going on
5 with pipeline safety in a way that they
6 understand those things, and make that
7 information available, so they can kind of verify
8 it on themselves, if they want to.

9 A few different examples of that, I'm
10 suppose to do a key note next week at the NAPSR
11 meeting in Phoenix, the state regulators. So,
12 I'm trying to figure out some time in the next
13 few days, what I'm going to say during that time.

14 But one of the things we'll be doing
15 there is warning them that we're about to do our
16 state transparency review again, where we review
17 all 50 websites, and some states like Arkansas
18 and Maine have risen from mediocre to top of the
19 list, very short order, and other states seem to
20 not care if they're transparent to the public.
21 So, that's one transparency issue.

22 We're also entering into an agreement

1 with CEPA, the Canadian Energy Pipeline's
2 Association. Anybody that operates in Canada or
3 that pays much attention, realizes that they are
4 way behind when it comes to providing
5 transparency and data to folks in Canada, and
6 we've been asked by CEPA to play king of the
7 pipelines in Canada, so to speak, to think about
8 as if we were in charge of pipelines, what
9 information, what measurable metrics do the
10 people of Canada want to know about, that tells
11 them a true story of pipelines up there and what
12 transparency needs to go hand in hand with that,
13 so people can verify that, and they said, "Don't
14 worry about what's already available up here,"
15 which is good because very little is, but design
16 the system as you would see it, and then they
17 hope to hold a workshop with both the Federal and
18 prudential regulators and the industry up there,
19 to use the white paper we used to design that
20 system, as kind of a strawman to shoot arrows at
21 me, I suspect.

22 So, that's an interesting thing to try

1 to kind of re-vamp the whole Canadian
2 transparency system for pipelines.

3 Then we're doing a more local project
4 in California right now with Contra Costa County,
5 California, where a home owner's group there
6 contacted us and wanted us to come down and look
7 at the pipelines, and they have numbers of
8 refineries in that county and lots of pipelines.

9 The main interest is the Kinder Morgan
10 Pipeline, and Ron and I have been talking about
11 some of the issues that the community down there
12 is interested in.

13 We're also interested in all the rules
14 and I'm really hoping to see those -- those
15 proposed rules come out at the end of the year.
16 So, we're gearing up for that an other rules, and
17 we started to chime in on state rules and local
18 rules also.

19 Then the last thing that we
20 increasingly get drug into is calls from local
21 Government, trying to understand what their
22 authority is for pipeline safety, and we always

1 say to them, "Well, in reality, you don't have
2 much authority when it comes to pipeline safety,"
3 but there are these gray areas, and we're
4 learning more and more examples around the
5 country.

6 I think the spill in California not
7 too long ago, opened people's eyes up to how in
8 California, local Governments have asserted some
9 authority under some environmental review in
10 spill response planning.

11 There has been examples in both
12 Colorado and Utah recently, where local counties
13 have used their zoning and permitting authority
14 to steer pipelines through certain parts of the
15 county, liquid pipelines, because there isn't any
16 other citing agencies.

17 So, we're trying to help local
18 Governments understand what their authority is
19 and is not, and I think I'll leave it there, but
20 I'm glad to answer questions, if anybody in the
21 audience that -- any of those peak their
22 interest, after we're done.

1 MR. TAHAMTANI: Do you take any
2 questions about what you just said?

3 MR. WEIMER: Sure.

4 MR. TAHAMTANI: Any questions? I have
5 a question. Carl, at this rate, we could finish
6 this meeting in about --

7 MR. WIESE: Yes, you have to put your
8 tent card up first.

9 MR. TAHAMTANI: You know, Carl, when
10 you sit in this seat, you don't have to do
11 anything you don't want to do. Make sure that's
12 on the record, and keep that up and I may have to
13 un-invite you from the national.

14 Having said that, what are you doing
15 as the pipeline safety trust, to help the
16 industry and the state advance damage prevention?

17 Again, we know excavation damage is
18 the highest risk to pipelines, and we've had some
19 serious accidents. What is your association or
20 trust doing to help advance damage prevention?

21 MR. WEIMER: Sure. No, good question,
22 and we're a member of the Common Ground Alliance,

1 so we plug in there.

2 Damage prevention hasn't been one of
3 our top tier issues, just because there's so many
4 other people spending so much time on it, that it
5 isn't one that we need to spend a lot of time on,
6 but we certainly support it.

7 Like, every report we put out, like
8 this one we're doing for Contra Costa County, has
9 a strong section in it about damage prevention,
10 and we've encouraged that home owner's
11 association there to promote that stuff, and they
12 actually are using some grant money they got, to
13 do some 811 promotion, because of our
14 recommendations.

15 Even in the transparency reviews, we
16 do of each state, there's issues about what the
17 states are providing, so people understand how
18 damage prevention is important.

19 So, it's kind of a tag-along on just
20 about everything we do, although it's not one of
21 our top tier issues.

22 MR. TAHAMTANI: Any other questions

1 for Carl? All right, our next speaker is with
2 APGA and Rich Worsinger. Rich?

3 MR. WORSINGER: Thank you. Good
4 morning, everybody, or I guess good afternoon.

5 There are some handouts being
6 distributed, when you get a chance to look at
7 them later on.

8 Hi. My name is Rich Worsinger. I'm
9 with the City of Rocky Mount, North Carolina, and
10 I'll be speaking on behalf of the American Public
11 Gas Association.

12 APGA is the national association for
13 public gas utilities. By public, I mean
14 publically owned by their citizens. In my case,
15 owned by the citizens of Rocky Mount, North
16 Carolina, but others may be owned by counties,
17 specially created utility districts or other
18 Government entities.

19 There are about 1,000 public gas
20 systems, public gas utilities in the United
21 States, and little over 700 are members of the
22 American Public Gas Association.

1 All APGA members are non-profit. All
2 are owned by their customers, and we are
3 therefore, very concerned about the safety of our
4 customers, who are not just our customers, but
5 they're also our friends and our neighbors, and
6 we're also very concerned about the cost of gas
7 to these customers.

8 Since I was asked to talk about our
9 number one priority, at this point it actually is
10 a furnace energy efficiency rule that has been
11 issued by the Department of Energy.

12 DOE would require all gas furnaces to
13 have a minimum efficiency of 92 percent. APGA
14 supports and advocates for energy efficiency, but
15 believes this rule would actually increase energy
16 consumption by forcing many gas customers to
17 switch to electric heating.

18 Ninety-two percent efficient furnaces
19 are more costly and require special venting,
20 which further drives up the cost, and in many
21 instances, such in row homes, is near impossible
22 to accomplish.

1 The higher cost of installing 92
2 percent efficient furnaces will drive some
3 customers, especially those on low-income, to
4 another initially less expensive heating source,
5 such as electric heat, yet the generation of
6 electricity to power an electric resistant
7 furnace releases twice as much CO2 as a non-
8 condensing furnace.

9 The rule would actually increase
10 energy consumption as a result of fuel switching.
11 Please take a look at the handout I provided,
12 when you have a chance.

13 Jeff, I know you and your staff would
14 never try this, but DOE issued this rule first,
15 as a direct final rule, with no opportunity for
16 public comment. APGA had to take legal action
17 against DOE, to have our voice heard and the DFR
18 repealed.

19 DOE is now proposing an even more
20 onerous version of the rule, and Carl, I know
21 you'll appreciate this. We had to pay \$15,000
22 just to see the proprietary study of which this

1 rule is based, and adding insult to injury,
2 because the study is still proprietary, APGA
3 cannot cite it in our public comments back to
4 DOE.

5 Budding this rule, unfortunately, is
6 expensive and consuming a significant portion of
7 APGA's resources that could be better used
8 helping its members in compliance with safety-
9 type issues.

10 Turning to the pipeline safety
11 initiatives.

12 Approximately two years ago, APGA
13 created its system operational achievement
14 recognition program or SOAR, to identify and
15 recognize members who are at the forefront of
16 excellence in distribution operations.

17 We judge systems in four areas, system
18 integrity, employee safety, workforce development
19 and system improvement.

20 System integrity includes pipeline
21 safety. Some of the criteria are whether the
22 utility conducts internal audits of its pipeline

1 safety program, if it had an probable violations
2 in the last state inspection, and whether those
3 have been resolved with the state.

4 Is upper management involved in
5 decisions concerning system safety? What is the
6 percent of unaccounted-for gas? Does the utility
7 have a policy to investigate unexpected changes
8 in the unaccounted-for gas?

9 Do they participate in CGA's DIRT
10 program? Do they participate in the plastic pipe
11 data collection project?

12 There are about 200 such areas we
13 review and systems achieving at least 80 percent
14 are recognized at the bronze level. Ninety
15 percent qualifies for the silver level, and you
16 have to score 97 or higher to be recognized at
17 the gold level.

18 The purpose of SOAR is to encourage
19 all APGA members to strive beyond mere compliance
20 and constantly improve.

21 I'm pleased that Rocky Mount achieved
22 the gold level of SOAR this year. This is a

1 picture of Bert Kalisch, the President and CEO of
2 APGA, there in the dark suit in the center. He
3 came to Rocky Mount to present this award to us.

4 All 22 members of our gas utility were
5 present. Out of that 22, I'm lucky that we have
6 one engineer on staff to handle compliance,
7 design and the other technical issues that come
8 up. That's all 22 members of our gas utility,
9 and Jeff, I just brought this slide for you and
10 your staff to recognize, that's it, that's all we
11 have.

12 So, when you have those onerous rules
13 that require a lot of -- there is ones from DOT
14 also. Remember, these are the same people that
15 are installing the mains, they're inspecting the
16 mains. Thank you.

17 That leads me to one last priority.
18 With 22 employees, we have about 17,000 customers
19 and a service territory that almost fits inside a
20 10 mile square. That's Rocky Mount highlighted
21 in the blue shading to the right. The little
22 town of -- the first Nashville, that's Nashville,

1 North Carolina just to the left, that's 10 miles
2 from the center of Rocky Mount, just to give you
3 an idea of how large or how small we are.

4 Rocky Mount is hardly your typical
5 public gas utility. We are actually huge,
6 compared to most. We are the 40th largest out of
7 the 1,000 public gas systems in the United
8 States.

9 This graphic shows PHMSA's latest
10 distribution annual report data, showing the
11 number of distribution systems by size. The
12 majority of U.S. distributions systems regulated
13 by PHMSA operate between 100 and 10,000 service
14 lines.

15 They don't have an engineer on staff.
16 They don't have other technical support staff.

17 APGA will keep reminding PHMSA that
18 its rules need to be technically feasible,
19 reasonable, cost-effective and practical for all
20 the operators it regulates, not just the super-
21 large operators in the left tail of the
22 distribution curve.

1 I hope this committee remembers this
2 chart when we discussed proposed rules later
3 today and in the future. That's all I have time
4 for. I'm glad to answer any questions.

5 MR. TAHAMTANI: Thank you, Rich. Any
6 questions for Rich?

7 Our next speaker is with AGA, and I
8 believe, Cheryl.

9 MS. CAMPBELL: Yes, sir. I'm Cheryl
10 Campbell with Xcel Energy, and I am speaking on
11 behalf of the American Gas Association today.

12 AGA represents more than 200 local
13 energy companies, and we've got local
14 distribution companies, intrastate transmission
15 operators, vendors and service providers. So,
16 it's a pretty diverse group.

17 Very much a group that's dedicated to
18 enhancement of pipeline employee and public
19 safety. In fact, I got to spent some time on the
20 stand last week in Colorado, talking about
21 pipeline and public safety. So, it's very much a
22 topic of conversation.

1 We are very committed to collaborating
2 with public officials, emergency responders,
3 excavators, consumes and safety advocates, to
4 continue to improve the industry's long-standing
5 safety record.

6 Our Board of Directors votes annually
7 to determine our advocacy priorities, and it's no
8 surprise that they 2015/2016, one of the top --
9 well, the top priority is pipeline safety. It's
10 very difficult to move away from that as our
11 number one priority, as an industry.

12 Our members are very busy making
13 necessary operational and procedural adjustments,
14 resulting from the numerous final and proposed
15 rules released by PHMSA this summer. AGA largely
16 supports the intent of the rules. It is working
17 with the members to prepare for the changes in
18 the rules and ensure compliance with the final
19 rules.

20 We do appreciate the open dialogue
21 with PHMSA around the rules, and certainly hope
22 that the communication continues and that will

1 allow for efficient and effective improvements in
2 pipeline safety overall.

3 I do want to note a couple of things
4 that AGA and its member companies are doing that
5 go beyond the rules, and in our continuing
6 commitment to improving pipeline safety overall.

7 Couple of them of note, the peer
8 review program. I don't know -- I don't think
9 there are very many people in the room that are
10 aware, but I know Sue Fleck and I have both been
11 involved. It's a terrific program. We just
12 started it this year after piloting it last year,
13 and it's basically, other member companies come
14 in and review an operator's procedures,
15 processes, talk to the employees. We're not just
16 talking to management, we're actually talking to
17 the employees.

18 Going through the manuals,
19 understanding how people are implementing things,
20 such as safety culture, operator qualifications,
21 worker training and integrity programs.

22 We're noting best practices and then

1 at the end of the week, there is read-out with
2 the executives, that basically says, "Here is the
3 things and the areas that are going really great,
4 and we think you're doing best practices. Here
5 is some places where we think you might have an
6 opportunity to improve."

7 I think this is really going to be an
8 incredibly valuable program over time for the
9 member companies, and we are scheduled in
10 February of next year, and I'm looking forward to
11 being on the other end of that.

12 The best practices program is another
13 one that I feel very strongly about. This is a
14 long-standing and the topics in 2015 include
15 contractor oversight, a topic near and dear to my
16 heart, pipeline construction, collection of
17 maintenance of the as-built documentation.
18 Records continues to be an interesting challenge
19 for a lot of folks, but also very, very
20 important, and system reliability.

21 That program collects a lot of
22 industry data and facilitates the identification

1 of leading practices, and then we have
2 roundtables over the course of the year, and
3 you're identified by your peers as having a best
4 practice. It's not AGA and it's not like a state
5 or somebody like that. It is your peers that are
6 saying, "Hey, that is a best practice in that
7 particular area."

8 So, a lot of good information is
9 shared in the best practices program. We also
10 have 17 different technical and regulatory
11 committees that focus on a lot of the areas
12 around pipeline operations, engineering, safety
13 and security and compliance. A lot of great
14 valuable information gets shared in those
15 committees. They meet regularly during the year,
16 twice in person and also meet on the phone and
17 via web-conference.

18 A lot of technical notes and it's
19 meant to be an industry resource for different
20 member companies.

21 Another tool that AGA uses are
22 discussion groups. There is nine of them this

1 year and they focus on the more detailed
2 challenges facing pipeline operators, such as the
3 temp-risk models, GAS mapping, damage prevention
4 and pipeline safety management systems.

5 So, another opportunity for people to
6 share how to implement these programs, and then
7 lastly I'll mention the mutual assistance
8 program, including mock national drills.

9 Lot of ways for people, while it
10 doesn't happen as frequently as it does in the
11 electric industry, where you have mutual
12 assistance, certainly, we've seen some
13 experiences lately, right, where people have sent
14 employees across the country, Hurricane Sandy is
15 one that's notable, and people came from as far
16 away as California to assist in the restoration
17 efforts around Hurricane Sandy.

18 There will be another mock drill in
19 the first quarter of 2016, and they're a learning
20 process for all of us.

21 Last thing I want to mention is
22 security, both cyber and physical. There is a

1 lot of information around that and a lot of work
2 that AGA is doing.

3 The information sharing is one such
4 area, providing participating companies with
5 timely information and analysis.

6 We just got the -- the downstream
7 natural gas ISAC was welcome in the member of the
8 national -- and I'm going to botch this, the
9 National Council of ISAC's, which is the conduit
10 for interaction between and among the various
11 ISAC's.

12 So, lot of good information sharing
13 about that, cyber security and the regional cyber
14 security assessments, lot of workshops to help
15 member utilities understand where they are in
16 cyber security, and additional steps, you know,
17 best practices and things that they can do to
18 move forward.

19 We also have an annual safety summit.
20 Jeff and Marie, I would invite you to the safety
21 summit, if you're not already so engaged. It's a
22 great venue. I think -- I can't remember if this

1 was the fifth or sixth year, but it's gotten
2 better every single year, and with that, I will
3 end my comments about AGA.

4 ADMINISTRATOR DOMINGUEZ: Can I ask a
5 quick question, Cheryl?

6 On the -- you said you were -- the top
7 of your list, you were conducting reviews?

8 MS. CAMPBELL: Peer reviews.

9 ADMINISTRATOR DOMINGUEZ: Peer
10 reviews. So, can you explain a little bit about
11 the philosophy of how you're pulling together
12 that peer group and what you're covering?

13 MS. CAMPBELL: You bet. If you have
14 not participated before, there are three topics.
15 One is safety culture. One is worker procedures
16 and the third one is -- I think it's integrity,
17 pipeline risk, thank you, Andrew, pipeline.

18 What we do is, we select other member
19 companies to come into your operation. It's a
20 week long. Pretty intense. You can set up
21 different employee groups to speak with the
22 representatives from the member company. We have

1 a lot of questions we're asking right, looking
2 for do you do these, you know, best practices,
3 and if you don't, what do you do, and over the
4 course of the week, we identify, here are some
5 areas where you're doing a great job. Keep
6 going, basically, and here are some areas where
7 there are other best practices that you might
8 want to consider to move forward.

9 ADMINISTRATOR DOMINGUEZ: And on those
10 best practices, where are you deriving those best
11 practices? I mean, I understand there is a lot
12 of different areas that you can pull best
13 practices, but what I'm trying to get to is, is
14 there -- what element of an SMS system or
15 anything else, are you actually drawing from?

16 MS. CAMPBELL: It is the collective
17 knowledge and experience of those people that are
18 doing the review, plus AGA's collective knowledge
19 over time.

20 That's something that frankly, I would
21 expect to evolve over time. You know, everybody
22 that's in that room is usually very experienced

1 pipeline operator in certain aspects, and I think
2 AGA has already changed some of the expectations
3 around best practice, based on what we've learned
4 that operators are doing.

5 So, it was modeled after the nuclear
6 peer review, and I do think it's something that's
7 going to evolve and change over time. What was a
8 best practice today, right, three years from now
9 is going to be something entirely different.

10 ADMINISTRATOR DOMINGUEZ: Absolutely.
11 So, these are all companies that are self-
12 selected and volunteered?

13 MS. CAMPBELL: Correct.

14 ADMINISTRATOR DOMINGUEZ: Okay, to
15 participate?

16 MS. CAMPBELL: You agree to
17 participate. When you do participate, not only
18 do you get reviewed, but you are sending --
19 you're committing to send employees and an
20 executive to do a review of another company.

21 ADMINISTRATOR DOMINGUEZ: Wonderful.
22 Thank you.

1 MR. TAHAMTANI: Thank you. Any other
2 questions for Cheryl?

3 Next speaker is Andy Drake with INGA.
4 Andy?

5 MR. DRAKE: My name is Andy Drake. I will
6 be speaking on behalf of representing INGA, the
7 Interstate Natural Gas Association of America.
8 It represents the natural gas transmission
9 operators in the United States and currently,
10 there are 25 members. It represents probably
11 about 75 to 80 percent of the U.S. transmission
12 mileage for gas transmission.

13 We have had, as I think folks around
14 here know, a very long-standing commitment to
15 integrity, but I think in PG&E's failure,
16 pipeline gas -- pipeline failure in San Bruno,
17 almost now five years ago to the day, I think it
18 was cause for us to pause and really reflect on
19 what are our values and what are our principles?

20 We pulled the Board of Directors
21 together shortly after that incident, and really
22 looked for, what are we about and clarified in

1 that moment that we are committed to zero.

2 We're not going to rationalize any
3 performance less than zero incidents in this
4 industry, and we will not stop until we get
5 there.

6 That was quite a catalyzing
7 conversation, quite challenging too, because no
8 one really understood how to get there. It was
9 just a values position, and then came the next
10 hard work, how do you get there, and we sat down,
11 and I think there is some handouts coming around.
12 I don't know where Terry and those guys are, but
13 there were some handouts that were coming about,
14 that really lay down what were the guiding
15 principles that came out of that conversation,
16 and this -- many of the folks here have seen
17 those. I know you've have not, and that's one of
18 the reasons I wanted to share them for you, to
19 get some insight into what founded the actions
20 that followed that value statement, value
21 thought.

22 It was really a commitment to a safety

1 culture. It was really trying to understand how
2 to continuously improve to learn from ourselves,
3 to have the humility and the where-with-all that
4 we would honor an opportunity to learn and be
5 open to that, not just from ourselves, but from
6 those around us.

7 That we would apply integrity
8 management beyond HCA's on our own accord without
9 regulation, and that we would engage stakeholders
10 all across the bandwidth of this energy
11 infrastructure, to try to understand what are
12 their needs, what are their concerns, to help
13 shape our decisions and to help get their
14 participation and trust in the pan forward.

15 I think that as we define that action
16 plan, and put those principles into motion,
17 you'll see they're kind of outlined here on one
18 of the attachments.

19 I think that over the past four years,
20 we've been working really very hard, to advance
21 those principles. I know that words are
22 interesting, but actions speak much louder.

1 I think that over the last few years,
2 we've seen a significant increase in the amount
3 of the system that's been assessed. We're
4 currently sitting about 75 percent of the system,
5 not HCA's, system mileage that's been assessed.

6 We have 90 percent of the HCA's that
7 have been hydrostatically tested. I think when we
8 made these commitments, we committed that we
9 would have 100 percent of the HCA's tested by
10 2020, and we're well on the way to that.

11 We have committed to and engaged in
12 the development of the API 1173 management system
13 standard, which we believe is fundamental to
14 defining behaviors of a culture and the structure
15 around which an organization must function to
16 propel safety excellence, operational excellence.

17 We have also that -- as one of our key
18 premises in our action plan, that members will
19 institute management systems.

20 We have meetings, have had many, many
21 oncoming -- ongoing meetings. We have a meeting
22 in two weeks now, to talk about our SMS workshop

1 on how to institute that standard. We have
2 lessons learned workshop in Houston next week,
3 and we have a technology workshop next week, and
4 those are just -- are the ones that are coming up
5 this next month.

6 There's been an ongoing commitment and
7 it needs to be an ongoing commitment.

8 I was happy to hear your commitments
9 and your goals for this organization. They
10 resinate with me, and I think they resinate with
11 the Board at INGA too, and it's good because I
12 think that is common ground for all of us, to
13 have groups that is committed to safety, a group
14 that is committed to the evolution of technology
15 and learning, and to have a group that comes
16 together on the common ground of building trust,
17 to propel our activities and a basis for
18 conversation.

19 I think fundamentally, that is
20 important as the fabric that holds us together,
21 and we intend fully to keep stepping into that
22 space, trying to propel ourselves and do a little

1 bit better.

2 I know that PHMSA has been very busy.
3 I know you might not get that right out of the
4 news media, but I think PHMSA has been very
5 deliberate to call a lot of workshops and try to
6 gather the groups around the table, the various
7 stakeholders, to get insights and opinions and
8 the needs of the different stakeholders, to fuel
9 a good choice, an important choice on a good path
10 and a good step forward.

11 There's been a lot of discussions. I
12 think right now where INGA is, is we would like
13 to see the proposed rules soon. It's time, so
14 that we can see what has been the product of so
15 much conversation, so that we can start getting a
16 tangibility of what is that path forward and how
17 to make it as practical as possible.

18 I know that one of the other successes
19 that has been achieved in this committee,
20 actually, or a sub-part of this committee has
21 been the midstream work that was done, and I know
22 Chad led that. Maybe, Chad, if you can give some

1 insights of where you've been with that group.

2 MR. ZAMARIN: Sure. Chad Zamarin with
3 Cheniere Energy. Maybe just to put a bow on what
4 Andy is talking about.

5 I think with INGA, you know, we talk
6 about the rules coming out the end of this year.
7 I think what we have tried to commit to is that
8 five years ago, we re-committed to zero as our
9 goal and we laid out a plan and we started
10 working it.

11 We engaged with PHMSA. We engaged
12 with the stakeholders to help ensure that the
13 direction was correct, but we -- we, as an
14 industry aren't waiting for the rule. You know,
15 we have been actively, aggressively pursuing that
16 goal of zero, and I think I can say the same.
17 We've seen that from our PHMSA counterparts, as
18 well.

19 I think the Advisory Board has served
20 as an opportunity to collaborate and make sure we
21 have that alignment. You know, Andy mentioned
22 recently, we used this committee as a vehicle to

1 address a real challenge and a real problem that
2 needed to be solved on midstream regulatory
3 oversight, and we'll present on that tomorrow,
4 but I think we show that this can be a vehicle
5 where we come together. We have a diverse
6 stakeholder group and we can solve -- we can
7 solve challenges and get people aligned, so we
8 can stay focused on achieving the goal.

9 So, I think that will be a positive
10 report out tomorrow, and I think it will also be
11 a vehicle, an example of how we can move other
12 issues forward in the future.

13 Then lastly, just to take the
14 opportunity to recognize, I think Andy mentioned
15 it. You know, we don't -- we don't get a lot of
16 great press for the good things that we do.
17 PHMSA doesn't get a lot of great press for the
18 good things that they do.

19 But I think INGA clearly believes
20 that, you know, this is an agency that's got a
21 lot of smart people that work really hard.
22 They're tough. You know, they do their job

1 diligently, but we also believe that we've
2 benefitted greatest from the ability to work, and
3 the public doesn't like to recognize often times,
4 or the media, the idea of a partnership, but
5 understanding, having enough trust and
6 understanding to know the priorities and make
7 sure we're pointed in the right direction is
8 really key to achieve the common goal that we
9 have of zero.

10 So, you know, I would just say that
11 our philosophy has been as INGA's, to engage with
12 the stakeholders, to engage with PHMSA,
13 understand the priorities, understand the
14 direction we should be heading and get moving to
15 accomplish the goal, and then when the rules
16 come, you know, we'll make sure, I think to
17 Massoud's point, that we're checking the box on
18 our ticket to entry, but we're making sure that
19 we're focused on, you know, that higher level of
20 execution.

21 So, that's really, I think the focus
22 for INGA going forward, and will continue to be.

1 MR. TAHAMTANI: Thank you, Andy and
2 Chad. Any questions for these gentlemen, and I
3 have no questions for you too, so that should be
4 good.

5 Our next speaker -- our next speaker
6 is API, Michele Joy.

7 MS. JOY: Hi. I'm Michele Joy with
8 the -- representing Shell Pipeline Company on the
9 Advisory Committee, also the Association of Oil
10 Pipelines and the API Pipeline Committee.

11 So, we represent the hazardous liquid
12 or oil pipeline industry, and in 2015 we really
13 focused on four main safety goals.

14 First, enhanced threat identification.
15 Second, improved inspection technologies. Third,
16 expanding the industry's safety culture in new
17 directions, and fourth, boosting emergency
18 response capabilities.

19 Now, obviously, we have many other
20 initiatives that we're working on. If you want a
21 full spectrum view, we have a little booklet that
22 is issued each year, that the industry looks at,

1 API, AOPL annual liquid pipeline safety
2 performance report, as well as our strategic plan
3 for improving safety, but I really want to focus
4 on the four main initiatives I just mentioned.

5 So, these four goals drive the
6 industry initiatives, and they're spear-headed by
7 AOPL and API pipeline committee, but they have
8 the full commitment of the entire industry, and a
9 lot of participation of different companies
10 around the table, to try to achieve these goals.
11 So, what are they?

12 With respect to enhanced threat
13 identification, we're really focused in three
14 areas, data integration. So, we need to do a
15 better job of understanding our data and
16 providing industry guidance.

17 So, lots of people pig their lines,
18 hydrostatically test their lines, do different
19 things, but what we find, when we look back on
20 incidents, sometimes the very incident signature,
21 the flaw signature is not being recognized until
22 after the fact.

1 So, I know we at Shell have done a lot
2 of work in this area, and we have found that by
3 overlaying different kind of pig data and getting
4 new tools on how we look at that integration, we
5 are finding things we would miss looking at
6 things individually, and that is an effort that's
7 working across the industry, to figure out how we
8 can take the data we already have and put it to
9 better use.

10 The second thing we're doing under
11 threat identification is better crack detection.
12 So, crack issues have been growing, in terms of
13 being a more significant percentage of incidents,
14 and so, really trying to better understand
15 detection, analysis and response to cracks.

16 So, we've been in the process of
17 developing a new recommended practice on this
18 topic that will be available at the end of the
19 year, and for those of you who are not familiar,
20 our recommended practice, while it's spear-headed
21 by the industry, it is open to the public. There
22 are lots and lots of participants, and we

1 encourage participation, so that we get a full
2 spectrum of input, as we develop these
3 recommended practices.

4 Then the third initiative under threat
5 identification is really trying to understand
6 better, when and how best to use hydrostatic
7 testing.

8 So, when does it enhance testing and
9 when -- or enhance safety, and when does it
10 create issues? So, we're doing a lot of work in
11 that area.

12 The second initiative, major
13 initiative is improved inspection technology of
14 development, with respect to crack detection and
15 diagnosis, in particular.

16 So, this is obviously related to our
17 threat identification, but we also think that
18 there needs to be new technologies in this area,
19 and so, there's been investment in research and
20 development in this area.

21 The third area is really expanding the
22 industry's already strong safety culture in new

1 directions, with a real focus on the safety
2 management systems.

3 So, the first step on this was the
4 adoption of the recommended practice 1173, which
5 is now being promoted and training materials
6 developed throughout the industry.

7 The has really been a step change for
8 the industry, which is really traditionally
9 focused on assets and people and safety culture,
10 in terms of how it -- how safety culture is at
11 the senior levels.

12 This is really kind of further
13 incorporating processes and systems into the
14 safety culture and the safety management
15 practices.

16 We're also compiling a database of
17 past learnings. We do a really good job of
18 analyzing incidents and learning at the time, but
19 we don't always do a good job of really sharing
20 that learning over time, particularly as we're
21 dealing with crew change.

22 So, people coming in who didn't live

1 through that incident may not know that there is
2 data out there. So, we're creating a database of
3 past learnings and developing a formalized
4 learning demonstration program.

5 Then finally, we're also developing a
6 construction quality management system, as we're
7 looking at new construction.

8 Then the fourth main safety goal is
9 boosting emergency response capabilities.

10 So, that is really working on it in
11 two main areas. One is developing a new
12 recommended practice for leak detection program
13 management, one that's actually currently out for
14 balloting, and also building on our prior pilot
15 programs on deployment of a nationwide emergency
16 -- pipeline emergency response training, outreach
17 and standards programs, aimed particularly at
18 first responders.

19 So, we obviously have other
20 initiatives in 2015, but that is the main focus.
21 We have already started -- also started
22 developing what are going to be our initiatives,

1 what are our policies, what is our outreach, what
2 is our -- what are we doing in 2016, and one of
3 the areas I wanted to highlight is, we are
4 looking at for 2016 initiative, to also being and
5 updating our industry guidance on river
6 crossings, and really trying to do up -- to be
7 understanding -- a better understanding of what's
8 happened with river crossings, what are the
9 threats, what are the changing water patterns, as
10 both weather and sometimes policy changes, like
11 some of the things that we're seeing in Shell,
12 with Army Corp of Engineer process -- water
13 management in our area, like Louisiana, and how
14 that is affecting rivers and river crossings and
15 things of that nature.

16 So, the industry is going to go back
17 and look at those, and that will be a focus for
18 2016.

19 So, with that, I'll stop. We didn't
20 go into everything, but those are the high
21 points.

22 MR. TAHAMTANI: Thank you, Michele.

1 Any questions for Michele?

2 MS. CAMPBELL: I just want to know if
3 you're going to share?

4 MS. JOY: Absolutely.

5 MS. CAMPBELL: I mean, the crack
6 detection stuff, as an operator of a lot of
7 transmission lines, I would give a lot of that
8 data.

9 MS. JOY: No, we absolutely intend to
10 share and we recognize this is not an issue just
11 for the liquid lines. It's certainly an issue
12 for just about everyone who operates pipelines,
13 and we could also benefit from what other people
14 are doing, as well.

15 ADMINISTRATOR DOMINGUEZ: Just out of
16 curiosity as a follow up, how do you usually
17 share that information? Like, the things that
18 you just went through, in terms of your
19 priorities, is most of that made available just
20 to your membership in the industry, or is that
21 more publically available?

22 MS. JOY: Well, the recommended

1 practices, all that work is very public. We want
2 public participation. We want other industry
3 participation.

4 The research and development we do is
5 often shared through PRCI and some of the other
6 research organizations. So, yes, we definitely
7 share in that capacity.

8 With respect to our database, with
9 respect to sort of past learnings, I actually
10 don't know the answer to that question. So, we
11 can get back to you on that.

12 ADMINISTRATOR DOMINGUEZ: You don't
13 know whether or not it's proprietary or not?

14 MS. JOY: Right.

15 ADMINISTRATOR DOMINGUEZ: Okay.

16 MS. JOY: Craig, can you answer?

17 MR. PIERSON: Yes, the -- we'll be
18 publishing a paper with the data and the summary
19 of the data.

20 MS. JOY: Okay.

21 ADMINISTRATOR DOMINGUEZ: Okay, thank
22 you.

1 MS. JOY: So, yes.

2 MR. TAHAMTANI: Any other questions?

3 DR. GANT: Yes, Paula Grant, U.S.

4 Department of Energy. Thanks, Michele.

5 I'm not sure if this is -- what the --
6 the answer to the question -- which question you
7 were answering, Craig. Was it about the crack
8 detection research or the best practices?

9 MR. PIERSON: The accumulation of ILA
10 data.

11 DR. GANT: Okay.

12 MR. PIERSON: And the actual --

13 DR. GANT: So, my question --

14 MR. PIERSON: -- compared to actual
15 teal versus actual.

16 DR. GANT: Okay, I was making sure you
17 hadn't answered my question.

18 MR. PIERSON: Sorry.

19 DR. GANT: Sorry. So, two quick
20 questions. On the analysis that you're doing on
21 hydrostatic testing and when is it needed and
22 when is it useful, is that an analytical exercise

1 you're doing? Do you have a research project
2 that you all have initiated?

3 Second, the same thing on the anomaly
4 or crack detection. Have you -- is PRCI doing
5 that? How are you all executing on that because
6 that's certainly something that links up with
7 research that we're initiating at DOE, and we'd
8 want to try to tag in wherever we can, and I
9 think I saw Robin around here somewhere else.
10 So, maybe you can make that happen.

11 MS. JOY: Looking through my notes
12 here. So, there is a team working on it and they
13 are -- they do have some work that they're doing
14 with outside contractors, as well as operators,
15 and they are putting together a draft report and
16 they will be meeting with PHMSA's technical staff
17 for input, but actually, beyond that, I don't
18 really know.

19 MR. DENTON: Todd Denton, Phillips 66.

20 One of my employees is actually
21 leading that team, but it is -- and there is a
22 lot of -- an analytical piece to it. They're

1 using Keithner, for example, for analysis, some
2 of the data that they've developed over the
3 years, as of course, there is a lot of hydro-test
4 data out there to analyze. So, they are using
5 that data.

6 MS. JOY: And I understand they've
7 also had input from a number of the pipe
8 manufacturers and others, as to sort of, what are
9 their recommendations around, you know, handling
10 of their pipe, both in terms of initial hydro-
11 test, static testing, as well as subsequent
12 hydro-static testing, because clearly, we want to
13 understand from the manufacturers, you know what
14 they think, based on their history of their
15 development of their product, is the right way to
16 manage this form of testing.

17 MR. TAHAMTANI: Any other questions?
18 Now, it's my turn to speak on behalf of NAPSR.

19 NAPSR is the Association of all
20 pipeline professionals that work for the states,
21 from managers and chiefs, to inspectors. I want
22 to recognize the current national NAPSR Chair,

1 Mr. Robert Miller, who is in the audience.

2 Under his leadership, we have done a
3 number of things, but again, our priorities line
4 up pretty much with PHMSA and with the industry.

5 Within the states, our mission is the
6 safe delivery of product, reliable delivery of
7 product to the consumers, and where the
8 commissions have great authority, at reasonable
9 rates, and under that, a number of states have
10 come up with various rate recovery processes to
11 help the industry do a number of things,
12 including getting rid of old pipelines.

13 We work very closely with NARUC, which
14 is an association of the commissioners, and
15 speaking of re-authorization, I believe this time
16 around is the first time that NARUC and NAPSR,
17 they are taking an active role to actually
18 advance some positions, in the past that have
19 been reactive. We react to the industry and to
20 the PHMSA's proposal. This time around, we're
21 advancing some positions of our own.

22 States and PHMSA, we are in the

1 compliance business. Again, it goes back to
2 doing the right thing to make sure that safety is
3 advanced, that the citizen and the industry trust
4 the Government in doing its job, and where we
5 can, advance innovation.

6 It's exciting to hear all the things
7 that our industry is doing to make sure again,
8 safety is advanced by the use of technology.

9 A number of states have advanced
10 additional rules above 192 and 195. My state
11 hasn't. We haven't seen the need for it, but
12 when the states see that additional rules are
13 needed, and PHMSA allows to do that, we do that.

14 I can't say this enough, that
15 compliance with 192 and 195 is not good enough
16 anymore. PHMSA believes that. States believe
17 that, because bad accidents have happened under
18 that regime, if you will.

19 It is very encouraging and exciting to
20 hear that a number of the associations are moving
21 forward with workshops and other ways to advance
22 RP 1173, which under Ron McClain's leadership and

1 two years of hard work, we have now -- have a
2 document that not only will hopefully streamline
3 some of these holes and gaps that all of us know
4 exist in our current processes, but the safety
5 culture.

6 I can tell you that behind every
7 accident, behind every violation, behind every,
8 if you will, departure from the rules and
9 procedures, there is a safety culture aspect to
10 it, and I look forward, at least in my state, to
11 work with my industry and the rest of you, to
12 implement RP 1173, without either PHMSA or NTSB
13 pushing that to become rules.

14 Ron, I needed to say that, so you know
15 that I'm still committed to not pushing that as a
16 rule.

17 We continue to -- states continues to
18 see that is still a check the box approach, not
19 for all operators, but for some. It says to do
20 this. We've done this, and so, we're okay, let's
21 move on.

22 We're beginning to see some of that

1 with DIMP. DIMP is only a few years old and
2 we've done our first round of DIMP implementation
3 reviews and Jeff, I'll be sharing with you, a
4 survey that we did with the states, next week,
5 about the concern that the states are expressing.

6 It is still, you know, a check the box
7 approach. This is the rule. This is what we've
8 got to do. We've done it, now, do I get a 'yes'
9 for that question? Do I get a 'satisfactory' for
10 the other question? Can we move on?

11 As long as we behave that way, we're
12 going to have problems. We're going to have
13 bigger issues.

14 OQ. OQ was passed more than a decade
15 ago. I can tell you that after about 10 years of
16 compliance inspection in my own state, I decided
17 to have a meeting with my executives and say,
18 "Look, this is not working." It was right after
19 PG&E, and I -- I am proud to say that we
20 committed to rewrite every single module, 77
21 modules in the gas part, where my staff sits with
22 the industry and we go through every single task

1 and talk about what is the right way of doing
2 this, and then write the training program to
3 actually make sure that the individuals that get
4 trained and pass the test, know how to do it.

5 I can tell you that the first module
6 that we released, it was simply going to a meter
7 set and looking at a meter set, and Jeff, knowing
8 what's wrong with it. It is corroding? Is it
9 upside down? Cars hit it? It's still not
10 leaking? I mean, simple stuff.

11 On the average, 30 percent of the
12 industry employees, both contractor and the gas
13 company employees failed those tests, 30 percent,
14 12 years after the OQ was passed.

15 The good news is that again, our
16 industry in Virginia and I know in some other
17 states are picking up the Virginia enhanced OQ
18 program. I'm selling it for a cheap price, if
19 anybody is interested.

20 A number of states are making part of
21 their settlement with the gas companies to say
22 that you have to adopt the Virginia OQ process,

1 but I'm proud to say that the individuals in the
2 field now proudly have passed the test, and we're
3 beginning to see good results.

4 Damage prevention. The highest
5 priority for you, for us. It is when no one
6 knows and someone is out there causing a major
7 issue. We've had some major accidents in the
8 recent year or so, that again, points to this
9 being our highest priority.

10 States are very engaged in working
11 with their industry, if you would, and their
12 states to advance their laws and best practices.

13 Safety culture. As Jeff has heard me,
14 and Ron has heard me, it's the glue that keeps
15 everything together. If we can do something, if
16 we can come up with some sort of potion that
17 tells people to do the right thing when nobody is
18 looking, we would not have half of these
19 problems.

20 So, in short, NAPSR is aligned with
21 PHMSA. We're partners. We're trying to help the
22 industry in any way we can, to make sure again,

1 our pipelines in this country is as safe as it
2 can be. I'll take any questions you have.

3 MR. WIESE: You're not going to let
4 him going to get away with that, are you? I
5 mean, he opened -- he had you for a few minutes.
6 You have him.

7 MR. TAHAMTANI: I seriously would be
8 happy to answer any questions you have. I know
9 that a lot of you don't like the states. Let's
10 just put that on the record. Not you.

11 It's a tough job to be in where you
12 are going, on top of a ditch, and you look into
13 the people, they're trying to do their work.
14 They're tired. It's raining. You name it, and
15 now, you got the state of the PHMSA inspector
16 standing up there and looking at you. It's not a
17 good job to have.

18 But and then people walk away saying,
19 "Well, I was doing it the right way, and you just
20 told me that I wasn't doing it the right way,"
21 and all of that goes into the culture.

22 So, there has been enforcement, there

1 has been all sorts of other issues that I'm sure
2 you faced. I'll be happy to answer any questions
3 or have Mr. Robert Miller help me answer any
4 questions you have, with respect to NAPS, NARUC.
5 I shouldn't speak on behalf of NARUC, or the
6 states priority, if you will, in terms of going
7 forward.

8 Like I said, we're committed to work
9 with PHMSA and with the industry to achieve our
10 common goal. I believe no industry wants to have
11 a major accident like PG&E or others. It changes
12 everything for all of us. He's got to have more
13 rules. Congress pushes on him and the rest of us,
14 "Why aren't you doing the right thing," and so,
15 it is not about just coming up with rules. It's
16 about doing the right thing without the rules.

17 If we did the right thing, I say that,
18 the industry did the right thing, we wouldn't
19 need rules.

20 So, with that, let's have some tough
21 questions.

22 MR. McCLAIN: My card fell off when I

1 tried to stand it up, Massoud.

2 MR. TAHAMTANI: All right, Ron.

3 MR. McCLAIN: Well, first, I
4 appreciate your kind words, and of course, there
5 was a large committee collaborating to get to the
6 RP 1173, of which you were a big leader in that
7 process, and more on that tomorrow, we'll talk
8 about it.

9 But I think you're right on with
10 safety culture, and how many accidents are there
11 where people say, "Well, if I had known, I would
12 have done something," and you know, from the
13 initiatives that Michele spoke of and Chad and
14 Andy, and yourself, you know, better technology,
15 better data integration, more participation with
16 top management.

17 I mean, it's not just a function you
18 relegate to an IMP team. Really, the top
19 management of the company has to know and care
20 and have processes to regularly update.

21 But I think at the heart of what you
22 were talking about, in a safety culture, it's

1 hard to define, but you know it when you see it,
2 and what happens in that case is, everyone is
3 engaged. I believe there is a collaboration
4 between operator and regulator, to work toward,
5 you know, continuous improvement.

6 So, we'll certainly talk about the RP
7 a little bit more tomorrow, and I believe, find
8 out how industry makes the commitment, so that
9 the regulator can be confident that there is the
10 appropriate sense of urgency and the appropriate
11 enthusiasm, you know, to move the ball forward on
12 those things, and then you know, your touch on
13 damage prevention.

14 You know, we both serve on the Board
15 of Directors, along with some others here for the
16 common ground alliance, and it is one of the
17 biggest threats we find. In some ways, we get
18 used to it.

19 You know, we talk about crack
20 detection and the RP and other things, but you
21 know, these issues around exemptions, poorly
22 understood exemptions, lack of enforcement, I

1 mean, those are things that I think industry and
2 regulator come very closely aligned on, if we can
3 figure out how to get through those things.

4 MR. TAHAMTANI: Thank you, Ron. Any
5 other comments?

6 MR. KUPREWICZ: Rick Kuprewicz. More
7 of a comment issue, representing the public on
8 many investigations.

9 I think the public is looking for not
10 a turf battle between state and Federal, not that
11 you're implying that.

12 But where it becomes obvious, you talk
13 about loss of credibility, both parties lose.
14 What we want to see is a partnership, one
15 observation that's fundamental core to the
16 integrity management applications.

17 If you go back and look at GAO reports
18 and NTSB, the evolution many of you have worked
19 on in this room, in the development of both
20 transmission, liquid and gas, as well as DIMP
21 distribution, you don't have enough people. You
22 never will have enough people. You don't have

1 enough resources. You'll never have enough
2 money.

3 You must work together. If you don't
4 work together or get the appearance you're not
5 working together, if you're in a combat, you're
6 going to lose the credibility of the public, and
7 that's just not -- and time and time again, that
8 has shown its case to be true.

9 Where DIMP is working, and by the way,
10 there are many states where it is working quite
11 effectively, you can bet there is some sort of
12 cooperative, not love-in, but communication
13 working towards a positive goal, and I'd like to
14 credit people in PHMSA, in terms of the
15 development.

16 Many of you in the room went through
17 that painful process over many years. Not a
18 perfect regulation, but in those states where
19 it's working effectively, it's because rather
20 than fight, the parties are trying to work on
21 what's the best solution that is codifying some
22 of the fundamental principles of the regulation.

1 So, with that, I'll just let go.

2 MR. TAHAMTANI: Thank you. Susan?

3 MS. FLECK: Thank you, Massoud. Sue
4 Fleck, National Grid.

5 How do you work with your economic
6 regulators to get them onboard with the going
7 above compliance, because we get a lot of push-
8 back in rate cases. I'm sure others in the room
9 are in the same situation, when you're asking for
10 more money to do the right thing and to go above
11 and beyond maybe the letter of the code.

12 A lot of time, you get some
13 significant push-back during rate making
14 proceedings where, you know, the opposite, you
15 know, the pull is to try to keep rates as low as
16 possible.

17 So, it's a delicate balance. I think
18 we're all trying to find the right place, but I
19 just want to know in Virginia, how do you manage
20 that?

21 MR. TAHAMTANI: Well, in Virginia we
22 have two laws. One is called SAVE, which is

1 basically to give the gas companies a right above
2 their main rates, their base rates, to recover
3 costs much faster, to replace old pipes.

4 We're replacing bare steel and cast
5 iron at a very, very high rate, within a few
6 years, five or six years, we'll be completely --
7 we won't have anymore.

8 Now, City of Richmond will have some,
9 but that falls under Jeff's jurisdiction. I
10 simply inspect them. Let that be on the record.

11 So, we also have another law which
12 deals with DIMP. As you look at your DIMP plan
13 and you come up with new risks, we wanted to make
14 sure that our industry can come to us and say,
15 "Hey, I found these risks that are not in my rate
16 structure, and I want to address them much
17 faster."

18 So, they can come in there and ask for
19 another rider on top of the SAVE rider. These
20 are limited, two or three year type issues. My
21 division gets involved, presenting testimony on
22 safety issues in all these cases, and we align

1 ourselves with the gas company that's before the
2 Commission. We make sure that we're on the same
3 page, if you will, and I go in there and talk
4 about the AA's and everything else, and we
5 support the industry to get the money they need,
6 to address not only the old stuff, but also to
7 continue to address the risks based on their
8 DIMP.

9 A number of other states have those
10 laws, and I know I've seen a number of others
11 from PHMSA that is encouraging commissions to
12 have those type of rate structure. AG has been
13 encouraging the states to pass such laws to do
14 that. That is the right thing to do and I'm glad
15 that we have that in Virginia.

16 MR. WIESE: I think there is something
17 like 30 states that have --

18 MR. TAHAMTANI: Yes, I believe so,
19 about 30 states have some form of rate recovery
20 mechanism for again, getting rid of the old
21 pipelines and also, dealing with hopefully,
22 additional 38 states.

1 ADMINISTRATOR DOMINGUEZ: How can we
2 encourage that more with other states?

3 MR. TAHAMTANI: Well, I think you've
4 done everything you can. I mean, you've sent
5 those letters. It's up to either the commission
6 or the industry within that state, to pursue
7 legislation.

8 The commissions can only do what the
9 laws of the states authorize them to do. So, it
10 requires legislation, and again, the industry
11 needs to go forward, talk to legislators, pass
12 laws that allows the commission to provide those
13 types of rate mechanisms to do this. Jeff?

14 MR. WIESE: I'll swing at that a
15 little bit, because I'd be interested in feedback
16 from folks here.

17 There are groups who are non-
18 traditional stakeholders that we have begun to
19 engage with, the National Conference of State
20 Legislators, for example, the Council and State
21 Governments, you know, love to go to National
22 Governor's Association.

1 But I think the Secretary actually has
2 done those, you know, and has come to NARUC. The
3 department has weighed in heavily on the need to
4 accelerate the removal and replacement of riskier
5 pipe.

6 We've partnered actually with some
7 companies who had really aggressive proposals to
8 do that. So, I think there is more of that, that
9 is needed, and I think we need to engage some of
10 these.

11 NASUCA is an example, if you're in the
12 distribution world, you know who I'm talking
13 about. They are the state utility consumer
14 advocates, and I sit in these meetings with these
15 people who basically say, "Not a penny more."
16 You know, "Not a penny more," and that flies in
17 the face of what I think we all know needs to be
18 done, to step up the game in safety.

19 You know, I think it has to be
20 moderated. So, you know, I'm not the one who
21 advocates, just open the doors to anything the
22 company wants, but you know, somebody needs --

1 with checks and balances, needs to go after these
2 remaining states.

3 You know, Jon and others with NARUC,
4 I think we can partner with them, you know, to
5 sort of accelerate this, but I think there is
6 more that needs to be done, and would certainly
7 welcome thoughts and ideas, you know, whether
8 it's now or in the future, I think particularly,
9 to the Administrator on how she and the Secretary
10 and others, maybe with a little more clout than I
11 have, I can barely get through my partner here I
12 crime, he'll be shutting me off in about 10
13 seconds, I'm sure. So, any rate, just a thought
14 for you.

15 MR. TAHAMTANI: Thank you very much.
16 Your card has been up for a while.

17 MS. CAMPBELL: That's okay. Thank
18 you. First of all, it's great to hear you say
19 that code is the minimum and the floor, not the
20 expectation. I am a firm believer, as Jeff knows,
21 that we need to be doing the right thing.

22 I would suggest, and I think it's

1 consistent with what you're hearing here, that
2 the safety culture and education needs to be
3 beyond the industry. We all get it, or at least
4 most of us do.

5 You know, Jeff, your comments about
6 the consumer groups, in some of the staff, we've
7 been blessed with people who will listen to us
8 and have been relatively supportive.

9 I do have writers in key areas, but I
10 will tell you that it's an incredible battle, and
11 I think it's a cultural and an educational issue
12 for people outside of the immediate industry,
13 NAPSR and NARUC, to move forward, and to change
14 the conversation.

15 It's really not whether or not we need
16 to do the work. It's more about the time period
17 we need to do it over, and how do we make that
18 right balance for our customers, and it takes a
19 lot of our energy for our team, frankly.

20 We keep visiting the same conversation
21 around why do you need to do the work, and I
22 don't know, you know, one of the reason why I

1 like the peer-to-peer review program, the AGA
2 people in the room are going to cringe, I do
3 think it helps us move towards, here is industry
4 best practices, and frankly, I think my
5 commissions ought to be saying, "What are best
6 practices and why aren't you there," and we ought
7 to be talking about how we get there over time.

8 But the conversation has morphed over
9 the last few years, and it's certainly a very
10 interesting conversation right now, and I do
11 think it's cultural for some of those folks as
12 well.

13 MR. TAHAMTANI: Thank you. Chad?

14 MR. ZAMARIN: Thank you. Chad Zamarin
15 with Cheniere Energy, and just to follow up on
16 the -- on the comments around how to deal with
17 the issue of funding safety investments, and it
18 is -- it's not something that we talk about a
19 lot, but it is one of the fundamental challenges
20 that we have, not just on the state side, but on
21 the Federal side.

22 You know, our vehicle for recovery of

1 costs is not always efficient and is not always
2 consistent across a diverse set of states.

3 I would say that Jeff is absolutely
4 right. You know, we dealt with this at Columbia
5 Gas, where we operated across 14 different
6 states. Shining a spot light on the states where
7 they don't have efficient cost recovery
8 mechanisms is powerful, and I think even for the
9 Administrator, there are some very good
10 presentations that show which states do have
11 efficient cost recovery mechanisms, some that
12 don't. You know, the Secretary having those,
13 that -- just that pressure of shining a spot
14 light on those states that are actively
15 supporting safety investments through efficient
16 cost recovery mechanisms, I think is a very
17 powerful tool, and I think that's something that
18 is pretty easy to do.

19 So, I would just encourage all of us
20 to keep those numbers handy. You know, 38 out of
21 50 states and you know, there are some
22 presentations that kind of rank the quality of

1 those programs in different states, and I've
2 seen, I think over the last five years, that has
3 made a difference.

4 We've seen states, and as
5 commissioners have turned over and new people
6 have come to the table, we've seen them move and
7 want to be moving towards that better in class
8 utility commission. Thanks.

9 MR. TAHAMTANI: Thank you, Chad.
10 Jeff, did you have a question?

11 MR. WIESE: Well, do you want to --
12 you know, so far, we've spent a lot of time
13 talking about states. But I would ask you to
14 maybe put you guys on the spot. What about FERC?

15 I mean, so far, we've only talked
16 about the states and what the states can do, and
17 there is plenty that states can do. So, that
18 will keep us busy for a while.

19 But I'm just curious about your
20 thoughts about FERC. That's the other rate
21 making entity in the room.

22 MR. ZAMARIN: Yes, I think it's -- and

1 Andy and others can also chime in.

2 The transmission industry is a bit
3 unique, as well. Important to remember that
4 though we do have a cost recovery mechanism
5 through a rate case proceeding, it's typically
6 not efficient and it's often times, not available
7 to operators because we're in a competitive
8 environment, and you know, we can't always -- we
9 don't necessarily have captive customers where
10 rate increases can be passed on to our customers.

11 So, the challenge that the interstates
12 have is how do you invest and increase investment
13 in a competitive environment where not only do
14 you have the inefficiency of the rate case
15 mechanism, but even if you had the ability to get
16 a rate increase passed, you may not be able to
17 use that because you're competing and setting
18 your rates in a competitive marketplace.

19 So, it's a unique model. It's
20 something that is a challenge. We have been
21 working, you know, as an industry to educate FERC
22 on the types of investments that we think make

1 sense for more efficient -- for a more efficient
2 process.

3 A rate case proceeding is a very
4 contentious model. It's effectively, a
5 litigation, and when you're in a litigation with
6 your customers, it's not a good place to be.

7 So, we try to avoid that, that
8 vehicle, but it is -- it continues to be a
9 challenge, and Andy may have other thoughts, but
10 I would say that we're not there yet on the
11 Federal side, on figuring out how to make sure
12 there is a level playing field that we can
13 continue to be aggressive in investing in these
14 systems, but know that there is a predictable,
15 efficient recovery mechanism and know that we're
16 competing on a level playing field in a very
17 competitive marketplace.

18 MR. TAHAMTANI: Thank you, Chad.
19 We're about to take a break. Now, if we go
20 passed the break time, you get a shorter break.
21 Is that a deal? All right, go ahead.

22 MS. JOY: Michele Joy, on behalf of

1 the oil industry.

2 Just wanted to echo many of the
3 comments that Chad said regarding regulation at
4 the FERC.

5 However, with respect to the oil
6 pipeline industry, there is a mechanism that the
7 FERC engages in, because there is different
8 methods of regulation, and one of the primary
9 ones that applies to the oil pipeline industry is
10 indexation of rates.

11 Every five years, the FERC looks back
12 at what has been the cost experience of the
13 industry over the prior five years, and then
14 determines what should be the index for the
15 coming five years.

16 We are in the process of that review
17 at the moment, and there actually have been a
18 number of challenges, as to whether or not the
19 ongoing costs that have been reflected by the
20 industry, with respect to safety spent, are
21 likely to continue into the future.

22 So, one of the things that we would

1 ask if -- and hopefully, the Administrator would
2 be amenable to is, in the past, DOT has weighed
3 in on that rule making and has actually put in
4 comments with respect to what the safety program
5 is and the nature of investments that have been
6 going -- ongoing by the industry and in part,
7 supportive honestly, of what the industry spent
8 has been and that the numbers that are reflected
9 in the indexation analysis, and we would
10 certainly welcome and encourage the
11 administration to file comments in this
12 proceeding, as well.

13 ADMINISTRATOR DOMINGUEZ: Thank you.
14 We'll certainly take a look at it.

15 MR. TAHAMTANI: All right, go ahead.
16 You have some comments.

17 MR. QUACKENBUSH: Yes, I am John
18 Quackenbush from Michigan Public Service
19 Commission.

20 I agree with a lot of what was said,
21 so I won't repeat it, but I wanted to make one
22 point. I didn't hear anyone talk about, in

1 response to your question, about how can we get
2 more states onboard with focusing on this?

3 One is to focus on the total customer
4 bill that customers are paying, not necessarily
5 on rates, because when we have rate cases, there
6 is interveners that participate and like Jeff
7 said, there tends to be a focus on not one penny
8 more. We don't want to pay another penny for
9 anything.

10 But when you look at the total gas
11 customers bill, and how far down the commodity
12 cost has come, there is a lot of head room to be
13 able to pay for accelerated safety programs, and
14 that's one of the things, in Michigan, we've done
15 several rounds of that, and we're doing more --
16 more is on our plate this year.

17 But when you look at that, that seems
18 to be something that kind of gets lost in some of
19 the analysis, is that there is a lot of head room
20 on the rate and bill side.

21 MR. TAHAMTANI: Thank you. Jeff?

22 MR. WIESE: Well, thanks, and at the

1 risk of making your break shorter, I just have a
2 couple of closing remarks for this session.

3 One was to Administrator Dominguez and
4 appreciate, first of all, you making time. I know
5 you move more meetings, but I hope you'll stay
6 engaged with this committee. The more you engage
7 with the committee, I think the more you'll grow
8 to appreciate it.

9 I think I've told her the story that
10 I've told many of you, that when I first
11 inherited the committee, I thought, what a pain,
12 you know, just trying to get ready and go to all
13 the meetings, but it's even more of a pain to
14 Cheryl probably.

15 But that being said, and I know that
16 many of you know this. I came -- I evolved my
17 view on it to say that I think that it's
18 essential to how we do business, because through
19 this committee, we -- what you haven't witnesses
20 is voting, which is quite interesting, and I'd
21 just say, raise your hand if you remember a
22 number of times that we counted votes and said,

1 "You won. You lost."

2 I don't -- I personally only remember
3 one, and since Mike Comstock is not here, I can
4 take a shot at it. He voted against something
5 and he came to me later and said he apologized
6 because he was frankly, okay with it.

7 So, I think this group managed to work
8 itself and votes out to a place of consensus,
9 which most people understand. I think that
10 discussion has educated a lot of people to the --
11 you know, countervailing points of view.

12 So, I think in the long run, we've
13 gone ahead with marginal litigation against the
14 rule makings that we've done. So, I appreciate
15 your coming over today and listening to people.

16 We structured this session, and out of
17 fairness to the other members here who really
18 didn't get to talk to you, over time you'll hear
19 from all of them. So, this was just a sampling
20 of what people are doing.

21 I think you'll see, there is a fairly
22 robust set of activities. I just wanted to agree

1 with a couple of things and then turn it over.

2 One was, you know, I inherited the
3 integrity management rules. I didn't write them.
4 I inherited them and the oversight of those
5 rules. I'll be the first one to tell you, and I
6 think I have consistently, that IMP is not
7 perfect. IMP is good though, and the framework
8 is solid. It needs to be flushed out. It needs
9 to be followed, and that some of the key tenants,
10 like data integration, I think, you know, maybe
11 it's been natural, the evolution.

12 As people ran one pig and they were
13 looking at it, then they would run another pig
14 later and they're not doing enough data
15 integration. So, I was really pleased to hear
16 Michele talk about that in particular.

17 But that being said, I think the
18 evolution going forward, which we'll talk a lot
19 about tomorrow, is about safety management
20 systems and safety culture. Honestly, spent the
21 passed two years of my life with a couple of
22 people in this room, you know, including Linda,

1 you know, Ron, Robert was in there, Massoud. I
2 know I'm forgetting others, forgive me.

3 But I think that we have come to see
4 that that's clearly the future and integrity
5 management is part of that. It's not separate.
6 It's part of it, right. But the other parts need
7 to move and evolve, as well.

8 So, I'm glad to hear, and you'll be
9 hearing tomorrow, what we're doing as a
10 collective, to collaborate over a period of time
11 and help flush out a mature SMS, and then I'd
12 particularly liked Chad's metaphor about shining
13 a flashlight on things. I think that is really
14 important, whether it's rates, or you know, some
15 of us, have a real passion for damage prevention.
16 That's why we ask questions about it, that's why
17 we try to shine a light on it.

18 We have -- how many Board members do
19 we have here? We have a number of them. Tim is
20 there. Ron is there. You're there. I'm there.
21 Rick is there. So, we have a lot of commitment
22 to damage prevention here, and I think most of

1 the stakeholders here realize what a threat that
2 is.

3 There is a lot of work to be done at
4 a state level. Bob Kipp will be here tomorrow,
5 along with Sam Hall. You'll hear a lot more
6 about what we're doing on damage prevention,
7 particularly PHMSA's thankful that we got the
8 final rule out, thank God, you know, on damage
9 prevention, and we intend to implement that rule.

10 So, that being said, I'd just close by
11 saying there are four members who could not be
12 here today. Brian Salerno, who is with BSEE,
13 will be here tomorrow. Bill Kipp from Common
14 Ground Alliance will be here tomorrow. Mark
15 Brownstein with Environmental Defense Fund will
16 be here tomorrow. He had a family emergency that
17 came up.

18 The only person who is currently on
19 the roster who can't be here this day, or the two
20 days at all is Don Stursma. He represents NAPSR
21 and the State of Iowa.

22 So, it's a really good group of

1 people. We want to thank you for your time and
2 thank you for coming over. I don't know if there
3 is any closing comments you have.

4 ADMINISTRATOR DOMINGUEZ: I just want
5 to say thank you all very much. I appreciate the
6 information that each of you shared, and I look
7 forward to hearing from all the members of the
8 committee. Hopefully, have a little bit of time
9 at the break, to say hello to those of you that I
10 didn't get a chance to say hello to, when I came
11 in, but again, look forward to working with all
12 of you moving forward, and I can't over-
13 emphasize the importance that I see of the
14 Advisory Committee process and how we're working
15 together and how we'll move forward, really on
16 this safety management system and safety
17 management culture. I really do believe that that
18 is the most important thing that we can work
19 toward moving our industry, moving the regulatory
20 entity, as well as all of our partners, state and
21 otherwise, in a very progressive direction. So,
22 thank you, all.

1 MR. WIESE: Thank you all very much.
2 About 15 minutes. So, 3:00 p.m., please be back
3 in your seats.

4 (Whereupon, the above-entitled matter
5 went off the record at 2:47 p.m. and resumed at
6 3:07 p.m.)

7 MR. TAHAMTANI: All right, thank you
8 for being so prompt in coming back, although it's
9 about 3:06 p.m., but nobody noticed.

10 We're on Agenda Item No. 3. At this
11 point, we're going to receive a briefing from the
12 Office of Pipeline Safety, and Jeff, Alan and
13 Linda. Jeff, I assume you're go first?

14 MR. WIESE: I'm going to start it off,
15 because I know the least and I can talk at the
16 highest level, and then we can have people who
17 actually know something come behind me and
18 correct me.

19 Well, any rate, thank you all again
20 for being here. I do appreciate it very much. I
21 apologize that when our preparation is less than
22 it should be, want to try to commit to you to get

1 information to you sooner. I'll just tell you,
2 it's not for lack of working. It's just trying
3 to keep everything on the table.

4 So, I think that most of you have
5 known us for a long time and you know what I'm
6 going to say, is largely true. I'm saying this
7 for those who might be new here.

8 There is a lot going on in our world.
9 There always is in the pipeline world. There
10 always has been. You know, as long as I've been
11 associated with this group, 16+ years now, I was
12 just thinking of the people that I knew at the
13 very beginning, between Andy and Massoud and
14 others, who have stuck it out. I'm trying to
15 figure out what we were thinking about.

16 But there is always something going on
17 in our world. It's up and down world. It's
18 driven by the wrong things. It's driven by
19 failures instead of successes. We shine a light
20 on failures and not successes, but I guess that
21 as SMS would teach us, we need to learn from
22 those things, try to figure out how to be better

1 and go forward.

2 So, I did want to hear about other
3 things and priorities that people are doing. I
4 appreciate your members taking time to kind of
5 just touch on that stuff with the Administrator,
6 so, she understands better, our world that we
7 work in. So, thank you very much for that.

8 We're going -- you're going to hear in
9 just a couple of minutes, about mandates and
10 recommendations and rule making, but I did want
11 you to know, despite, you know, popular press to
12 the contrary, the Agency is committed and has
13 been committed. I think most of the members know
14 that, to getting all of the rule making out.

15 You know, I realize that we won't
16 necessarily agree on exact specifics in each rule
17 making when it comes out, and that's okay.
18 That's part of this process, right.

19 We propose. We discuss. You comment,
20 you know, we eventually bring it back to this
21 committee and we go forward.

22 I just wanted to tell you that that

1 commitment to getting this stuff done has never
2 waiver for one minute, regardless of what you
3 read.

4 We have fought it about as hard as we
5 can, and I'm very thankful to the new
6 Administrator who came in, and I think she talked
7 to the Secretary, and the Administrator and the
8 Secretary have talked to others, you know,
9 involved in the review process, and we kicked out
10 three things, including something near and dear
11 to many of our hearts, the final rule on damage
12 prevention. That one, we're going to hear a
13 little bit about tomorrow from Bob Kipp and Sam
14 Hall.

15 But anyway, I just wanted to reassure
16 you that we're committed to clearing all mandates
17 and recommendations that are before us, as we
18 were in the last round.

19 I will say that the mandates and
20 recommendations that we got, that's one of the
21 things I've learned the hard way, is that there's
22 no cost benefit done on those things before

1 they're handed to us. You know, they're just
2 given to us and said, "Do it."

3 But there is a framework that I think
4 Jon and others have been -- Cam, have been, you
5 know, laboring mightily, you know, within this
6 framework to try to move and advance these
7 things.

8 So, did want to say that, but also
9 wanted to make the case that while this committee
10 does talk a lot about rule making, our work, and
11 most of you know that, is about way more than
12 rule making.

13 As my friend Massoud says, that is the
14 point of entry. Really shouldn't even be talking
15 about that very much. That's kind of the floor.
16 Let's talk about where we can go, you know, and
17 now where we have to be. You know, it's where we
18 can go, and I agree with a lot of the comments
19 about the need to collaborate to get there.

20 So, as we go forward, I will tell you
21 that I think the collaboration is going to offer
22 a lot of value. I'm all for transparent

1 collaboration. Let's not collaborate in ways
2 that people think we're sneaking around. Anybody
3 wants to join in the collaboration is welcome to.

4 But I do think we have to get together
5 and knock heads for a while, in order to figure
6 out the best path forward, and forgive me, I
7 mean, Ron and Massoud and Robert are sick of
8 hearing it, but for the rest of you, I think the
9 SMS story is a really good example of that.

10 We'll get into it in detail tomorrow, but as
11 we've said to you before, and I meant that, that
12 when we started, I was unsure that we would
13 finish, but when we were finished, I was sure
14 that pretty much any member of that team would
15 have given the same presentation, and delivered
16 it the same way.

17 So, that's a real testament, you know,
18 to the power of collaboration. We had state
19 regulators on there, as well as Federal
20 regulators. It wasn't just industry. It was all
21 sides of the industry. So, a real testament to
22 the power of collaboration.

1 I will tell you that we have
2 significant technical issues ahead of us. I know
3 everybody is onboard with our integrity
4 verification process. I was just waiting for
5 that. You know, we have issues relating to
6 liquified natural gas, LNG and kind of the --
7 trying to get our rules current there, the role
8 of hydrotesting.

9 But I will tell you that we'll work
10 our way through those, whether it's in a
11 committee structure, these -- you know, I really
12 look forward to the midstream update, because I
13 do think it's a good example of how we can
14 partner and collaborate and do better for the
15 public, than just waste our time in Court, right.

16 Other thing I wanted to comment on was
17 to tell you that in addition to writing rules and
18 taking care of everyone's recommendations, we
19 have implementation galore. We're still working
20 on integrated inspections, and that's something I
21 know many of the members know about, some of the
22 state partners know about, but others don't.

1 So, maybe at some point, we should
2 talk about integrated inspection, more of why did
3 we pursue that path?

4 The damage prevention final rule and
5 beyond, meaning where are we going to focus our
6 time and effort, in order to make a real
7 difference in damage prevention? You know, we
8 can't do the whole U.S. at one time.

9 I think that's the shine a light
10 theory. You know, let's figure out the states
11 that we need to focus on and then let's do it,
12 you know, let's help these people move beyond.

13 Transparent performance metrics. You
14 know, I think Carl talked about that a little
15 bit. But there are lot of people in this room
16 and Carl, who have been involved with this. We've
17 wrestled with performance metrics for a long
18 time. We've committed to making that effort
19 public, as well as the performance of individual
20 operators.

21 The midstream issues. There is
22 implementation there. We have R&D program award

1 coming really soon and some exciting stuff, and
2 our CAAP program. You'll hear more from Ken Lee
3 about that tomorrow.

4 A lot of work with our state partners,
5 you know, in making improvements in our overall
6 structure, working together, expanding,
7 strengthening states and I think we're committed
8 that.

9 You know, one of the biggest
10 challenges we have honestly is -- relates to
11 organizational issues. The Congress
12 unexpectedly, despite the fact that we had been
13 asking for several years and assuming we wouldn't
14 get it, unexpectedly gave PHMSA a significant
15 bump in 2015, in our pipeline safety program.

16 They only funded half of the position
17 so far, but I'm telling you, it's quite a
18 challenge to try to recruit those people. We're
19 trying to take advantage as we can, of the
20 downturn in the economy, pitching places where
21 there are people being laid off. We're talking
22 to companies who have technically skilled talent

1 out there, and trying to tell them we have
2 opportunities, if they want to come.

3 So, I'm just telling you, we're
4 hiring. If you know people who need to look for
5 work, our regional offices, particularly in D.C.,
6 where it seems go figure, it's almost impossible
7 to hire anyone in D.C.

8 So, I wanted to -- I won't talk about
9 SMS here. But we'll talk a lot about it more,
10 but there's a lot of implementation over a number
11 of years that we have to do there.

12 The last things I wanted to say is
13 that we will hear a lot more, and I'm trying to
14 use this forum to talk to you more about our
15 engagements in larger policy issues.

16 National Energy Policy is one. You
17 know, we've known Paula Gant for a long time, and
18 we got to her in a weak moment, like this, when
19 she wasn't sitting there, and recruited her to
20 join the committee.

21 I think Paula will bring a lot to this
22 committee. She'll be talking to you about their

1 QER exercise, which in think if you're not
2 familiar about it, you'll find it quite
3 fascinating.

4 We've been talking a lot with the
5 various people, including the environmental
6 defense fund, who we invited to join the
7 committee, to talk about methane emission
8 reduction. That is going to be a facet of our
9 life going forward.

10 We need to figure out how are we
11 playing in that arena, how do we contribute. You
12 know, are there things that -- I think there are
13 a lot of things that we do that contribute, that
14 we're just not taking credit for, you know, to be
15 honest with you.

16 Infrastructure modernization and
17 reinvestment, we've talked a lot about that, but
18 I think that's part of the shine the light again,
19 trying to figure out how we can talk to states
20 that are sort of sitting out on the edge about
21 coming in with more innovative recovery
22 structures.

1 Then the last thing I wanted to do
2 before turning it over to Alan and Linda, was to
3 say, you know, I think much of what we do depends
4 on people. We, as organizations, can do a better
5 job of employing those people and using them to
6 achieve our goals and objectives. Culture is one
7 of the biggest things we have to focus on.

8 But the thing that I think we haven't
9 focused on collectively, I know individually we
10 do things, is on workforce recruitment and
11 development.

12 Now, I know AGA for example, I think
13 the liquid industry, for example -- I don't --
14 INGA, maybe others, are doing things, but we
15 haven't collectively gotten together and say,
16 "How do we prepare the next generation, you know,
17 to come into the workforce and contribute?"

18 You know, if you look at our
19 enterprise in its totality, there are lot of
20 different job opportunities out here for kids,
21 you know, from technical to, you know, degreed,
22 you know, you name it.

1 But somehow or other, we need to get
2 together and strengthen that message and get out
3 to universities, and I would just tell you, I
4 think that you can count on the department to
5 partner with you, if you're willing.

6 The Secretary in particular has
7 announced his Ladders of Opportunity. He's
8 trying to find ways to bring kids into the
9 workforce, partnering with different academic
10 institutions. I think as you listen to our CAAP
11 program tomorrow about partnering with academic
12 institutions on research, you know, it was
13 critical to us.

14 One of our performance metrics is how
15 many graduate and post grad students are employed
16 on that grant? You know, we're interesting in
17 developing talent and attracting them to work in
18 our arena.

19 So, any rate, I just wanted to close
20 my remarks by saying I think that is such an
21 opportunity for us to collaborate collectively
22 across the enterprise and do sort of the next

1 generation a favor, by showing a clean path into
2 the, you know, workforce, whether it's with you,
3 or with us, the states, whoever.

4 So, I think with that, with your
5 permission, I will stop and I would certainly --
6 I'm not taking any questions from Linda, so, but
7 I would certainly turn it over to her.

8 MS. DAUGHERTY: I have just a few
9 comments. I want to share with everybody, some
10 real exciting news.

11 I'm Linda Daugherty, for the reporter.

12 A few things that we're doing
13 internally that I am -- I'm scared and excited
14 and thrilled about. We're on a cusp of a few
15 major changes.

16 Over the last couple of years, as
17 we've worked with the committee on 1173, I think
18 we've all had a learning curve on values of the
19 concepts. It's a steep learning curve for me.

20 So, we are, in recognition of what's
21 good for the goose is good for the gander, we'll
22 telling the industry they need to adopt, you

1 know, these concepts and implement them, that we
2 are also trying to do that internally.

3 So, it's not a straight fit, but it
4 will work, and so, Jeff and Alan and I have a
5 number of activities underway to educate our own
6 folks about the concepts of SMS and safety
7 culture, but also, ways of socializing them into
8 our own organization, such that they become part
9 of the way we do business.

10 So, that's an exciting time. We'll
11 see how that proves out. As with everybody else,
12 it's going to take time to go to full
13 implementation, but I'm sure you all will hold us
14 accountable. So, that's one item.

15 The other item has to do with a bit a
16 reorganization in field ops. Not a big change.
17 Not a big C, but a little c.

18 We are creating what we're calling the
19 Accident Investigation Division. That is going
20 to take our accident investigators and move them
21 into a separate group, so they can focus on
22 lessons learned.

1 I've asked Wayne Lemoi, some of you
2 may know him. He has been our southern region
3 director, to move into a new position as the
4 national safety coordinator, and his role is to
5 look for lessons learned.

6 I was very happy to hear what you
7 said, Cheryl, about you know, gathering
8 information. You know, you've got -- and I think
9 also, Craig mentioned that, as well, how we need
10 to learn from lessons in the past. Michele,
11 maybe you touched on that, as well, how we gather
12 information and don't lose it from generation to
13 generation, how we share that information, and I
14 think we can improve.

15 So, we've got a bunch of different
16 things we've put in play, to hopefully help us do
17 a better job of sharing lessons learned,
18 internally and externally. Alan?

19 MR. MAYBERRY: Yes, thanks, Linda. As
20 you probably know, we're kind of -- Office of
21 Pipeline Safety is really divided into two major
22 groups, and Linda and I kind of are partners in

1 crime, Linda covering the field operation side of
2 our field -- our region offices and then I cover
3 what we call the policy and program side.

4 There's a little bit of an education,
5 for those of you who haven't been here as long,
6 or are newer to the committee.

7 But certainly on the -- Linda has
8 probably the larger number of people. On my
9 side, it's a fairly diverse portfolio and Jeff
10 really did a good job of highlighting a lot of
11 the major things that we're doing. I thought I'd
12 just touch on a few of those.

13 But you know, it's that portfolio that
14 covers the -- our training qualifications group
15 in Oklahoma City, our engineering group, which is
16 like our corporate engineering. Many of you have
17 those in your respective companies or in your
18 agencies.

19 Program development and outreach was
20 -- which is a big focus, has a big focus in
21 outreach, especially here lately, with all the
22 activities around damage prevention and 811, and

1 in fact, we just celebrated a -- you know, 811
2 day at the nationals game, and appreciate the
3 involvement of many stakeholders to help us
4 celebrate that and bring -- shed light on that,
5 as well as many of the initiatives that you have
6 within your respective companies or within your
7 respective groups to shine light on that major
8 issue, relative to pipeline safety.

9 Then of course, the standards and rule
10 making side of the house.

11 You know, and Massoud, I appreciate
12 your comments. It's not all about, you know, the
13 regulations we put out, the regulator. It's a
14 partnership really, and that doesn't just involve
15 the regulator. It involves the operator. It
16 involves the public as well, to shed light on
17 issues and to -- you know, to make sure that
18 their voice is heard, that we all collectively
19 understand.

20 But I assure you, you know, as far as
21 our participation and our role in the pipeline
22 safety arena, we are doing everything we can to

1 ensure that the regulations are relevant, ensure
2 that the regulations put the right resources
3 where they need to really move the safety ball
4 forward.

5 So, for that, under John Gale's
6 leadership and standards and rule making, you
7 know, I'm very grateful for all the work that's
8 been done there, that we'll be hearing more
9 about, especially in the next break. You know,
10 John and I are up to talk a little bit about rule
11 making and then where we stand on mandates and
12 recommendations.

13 Then lastly, I was going to mention
14 state programs. Jeff mentioned that, as well.
15 That had a heavy focus, certainly in the last few
16 years. We had an IG audit on that. We had
17 success in closing the recommendations out of
18 that audit. Very proud of that.

19 But beyond our -- you know, what are
20 -- what we would call taking care of business,
21 you know, which a lot of people know is mandates,
22 recommendations, rule makings and the like, you

1 know, our agenda is just so much more than that,
2 and Marie Therese had mentioned it earlier, a few
3 things that we have going on that are coming up,
4 that really illustrate that we are doing more
5 than just working on mandates. Our program is
6 just much richer that.

7 You know, as far as moving forward on
8 our understanding of documentation of pipeline,
9 and ensuring that they're fit for service. We
10 have the hazardous liquid IVP public meeting
11 coming up on Thursday. So, I'm looking forward
12 to a good dialogue and you know, really learning
13 more about some of the issues, as we really try
14 to advance the understanding of assets that are
15 in the ground, and improving safety.

16 That really follows on our gas IVP
17 initiative that we had, that we had -- that we
18 also had a public meeting on. So, similarly,
19 we're doing it with the liquid side.

20 You know, then on the -- later in
21 September, we'll have a two day, or essentially a
22 day in a half workshop on risk modeling.

1 You know, we had a workshop in 2011 on
2 risk assessments, and that was a workshop that
3 kind of -- this is really a sequel to that
4 workshop, and this is one to say, what can we do
5 better in risk modeling to move beyond simplistic
6 models and better understand where we need to be
7 on modeling, and Michele, I think, you know, many
8 of your comments -- and I was glad to hear
9 related to, you know, detection and data
10 integration, that's where things -- very
11 important to that effort, certainly to, you know,
12 make sure we don't miss things.

13 I know, you know, it's -- you know, we
14 want to see in that workshop, what we can learn
15 and just come out of it maybe with -- we're
16 looking to better inform how operators use risk
17 models and maybe ways to improve risk models, to
18 really better take into account, interactive
19 threats, in particular, and then just guidance on
20 which models to use and that sort of thing.

21 By the way, that will also -- well,
22 you know, that's self-initiating effort. You

1 know, it just turns out that it will fall in
2 place nicely to deal with some of the NTSB
3 recommendations that came out of the IM report,
4 with things like interactive threats or risk
5 models and that sort of thing.

6 So, that's a day and a half workshop,
7 September 9th and 10th, and then after that,
8 actually on the last half day of the second day,
9 we will have a workshop on NPMS data gathering,
10 and that will -- we'll actually be announcing
11 that in the Federal Register this Friday. It's
12 actually a notification of a 60 day notice for
13 information collection. It's a revised 60 day
14 notice, if you will, and then we'll have a public
15 meeting to further, you know, discuss that and
16 see where we need to go out of that.

17 That will also be responsive, you
18 know, it's just in addition to an NTSB
19 recommendation that came later out of the IM
20 report as well, related to accuracy of, you know,
21 mapping information that is sent to us.

22 Then lastly, well, you're going to

1 hear later. I think Jeff covered this, R&D, Ken
2 will be providing a -- you know, an update on
3 that. We are soon to award some R&D funds, from
4 our mainstream R&D program, but also from our
5 CAAP program, that we're very proud of.

6 But I wanted to end on employee
7 training and development.

8 As many of you know, or some of you
9 know, we have a state-of-the-art training
10 facility in Oklahoma City. It's where we train
11 the state and Federal inspectors. We're looking
12 to really -- as we've moved into the facility, to
13 really grow the program, because we are hiring
14 more people. We're also looking to improve the
15 training that we do provide to our inspectors,
16 both to make sure it's relevant and you know, up
17 to date.

18 We're developing new curriculum. We
19 are getting ready to have an audit curriculum,
20 that we're piloting, and that curriculum is
21 designed to train our inspectors on safety
22 management systems. It will really be a training

1 class on 1173 and just how do you, as operators,
2 implement these types of programs, how do you
3 inspect those?

4 So, that will be -- we have a couple
5 classes there, coming up.

6 Additionally, as we hire these 100 --
7 well, we're hoping 109 or I guess about 83 in the
8 field, how do we train them, and plus the state
9 inspectors, as well. How do we get them trained
10 up efficiently?

11 So, we're looking at developing a boot
12 camp protocol, or a boot camp curriculum for
13 those new inspectors coming onboard, just to make
14 them useable and give them they tools they need,
15 you know, as quickly as we can after they come
16 onboard. So, we're looking forward to that, as
17 well.

18 You know, let me give one bonus topic.
19 It will be covered at some point over the next
20 couple of days, but another area relevant, very
21 relevant on our agenda is related to LNG,
22 certainly with -- you know, everyone has heard,

1 especially in the media, about the export, the
2 rush to export LNG.

3 We've certainly had some growing pains
4 with the volume of work and working with FERC,
5 and I think we've made a lot of progress. We
6 work well with FERC, to make sure that these
7 applications are processed in a timely manner.

8 As we do that, we're also seeing an
9 advent of small and mid-sized or smaller scale
10 LNG facilities. So, we're looking at policy
11 changes that are needed for those, and those are
12 applications that really aren't conducive to our
13 current regulation 193, and because of that,
14 we're also developing rule making, in the early
15 stages of developing rule making on Part 193.

16 Again, here is a way that we need to
17 be relevant to the current technology. It's been
18 some time since 193 was robustly updated. You
19 know, a lot has changed since the days of really,
20 the LNG plants were mainly peach haven
21 facilities. Now, you know, they're large scale
22 export facilities, and then there are, you know,

1 small scale facilities.

2 So, we're going to take a look at
3 that. So, that will be -- you can look forward
4 to that, as we go forward.

5 That's kind of it in a nutshell. I'd
6 be glad to -- are we open for questions?

7 MR. TAHAMTANI: What I'd like to do,
8 Alan, if you don't mind, to go ahead --

9 MR. MAYBERRY: I don't mind.

10 MR. TAHAMTANI: -- and go into your
11 new subject, Item No. 4, you and John, and then
12 we'll open up for questions.

13 MR. MAYBERRY: Okay, sure.

14 MR. TAHAMTANI: John, you want to go
15 first?

16 MR. WIESE: I'd just say to cue it up
17 a little bit, I thought -- to make sure that we
18 use your time well and we get there, you really
19 sort of -- apologies. You're sort of getting the
20 OPS show this afternoon, and so, we can combine
21 that quick little update that we provided you on
22 topics.

1 There is a lot of meaty stuff in
2 there. I mean, if you haven't focused at all on
3 small scale liquefaction on LNG, that's a
4 fascinating topic. Ken will talk about it
5 tomorrow. Fascinating.

6 But that being said, if you'll indulge
7 use, we can -- between what we just said to you
8 and this update here, we'll kind of let you know
9 what's on our plate, and so, I think it gives you
10 a better opportunity to ask us Q&A and all of
11 that. So, I'll turn it back to you, sir.

12 MR. GALE: As Cam's giving the
13 presentation right away, got a little bit of a
14 curve ball there, so, we're getting it up to
15 speed.

16 MR. TAHAMTANI: I want you to know
17 that the curve ball came from your boss.

18 MR. GALE: I figured that one. Yes,
19 so I appreciate that. You know, I'm Bryce
20 Harper. I can hit it.

21 So, at the last meeting, you know, I
22 made a comment about, you know, being frustrated.

1 We've got some rules out, and sometimes you got
2 to be careful what you ask for.

3 In the last six months, we've
4 published three final rules. We've published a
5 standards update rule. We publish a rule -- a
6 final rule on excavation damage, as Jeff has
7 mentioned. We published a final rule on
8 miscellaneous amendments, which dealt with a
9 variety of topics.

10 We also published three NPRM's dealing
11 with issues such as excess flow valves, the rule
12 making title operator qualifications, but that
13 also dealt with incident reporting requirements,
14 cost recovery issues and the like.

15 We also published an NPRM on plastic
16 pipe, and as -- and even though we got those
17 rules out, we are extremely -- Ms. Dominguez
18 mentioned, aggressively working on, we are
19 extremely aggressively working on getting the
20 hazardous liquid and the gas transmission rule
21 makings on the street.

22 Actually, it's been -- quite

1 surprising that Cameron and myself haven't been
2 pulled out of this meeting, it's so actively
3 being worked on. We've been at meetings with
4 both the General Counsel of the Department, the
5 head of OIRA on a regular basis right now, on
6 just trying to get these rule makings on the
7 street and begin the dialogue with both the
8 hazardous liquid industry and the gas
9 transmission industry.

10 So, hopefully, you know, all that hard
11 work is going to pay off soon. We can get some
12 of the bigger rules on the street. We're also
13 working aggressively on our valve rule. We're
14 all set. Not yet?

15 Okay, on our valve rule, and also
16 working hard lately on our NPMS changes, as Alan
17 just recently mentioned.

18 Some of the challenges we're facing
19 is -- it's pretty much the same story for us in a
20 lot of ways on our rule making program, and
21 that's on our cost benefit side.

22 Though we have mandates, we still have

1 to pass cost benefit analysis. We have executive
2 orders, this is referred to as executive -- the
3 common one is Executive Order 12866. There's
4 another one, Executive Order 13563, which re-
5 affirms the earlier executive order.

6 But basically, dictates to us that we
7 have to follow good cost benefit processes. We
8 have to use the best available techniques in
9 developing our cost benefit processes, and
10 basically, one of the things that 12866 does, it
11 sets out the process that we're suppose to follow
12 through the Office of Management and Budget, in
13 getting their approval on what's called a
14 significant or non-significant rule making
15 action.

16 You know, those are the challenges to
17 us. We're continuing to try to improve our
18 processes, improve our data. I call it improving
19 our benefit formula, so to speak.

20 You know, we've historically looked at
21 things, you know, like property damages and
22 fatalities and injuries and environmental

1 restoration charges, but we're trying to -- you
2 know, we're looking at other things now.

3 We're looking at social cost of
4 carbon, public opportunity costs and the like, to
5 try to take -- to fully capture, what is the
6 benefit to some of these changes.

7 You know, we have people -- you know,
8 like INGA making commitments to get to zero
9 incidents, and we're struggling to get some of
10 these rules out. To me, that's a -- you know,
11 that's a difference. We've got to figure out why
12 is that difference happening. If they're making
13 that commitment and making those changes, and
14 we're struggling to get those rules out.

15 So, our challenge is to close that
16 gap, so to speak, and we're hoping to get there.

17 What I'm going to do is give a very
18 quick regulatory update, later in the week.
19 We're going to have -- or sorry, tomorrow. We're
20 going to have more thorough presentations on our
21 excess flow valve rule, our operator
22 qualification rule, plastic pipe rule and

1 excavation damage.

2 But we're not looking for a vote yet,
3 as Jeff mentioned. We're not yet. We're hoping
4 to do that later this year. My recommendation is
5 going to be some time in, you know, January. As
6 I've been told by some of the members, we've got
7 to start -- you know, we got to get on the
8 calendar soon. Your calendars fill up quickly,
9 and hopefully we can get that set up.

10 We also -- our goal is to get the
11 information out to you with enough time, so you
12 can analyze the information appropriately, and
13 so, you can come to the meeting ready and discuss
14 those topics, and that is one of our commitments.

15 Sometimes they get kind of, you know,
16 butt up against the goals of other priorities, to
17 get these rule making actions out.

18 So, kind of bear with us a little bit,
19 but hopefully maybe December or January time
20 frame, we're probably looking at actual committee
21 meetings to have votes on these rules.

22 So, the rule is, of course, is our

1 hazardous liquid rule. It's passed DOT. As many
2 of you know, it's at OMB. It deals with a
3 variety of issues from assessments of high
4 consequence areas or expanding of IM principles
5 beyond high consequence areas, leak detection
6 requirements beyond high consequence, pigability
7 of lines, prepare criteria, the gravity line
8 exception, and of course, gathering lines.

9 So, we're hoping, as Ms. Dominguez
10 says, to get that rule out by the end of this
11 year, and we're hoping that we can accomplish
12 that.

13 Kind of like its sister rule of
14 course, is on the gas transmission side. It
15 deals with very similar topics. As many of you
16 know, this rule is also at OMB, and then those
17 two rules are basically taking up my -- probably
18 110 percent of my staff's time right now, and
19 dealing with very, very similar issues.

20 Expansion of IM, gas gathering,
21 corrosion, the selection of assessment tools and
22 the like. Also deals with good old IVP. As Jeff

1 said, you know, the very -- very popular topic
2 there, which again, gets into, you know, your
3 problematic issues, such as grandfathered pipe,
4 pipe record -- pipe with inadequate records,
5 legacy pipe and pipe tested below 1.1 MAOP.

6 So, we're hoping to get that rule
7 through, both of these on the street by the end
8 of this year, be able to bring them to the
9 committee, and you know, have the discussion,
10 have the tough discussions and have that vote,
11 shortly thereafter, but of course, we're also
12 trying to balance getting the other three or four
13 rules that are at NPRM to the committee at the
14 same time.

15 So, we are actually planning, trying
16 to stage all this stuff as best -- within our
17 control, so that we can do this effectively as
18 possible.

19 As we mentioned, the excavation damage
20 rule is going to publish final. Sam Hall is
21 going to give us a presentation on this tomorrow,
22 and it has an effective date of January 1st,

1 2016.

2 One of the things I'd like to mention
3 is, you know, this past July, we saw a flurry of
4 rules get out, very quick pace, and normally when
5 we publish a rule, we like to, you know, get some
6 information out to not just members, we try to
7 get information out to our stakeholder, and I
8 think when these rules were coming out as quick
9 as they were, we weren't able to be as effective
10 on that as we'd like to be, and I'd like to
11 apologize for that. But I hope you all
12 understand also, the amount of stuff we were
13 getting out at one given time.

14 The miscellaneous rule making was also
15 published final. The important thing to point
16 out on this is that we received three petitions
17 for reconsideration on that rule and a letter
18 from NAPSR.

19 The petition from -- we received a
20 petition from American Gas Association, asking
21 for an extension of the compliance state from
22 October 1st to January 1st. We received a

1 petition from APGA to ask us to deal with -- more
2 effectively with the smaller operators that are
3 in their membership.

4 We also received a petition from INGA
5 dealing with pressure vessels tested to ASME
6 versus tested to 1.5 MEOP.

7 We recently published in the Federal
8 Register, a document notice that we weren't ready
9 yet to respond to that, but we are hoping, and we
10 are -- more than hoping. We plan on publishing
11 the response to those petitions and the NAPSR
12 letter in September, prior to the effective date
13 of October 1st, that we believe is going to deal
14 effectively with all those petitions.

15 One of the things we also hoped to do
16 in this Fall is to get together and identify some
17 of the issues that have come up, especially with
18 the issue on construction inspection and come
19 with some FAQ's that we think will help not only
20 our inspectors, but also will help the industry
21 help comply with this new requirement, and we
22 hope to have that out before any effective date

1 of the rule.

2 We're going to have a presentation
3 tomorrow on excess flow valves. But this was a
4 rule long time in coming. Tried to get it on the
5 street, to expand excess flow valves from the
6 single-family residences that came up through
7 DIMP, to expand them to branch service lines,
8 multi-family residences and commercial buildings,
9 and also dealt with the issue on curve valves,
10 for you larger commercial buildings, larger
11 buildings.

12 The comment period on that ends in
13 September, and we're just -- we'll have a more
14 thorough discussion of that proposal later
15 tomorrow.

16 We also published a rule on July 10th
17 on what we call operator qualification cost
18 recovery, and other pipeline safety proposed
19 changes. We're going to get a more thorough
20 discussion of this again, tomorrow. The comment
21 period ends September 8th, but some of the other
22 issues dealt -- deals with is a proposal related

1 to incident reporting.

2 There is a mandate to go from a two-
3 hour reporting window to a one-hour, but upon
4 confirmed discovery, and I think we'll probably
5 have some comments on confirmed discovery
6 tomorrow, as I understand.

7 We also issued an NPRM back in May,
8 comment period just ended the end of July on
9 plastic pipe issues, with a variety of issues
10 that had come up through the years, and also
11 mainly, you know, from either petitions, some
12 internal requests to make changes to the
13 regulations and we'll also get a more thorough
14 discussion of this tomorrow.

15 We're also actively working on our
16 rupture detection and valve rule making. That is
17 based on some mandates we've received and some
18 recommendations from NTSB. This rule making is -
19 - there is a correlation to this between this and
20 the hazardous liquid rule and the gas
21 transmission rule, as we develop the cost benefit
22 analysis for these rules.

1 So, this rule has been a struggle for
2 us. It's been a challenge, especially in terms
3 of cost benefit. But we're going to work through
4 it and we're going to try to solve this issue as
5 quick as we can, and we hope to start to move
6 this rule -- this rule is still within --
7 internally within PHMSA, and we hope to be able
8 to move this rule out of PHMSA very shortly.

9 We also have a couple of other rules
10 on our plates that we're in the processing of
11 getting moving.

12 We always do a standard update rule
13 every couple years. We finalized one back in
14 January. We're starting up another one, probably
15 dealing with about 25 to 30 new standards. Of
16 course, when we do a standards update rule now,
17 we have to deal with what's called Section 24
18 regarding availability of standards.

19 We thought -- we believe we were
20 adequately addressing it. We actually had
21 received a comment on our plastic pipe rule, with
22 dealt with the 12 or 13 standards. Yes, that

1 they -- there is at least one comment, I believe
2 that we have not, you know, we have agreements
3 with many of the SDO's, all except one, to make
4 those standards available.

5 Some of them have some requirements in
6 terms of registering and submitting email
7 addresses and the like. But the standards are
8 available, but at least there is at least one
9 group that believes we're not complying at least
10 with the letter of the law.

11 So, we're taking a look at that
12 comment and we're going to try to see if maybe
13 there is some things we can improve on, on
14 providing access to those documents.

15 We're also working on what we refer to
16 as the state de-certification rule making, which
17 would just basically add to our regulations, the
18 administrative process for de-certifying the
19 state program, and assume intrastate regulatory
20 inspection and enforcement responsibilities, if
21 we think a state is not up to speed.

22 But not that we're -- we plan on using

1 that very often, but it would be another tool in
2 our toolbox that we'd have in our regulations
3 that if need be, we can address appropriately,
4 and that's all I got.

5 MR. MAYBERRY: Thanks. I just want
6 Cameron to tee up the next one.

7 MR. TAHAMTANI: This delay is designed
8 to allow you to write down all your questions.

9 MR. MAYBERRY: It's an appropriate
10 pause.

11 MR. TAHAMTANI: So, it's a lot of
12 parts to be up, when we get to the Q&A.

13 MR. MAYBERRY: The next topic will be
14 mandates and recommendations, and there is a lot
15 of connectedness between mandates and
16 recommendations and rule making, obviously.

17 Certainly, mandates have been a theme
18 today. We've heard a good bit, you know, this is
19 -- it's no secret that we're under a number of
20 mandates, so wanted to give you an update on
21 that, at least where we stand.

22 Again, you know, we've had a laser

1 focus on, you know, really adequately resolving
2 these, effectively resolving these and doing an
3 excellent job. So, I'm proud of the work that
4 our group has done, our agency has done on this.

5 You know, it is a very deliberative
6 process. It's not -- it's intentionally that way
7 to ensure that, you know, all stakeholders are --
8 you know, concerns of all stakeholders are
9 addressed.

10 So, that is a bit, you know, part of
11 the slowness of it, but I assure that we are
12 focused on, you know, on resolving the mandates,
13 and then of course, recommendations and when we
14 say these things, when we say mandates, we mean
15 Congressional mandates that came out of our re-
16 authorization here most recently, the 2011 re-
17 authorization. The recommendations, the NTSB,
18 from the NTSB, the GAO and the Inspector General,
19 the IG. So.

20 My plan is really not to go through
21 each one. I think that would, you know, really
22 not be a good thing after lunch, here later in

1 the day, but I will summarize where we stand and
2 hit a few high notes.

3 If there are any that you may have a
4 question about, I'd be glad to drill down and you
5 know, address specific ones, but anyway, moving
6 on.

7 I just -- I'm going to hang on this
8 slide, because beyond this, I do have a status on
9 all the mandates and all the recommendations.
10 So, you know, line item by line item.

11 But really, where we stand now is, we
12 have completed 28. There are 48 total for
13 mandates. These were in the re-authorization.
14 Twenty remain open, and the 20 that remain open,
15 11 of them, like I said, they're connected to
16 rule making quite a bit. Eleven will be
17 addressed through our current efforts on the
18 valve rule, the gas transmission rule, hazardous
19 liquid rule, the excess flow valve rule, operator
20 qualification rule makings, obviously, what has
21 been recently put out, as well as the MPMS
22 information collection.

1 So, that will deal with 11 of the 20
2 that we have open, remaining, and the four of
3 that 20 will be addressed through reports to
4 Congress, currently under review or edit. We've
5 got the reports written, but they're just in
6 final vetting. Really can't say they're final.
7 They're under vetting.

8 So, until that is finished, those deal
9 with class location or integrity management.
10 That's one that's near and dear to us, as far as
11 one we spent a good bit of thoughtful time on,
12 Section 5 mandate. CO2 pipelines, that is
13 transporting CO2 and gaseous phase and mandate
14 related to developing rule making on that, and
15 then lastly, on non-petroleum hazardous liquids.

16 By the way, these are reports, not
17 rule makings, by the way, just to -- and then
18 five of the 20 will be addressed through future
19 regulatory activities, and possibly through some
20 information collections, but that kind of
21 summarizes the 20.

22 Nine of 26 NTSB accident related recs

1 are closed, and when I say accident related,
2 that's coming out of San Bruno, Marshall,
3 Michigan in particular. Of course, we do have one
4 of our oldest recommendations that came out of a
5 failure that was much older, back in Ashburn,
6 Virginia, which -- what resulted in the excess
7 flow valve recommendation from the NTSB, but that
8 will be resolved with our rule making that we
9 hope will become final. It's currently a
10 proposed rule.

11 Then later, more recently, NTSB
12 finished integrity management audit, the report,
13 the results of which created 22 additional
14 recommendations.

15 We recently sent a status to the NTSB
16 on the 22 recommendations. One item was closed
17 in that update, because one was actually
18 implemented while the report was being finalized,
19 and then one was -- we had a report back --
20 actually, it's the first time I can remember this
21 has happened. We have one that came
22 open/unacceptable.

1 In other words, the response that we
2 had, our position on that was not one that, you
3 know, really, they were looking for.

4 We're still talking with them about
5 it, but it has -- that one specifically has to do
6 with qualification of people carrying out
7 assessments on inline inspections, and why
8 they're -- and the need to adopt that, or to
9 require that in rule making.

10 We're looking at other options outside
11 of rule making, but we're going to continue
12 discussing that with NTSB.

13 Let's see, and then related to the
14 OIG, 14 of 16 recommendations are closed. The
15 last two related to the hazardous liquid
16 integrity management. Those are primarily --
17 those recs, all collectively are dealing with
18 hazardous liquid integrity management and then
19 the state programs audit that was done.

20 Then one of seven GAO recommendations
21 are closed.

22 You know, just for comparison, when I

1 last updated, I went back and looked when I last
2 updated you on where we stand on these, it was
3 February of 2014, and since then, we've closed
4 three mandates, one OIG rec and six NTSB
5 recommendations.

6 So, we made a bit of progress. We'd
7 like to have made more progress. More progress
8 will be made after we get some of these rules
9 freed up, you know, that will come out as
10 proposed rules, but then they won't really be
11 cleared up until they're final rules. So, after
12 we finish that process.

13 That's really it, in a nutshell, where
14 we stand on the mandates and recommendations.
15 Like I said, I have beyond this, for your use
16 after the meeting or there is just for reference,
17 just the table by -- table of each recommendation
18 and where we stand, and whether or not they're
19 complete.

20 I had this last time. I thought it was
21 a little bit laborious to go through each one,
22 but like I said, I'd be glad to answer any

1 questions you may have on them.

2 Also, I might add, we have good
3 information on our website, on where we stand on
4 these. I'd really recommend that you go there,
5 if you're curious where we stand. We keep that
6 up to date, and that's a good source of
7 information on where we stand on the
8 recommendations and mandates. So, I would send
9 you there, or call me.

10 So, with that, that's kind of an
11 update on where we stand on recs and the
12 mandates.

13 MR. TAHAMTANI: Thank you, Alan. Now,
14 questions on everything that's been covered since
15 the break.

16 MR. PIERSON: Craig Pierson, Liquids.
17 Just clarifying, do we want to talk about the
18 NPRM on notification? You want to talk --
19 question and answer now, or tomorrow? Is there a
20 preference?

21 MR. GALE: I would recommend it
22 tomorrow.

1 MR. PIERSON: Okay.

2 MR. GALE: You're talking about the
3 issue of confirmed discovery?

4 MR. PIERSON: Yes, tomorrow?

5 MR. GALE: It's going to be a more
6 thorough discussion of that whole rule tomorrow,
7 of all the different proposals, and it would
8 probably be best to have that tomorrow.

9 MR. PIERSON: We'll look forward to
10 it.

11 MR. GALE: All right.

12 MR. PIERSON: Thank you.

13 MR. WIESE: Just for what it's worth
14 though, I think that there is probably whatever,
15 a quarter of us in the room that know what we're
16 even talking about, and so, if the other people
17 want to think about this before we get to a
18 presentation tomorrow, do you mind just kind of
19 humming a few bars on that, so other people can
20 talk to you guys later, you know, this afternoon
21 or tomorrow?

22 MR. PIERSON: I don't have a very good

1 voice, but I'll try.

2 MR. WIESE: We know you're probably
3 really good.

4 MR. PIERSON: So, the question is that
5 we all -- we all share the desire and need for
6 prompt reporting and trying to change the
7 language to get us all on the same page with
8 that, and of course, the devil is in the details
9 of the words, what confirmed discovery is and one
10 hour notification.

11 So, we share the same concern, but
12 want to talk through the words and some of the
13 implications.

14 MR. WIESE: Forgive me, I would just
15 say that what seems like such a simple issue,
16 when you start peeling it back, becomes a little
17 more complex. That's why I wanted to say, the
18 other -- a lot of the other members have wrestled
19 with this.

20 You know, I think it's crucially
21 important to the Government entities, you know,
22 the states, ourselves, other emergency

1 responders, to get the quickest possible
2 notification about what's going on, but there is
3 a yin and a yang, which I hope to draw out in the
4 conversation here, about also, spinning people
5 up, you know, when there is nothing happening,
6 you're not sure.

7 It is not an easy thing, you know, and
8 I just wanted to get on the public record, so we
9 can do it tomorrow, you know, kind of understand
10 -- help other people understand why it's not cut
11 and dry, right. Okay, thank you.

12 MR. GALE: Also, just real quick point
13 of clarification.

14 What we can do is actually get you --
15 we can help provide you some clarity of what was
16 proposed. We can't really get into a debate yet.
17 All right, that will be at the meeting where we
18 actually have a vote on the rule. But we can
19 provide clarity, we'll try to provide clarity.

20 MR. PIERSON: Craig Pierson, Liquids.
21 Yes, I think getting an understanding of some of
22 the difficulties would be some good conversation,

1 and get to the right wording.

2 MR. TAHAMTANI: All right, Carl?

3 MR. WEIMER: Yes, just a quick
4 question. I didn't find this presentation or the
5 previous one in the packet that Cheryl sent us,
6 and I was wondering if we can get those, at some
7 point.

8 MR. WIESE: What we plan on doing is,
9 any presentation that we get electronically,
10 we're going to email out to all the members at
11 different breaks and different times during the
12 whole meeting.

13 MR. WEIMER: Perfect.

14 MR. WIESE: And post to our website.

15 MR. TAHAMTANI: Thank you. Sue, you
16 have a question?

17 MS. FLECK: I do. It's a simple one.
18 Do we expect the pipeline re-authorization to
19 complicate any of this or stretch it out farther
20 or add more mandates, and I know Jeff is going
21 over there. Again, it's Sue Fleck, National
22 Grid.

1 How does pipeline safety re-
2 authorization impact this, because we have
3 budgeting and planning and resources we have to
4 do to get ready to comply with this stuff, so
5 having a better idea on time lines is super
6 helpful.

7 MR. WIESE: Sue's well prepared to
8 swing at that one.

9 I think it's a really good question.
10 I don't know that we have a really good answer
11 for you. I think the conversations have just
12 begun. I think the administration is talking
13 about, you know, does it want to introduce a
14 bill, and if so, what are the elements of that
15 bill?

16 I think they are pre-disposed to put
17 something forward, but they will -- there's a --
18 you know, I just have to reserve to them, that
19 judgment.

20 I know there are others in the room,
21 you know, who are interested in things. NARUC
22 has put forward a number of things in their

1 testimony, back whenever it was, a month ago or
2 so, you know, at the House, Energy and Commerce.

3 So, I think a lot of that is yet to
4 unfold, but I was led to believe the Senate
5 Commerce Committee is holding a field hearing in
6 Montana on September 18th. Ms. Dominguez is
7 testifying. There might be others in the room
8 testifying, as well. I think Todd might be, and
9 they say it's a combination re-authorization
10 hearing and field hearing, at least that's what
11 I'm told.

12 MR. DENTON: Focused a lot on river
13 crossings.

14 MR. WIESE: Yes, river crossings will
15 be big. I think those will be.

16 Yes, I'm just not prepared to swing at
17 that. I apologize. I wish I could.

18 MR. TAHAMTANI: Chad?

19 MR. ZAMARIN: Chad Zamarin. Gas
20 Committee. Just, could you just provide a little
21 bit more color? I think I heard 83 field
22 positions of 109 that you're recruiting.

1 Could you give a little more color
2 around the hiring and where those people will be,
3 what the focus is, and I may have missed it.
4 There may have been other information that came
5 out at one time, but it sounds exciting. It's
6 interesting. So, just curious to get a bit more
7 color.

8 MR. MAYBERRY: I guess some on --
9 that's 83 field folks. On -- but also seven
10 attorneys, five safety grant specialists, but for
11 state programs, sorry, and then training will
12 cover four.

13 Is that what you're looking for, Chad,
14 as far as like what --

15 MR. ZAMARIN: Yes, it was just mostly
16 the 83, it's actually boots on the ground and --

17 MR. MAYBERRY: The 83 inspectors.

18 MR. ZAMARIN: -- inspectors?

19 MR. MAYBERRY: Yes.

20 MR. ZAMARIN: Okay, so, these are
21 folks that are going to be doing audits?

22 MR. MAYBERRY: Right.

1 MR. ZAMARIN: Going to be out in the
2 field?

3 MS. DAUGHERTY: Yes, we have -- what
4 we did is, we split the group up. Some of those
5 were designated as inspection enforcement. So,
6 most of those are going to go to the field. Some
7 of them, as Alan mentioned, are going to be our
8 attorneys, you know, you up your inspector ratio,
9 you're going to have to up your enforcement
10 capability, as well.

11 So, we added into Alan's group in
12 headquarters. They got a bump up, but a lot of
13 these are going to be inspectors.

14 We also are creating that accident
15 investigation division. We want a stronger focus
16 on our investigatory abilities.

17 So, we're spreading them across the
18 regions. I can give you a better break down
19 later, but you know, specifics, Southwest
20 continues to be our largest region. They're
21 going to have about 50 inspectors.

22 Then as Jeff is hinting to me in the

1 background, we are bringing in some other skill
2 sets into our region offices.

3 You know, traditionally, we have only
4 hired engineers, and we found that increasingly
5 difficult. It's just almost impossible to
6 compete with you all. It's just hard to get
7 them.

8 So, we are bringing in -- yes, yes,
9 what you didn't hear him say is, you guys often
10 hire some of our folks and then we have to figure
11 out a way to back fill behind them.

12 So, we train them up and anyway. So,
13 we're going to be bringing in what we call
14 transportation specialists, and those might be
15 people that are not engineers, but have pipeline
16 experience, or have experience in other areas
17 that would translate into good inspector skill
18 sets.

19 We're also bringing on a brand new
20 skill set for us, which is auditors.

21 We have traditionally focused on the
22 technical piece of pipeline inspections. We are

1 going to be transitioning in new people that can
2 think more of a programmatic big picture idea,
3 look at how the programs are functioning, how are
4 companies implementing things like SMS, although
5 we're not inspecting SMS, but how are those
6 management concepts being related down throughout
7 the company.

8 So, it's front line to management.

9 Does that answer your question?

10 MR. ZAMARIN: Yes, thank you.

11 MS. DAUGHERTY: Thanks.

12 MR. TAHAMTANI: Andy, you had a
13 question, but it was answered. Any other
14 questions?

15 Alan, I notice that nine out of 26
16 NTSB recommendations out of PG&E accident
17 investigation has not been addressed.

18 As Andy said this morning, about five
19 years has past, right? Can you talk about some
20 of those recommendations that have been -- have
21 not been addressed? I would think NTSB may not be
22 happy with that.

1 MR. MAYBERRY: Whereas you know, when
2 we get a recommendation, there is no time frame,
3 but they're fairly open-ended, but we look at
4 developing policy to address them.

5 But of the ones remaining, I mean,
6 they're tied up in rule making. For instance,
7 out of San Bruno, certainly we had a number
8 related to -- that are being reflected in the gas
9 rule.

10 A key one there, for instance, is
11 valve -- valve -- the valve rule, for instance.
12 That is one that we -- that we hope we're close
13 on. We think we're close on. I know the impact
14 on cost benefit and what we're learning from gas
15 transmission rule, I think is helping inform that
16 better, what it will ultimately look like from
17 the regulatory impact assessment.

18 But that is like a key one out of
19 that, that remains pending. But and then Jon,
20 you wanted to --

21 MR. GALE: Yes, one quick note is our
22 operator qualification rule making, we just

1 received comments from OMB. I mean, sorry, NTSB.

2 MR. MAYBERRY: Right.

3 MR. GALE: On that rule making. They
4 were very positive on our responses to about four
5 or five of the open recommendations.

6 MR. MAYBERRY: Yes.

7 MR. GALE: So, they were related to
8 like operator -- control room operator training
9 and work groups, and the like. So, we're making
10 progress.

11 MR. MAYBERRY: Yes, and also, just one
12 follow up thing.

13 We do update NTSB periodically, and
14 they are all open/acceptable, except for one, the
15 more recent one that came out of the integrity
16 management audit.

17 MR. TAHAMTANI: All right. Thank you.

18 MR. MAYBERRY: We try to keep them
19 that way.

20 MR. TAHAMTANI: I knew that if I asked
21 a question, we'll get more people to ask
22 questions. So, Andy, you're next.

1 MR. DRAKE: This is Andy Drake with
2 Spectra Energy.

3 I thought it would be maybe a good
4 opportunity, just to throw out there, something
5 else that's happening around us, that may
6 precipitate further rule making or some sort of
7 guidance from this group, in regards to an issue
8 that's been on the table for a couple of years,
9 and that has been jurisdictional authority over
10 underground storage.

11 If you, you know, as you know, we have
12 been working with API to develop two standards,
13 one for salt caverns, 1170 and one for aquifers
14 and reservoirs, and those two standards were
15 developed with a cross-section of a lot of folks,
16 including folks from the states, folks from
17 PHMSA, folks from different regulatory agencies
18 inside the states, and industry.

19 Those standards were intended to try
20 to help clarify what is best practice on salt
21 cavern management and integrity protocols around
22 storage caverns, to try to help get some

1 continuity across the playing field of what good
2 looked like, quite contentious discussions, over
3 a long period of time, but I think all the
4 players, including the states, were happy with
5 the outcome, and they have supported it.

6 It has now closed. Those standards
7 are being approved. One of them has been approved
8 by API and the other is in the process of being
9 approved. The comments came in and they were all
10 addressed. So, I suspect that it will close
11 within a couple of weeks.

12 I think that provides us an
13 opportunity, you know, to get the stakeholders to
14 rally around the clarity of that standard and the
15 exercise that went to -- in front of that
16 standard, to resolve some problems with who has
17 got the ball on storage oversight, and what are
18 those practices that should be employed in
19 managing them.

20 I don't know if you guys have a
21 schedule for that. I mean, this is just real-
22 time. This is just happening right now. But I

1 think the fact that those standards are finished
2 and that the folks that were participating in
3 them have unanimously agreed that that is the
4 appropriate benchmark and performance standards
5 around caverns, gives us an opportunity here.

6 I don't know what your thoughts are on
7 that.

8 MR. WIESE: I'll swing at it by
9 telling you that that is -- to my knowledge, and
10 there is a fair amount on the plate, as you can
11 tell, and there are -- and has been. We're
12 trying to get it off of the plate, but it's still
13 on the plate.

14 But that doesn't mean -- I think the
15 formal mechanism to kick that off, honestly is a
16 petition. You know, we would welcome it. It's
17 not necessary. Honestly, again, just talking, we
18 understand that, but formally, it's helpful to
19 us, to have that as part of the record for
20 initiating rule making action, to be able to say
21 -- we have to -- by the way, we have to get
22 approval, you know, to initiate a rule. You

1 know, there is a process for that.

2 So, it's very helpful to us in that
3 process, to go forward and say, "We've been
4 petitioned to proceed." You know, the time is
5 ripe. You know, and all of that stuff.

6 So, I think we understand that. I
7 think NAPSRS does too. We've had a lot of
8 conversations with NAPSRS about underground
9 storage.

10 So, I think we're receptive to a
11 petition, is what I'm broadcasting to you. Does
12 that sound workable?

13 MR. DRAKE: I think I've got your
14 hint. We will put together --

15 MR. WIESE: So, subtlety is my forte.
16 So.

17 MR. TAHAMTANI: All right, Chuck?

18 MR. LESNIAK: Chuck Lesniak. Liquids
19 Committee.

20 So, you know, I think it's encouraging
21 that we've got so many rules coming down the
22 pike. You know, I think that's awesome, and this

1 is something that Jeff and I have talked about a
2 lot now, and you and I have talked about is --
3 and Jeff and I were just talking about it with
4 Administrator Dominguez, is that it seems like to
5 me, it would be appropriate for at each
6 significant stage of the rule making process,
7 that the committee got notified, this is
8 happening with this rule, this is where you can
9 get more information about it.

10 As we get closer to a vote on
11 something, you know, I think it would be
12 appropriate for all the committee members to get
13 a summary of the public comment, access to all
14 the public comments, if we'd like to go through
15 them, as early as possible.

16 A lot of people in the room here live
17 and breath pipelines every day. I don't, and I
18 know there are others on the committee that
19 don't, and I feel a lot of times, at a real
20 disadvantage, as a representative of the public,
21 at some of these committee meetings.

22 So, whatever the agency can do to help

1 that, to help with that and get information out.
2 I'd rather have too much information and not have
3 time to get through all of it, then to have not
4 enough and not know where to go look for it, and
5 be trying to scramble at the last minute to get
6 caught up.

7 So, you know, I could probably sketch
8 out an outline of what, for me, would be helpful,
9 that I could provide to you all, and I think that
10 whatever we can do, I think it ought to be
11 provided to all committee members, not just the
12 poor ignorant ones, like me.

13 MR. WIESE: Well, I'll let Jon swing
14 in a second, but I'm very receptive to that idea,
15 and I want to commit to do a better job of
16 preparing you. You know, that's on us.

17 I just tell you, it's not for a lack
18 of working. It's just usually, you know, there
19 is such pressure to move this stuff so fast, that
20 it often times, we're holding meetings shortly
21 after we've finished the comment digest.

22 You know, so, I'm wondering if it's --

1 if it's useful for us to periodically set up -- I
2 don't know how to do that, you know, a webinar,
3 you know, before the meeting that said, "Hey,
4 members, we're going to go ahead and set up this
5 webinar. If you want to dial in, we'll try to
6 brief you up really quick on that stuff." Then,
7 here is the documents that are available to you
8 through -- they're your's. I think that should
9 all be publically available, but I want to try to
10 make sure that you get what you need in order to
11 vote knowledgeably, and next time we meet, we'll
12 be voting, I'm hoping.

13 You know, but I think those won't be
14 all that hard, the next couple of votes, but yes,
15 Chuck, we'll do that. John may have other ideas
16 on how to do that.

17 MR. GALE: Yes, one other comment I
18 wanted to make, Chuck, was you know, for all
19 members, to make sure you're aware, all the
20 public comments are available to everybody.
21 They're actually available not just to people in
22 this room. They're available to everybody in the

1 United States.

2 So, if you want to look at the public
3 comments, at any time, you can go take a look.

4 One thing to remember, or just to see
5 is, if a comment period ends say, July 31st, you
6 can be about a two-week lag, by the time, you
7 know, somebody like API submits a comment, by the
8 time -- sometimes it will get up into the
9 website.

10 So, don't just go there on, you know,
11 August 1st and expect to see everything. You may
12 have to give it a little bit of time.

13 But also, when I mention -- really,
14 when I said the goal for my office is to have the
15 meeting in January, is actually because -- the
16 goal is -- the second -- secondary goal is to
17 have the summary of the comments done by
18 November, which will be about two months after
19 the rule is -- the comment period closes. Give
20 you guys about two months to look at those
21 comments, and so, that's the idea where January
22 comes from.

1 As long as other pressures don't
2 dictate something different, like Jeff mentioned,
3 we're hoping to meet that goal.

4 MR. LESNIAK: And I think that that
5 will help a lot, but also, just early notice on
6 these rules, like we're getting today.

7 I think -- I think this is awesome, so
8 that I or others can flag these rules that are of
9 particular interest.

10 MR. GALE: Okay.

11 MR. LESNIAK: Maybe are more technical
12 than others, and so, that we can follow them as
13 it goes through the process, at significant
14 milestones or if there is a significant delay or
15 a significant change.

16 You know, I think as committee
17 members, we're a pretty significant stakeholder,
18 and you know, notice of those things, rather than
19 us having to go out and hunt for it, would be
20 helpful.

21 MR. GALE: Right.

22 MR. WIESE: And I'll just tell you, I

1 personally don't have time to look through every
2 comment, so I really rely on the comment digest.

3 You know, honestly, I mean, because a
4 lot of times, you don't know until you're like
5 five paragraphs in, it's exactly the same thing
6 as somebody else.

7 So, the digest may be more helpful, if
8 you don't have a lot of time, and it's not your
9 day job. So, yes, I think that's a fair comment.
10 We have to figure out.

11 I would also say, by the way, that
12 public members are at full liberty of having side
13 conversations, you know. You know, I'm sure that
14 -- I don't think the industry guys ever do that,
15 but you know, the public -- sorry, I couldn't
16 even deliver that with a straight face.

17 But there is nothing saying that the
18 public member shouldn't do that, you know, get
19 together and talk.

20 MR. WEIMER: Well, we do.

21 MR. WIESE: You do? Blame Carl. So,
22 okay, Chuck, we'll do -- we want to commit to do

1 a better job.

2 MR. WEIMER: Yes, I was just going to
3 comment, Chuck, on the -- if you got a regulation
4 stepped up where, you know, the repository of a
5 lot of it -- the comments, it could be a bit
6 clunky. So, I can appreciate the pain, and we'll
7 look at options maybe to, you know, help with
8 that.

9 MS. WHETSEL: I'd appreciate the
10 outline.

11 MR. MAYBERRY: Certainly --

12 MS. WHETSEL: Let me know.

13 MR. MAYBERRY: -- I think you'll find
14 a value, the distilled version of the comments, I
15 think will greatly help, but I know when you go
16 there, it's not always intuitive to find all the
17 comments that are relevant, that you want to see.

18 MR. KUPREWICZ: Just to build off of
19 that excellent perspective is, there is tendency
20 to try to over-compensate. Maybe just starting
21 with kind of a quick background, and then they
22 can ask further, rather than try to get a perfect

1 preparation.

2 You kind of got everybody focused on
3 this issue, on a fairly light level. That's a
4 good way to start, and then more detail can come
5 later.

6 MR. TAHAMTANI: All right, great
7 conversation. Any other questions?

8 We're going to move right into the
9 last item of the day, Item No. 6, performance
10 metrics, and Linda and Alan.

11 MS. DAUGHERTY: Well, I was all set to
12 have a wiz-bang presentation today. I was going
13 to impress you all, send you off on a great note,
14 but kind of fizzled with some IT challenges. So,
15 bear with me, okay.

16 So, you're going to have to use your
17 imagination a little bit.

18 You know, we've talked about metrics
19 a lot. We all know how valuable they are, but we
20 also know that for all their value, they can be
21 very dangerous if misused or if mis-portrayed.
22 Now, I'm going to go over a few things to begin

1 with.

2 I would mention that there are a lot
3 of metrics, development efforts underway within
4 PHMSA, and I think also, there are metrics,
5 identification groups elsewhere. We heard Carl
6 talk about the effort with CEPA, and I would be
7 very interested in learning from that group.

8 We had also talked to CEPA, about some
9 of their efforts, and we need to share across the
10 border.

11 When you look at metrics, there is a
12 couple of things -- couple of things that we've
13 learned over history.

14 We know that metrics can be very good.
15 They can be very bad and they can be ugly, but
16 they can really provide insight that you might
17 not otherwise have.

18 You know, we have -- PHMSA has long
19 said that we are, you know, data driven and I
20 think over the last few years, we've realized
21 that it's better to say that we're data informed,
22 because if you use data without providing

1 understanding and context, you can actually head
2 off in the wrong direction.

3 Similarly, poorly chosen metrics can
4 mislead or mis-inform. I think we all know of
5 examples where, you know, good intentions, people
6 have used information data or various
7 information, and in the wrong context, and in the
8 wrong setting, it actually misleads or mis-
9 informed, and when you have people that are mis-
10 informed on what the data is actually telling
11 them, it can drive them in the wrong direction.

12 It can drive you to invest resources
13 where they don't belong. It can drive you to
14 make changes that can be counterproductive to
15 safety or to efficiency.

16 So, I guess the main point of
17 everything I'm going to say today is
18 understanding context is critical. If you want
19 to have value from metrics, you must understand
20 where the data is coming from and the overall
21 context, and we'll go through a couple basic
22 examples.

1 This is a metric right off our
2 website. It's for hazardous liquid pipelines.
3 It's from their report on -- IM report, and so,
4 the first question that I would present to you
5 is, this is how you chart it out, and let's see
6 where my pointer is. There's my pointer.

7 So, you got a real interesting line
8 going on here. This right here, for those of you
9 that are far away from the screen, this is 180
10 day condition repairs and HCA's. This whole
11 chart is about repairs done in HCA's.

12 The lines down here tell you that the
13 brown one is the 60 day condition repairs in
14 HCA's, and then the immediate repairs in HCA's.

15 So, for those of you not familiar with
16 the integrity management rule, it basically says
17 that when you become aware of a condition on a
18 pipeline, that meets a certain seriousness of
19 criteria, what we call immediate conditions, you
20 must go out and immediately repair those, and you
21 have 60 days, for some, 180 days. Kind of self-
22 evident.

1 So, look at this chart and tell me
2 what it tells you about the pipeline
3 infrastructure. What does it tell you?

4 So, if I were to ask Todd Denton, what
5 this tells him about the hazardous liquid
6 pipeline infrastructure, what would he say?

7 MR. DENTON: Todd Denton. Liquids.
8 Not a lot.

9 MS. DAUGHERTY: Okay, so, if I were to
10 ask Chuck Lesniak, what this tells you about the
11 pipeline -- hazardous liquid pipeline
12 infrastructure, what would you say?

13 MR. LESNIAK: This is Chuck Lesniak.
14 Liquids. I think I'd agree with Todd. I think
15 it doesn't tell you a lot.

16 MS. DAUGHERTY: Okay, my point is, is
17 that when a member of the public looks at this,
18 without the education and knowledge that people
19 have sitting around this table or in this room,
20 this may tell a very different story.

21 This could be alarming. What does it
22 mean? Oh my gosh, you know, we're having

1 immediate repair conditions. Every year, we're
2 finding all of these numbers of immediate repair
3 conditions? Why aren't those down to zero? How
4 can there be any more than zero, if you're
5 driving them down? Why are these numbers
6 bouncing up and down up here?

7 The other thing is, when you look at
8 the overall context, the chart doesn't tell you
9 everything. It doesn't tell you the whole story.
10 It doesn't tell you about changes in different
11 types of tools.

12 When people are running tools, it
13 doesn't tell about the different cycle of
14 inspections. Would the average person from the
15 public, my Aunt Emma, would she know that there a
16 certain cycle, the hazard liquid companies go
17 through, that determines how often they run their
18 assessment tools? Not for everyone, but there is
19 a general cycle that's going to affect this
20 cycling cycle.

21 Why is there a peak here? Maybe it's
22 because more tools were run. Maybe it's because

1 the tools that were run in this year were
2 different type. Maybe it's more advanced type of
3 tools than what we had back here. Tools are
4 improving all the time.

5 So, my question is, does it tell you
6 what you think it tells you, and maybe it does,
7 maybe it doesn't. Context is everything.

8 I'm going to give you another couple
9 of examples, and I made these numbers up, so Ron
10 Dyck is here from -- the director of our
11 enforcement division. He is probably cringing,
12 because I didn't tell him I was going to do this.

13 So, let's pretend that these are the
14 number of enforcement -- PHMSA enforcement cases
15 over years. So, and this is kind of a repeat of
16 something we saw in the media recently.

17 So, made up numbers. Wait, wait,
18 wait, okay. This line is going down. Number of
19 enforcement cases are decreasing year by year.
20 What does that tell you?

21 I don't know what it tells me. Does
22 it mean that if there is a decrease in

1 enforcement cases, does that mean pipeline
2 companies are more compliant? What would you
3 say, Michele?

4 MS. JOY: I'd say the same thing Todd
5 said, you can't tell a lot from that chart.

6 MS. DAUGHERTY: Okay, does it mean
7 inspectors are less thorough?

8 Over years, if I see a decreasing
9 number of enforcement cases, does it mean -- what
10 does that tell me? Does that tell me my
11 inspectors are not finding what they should?
12 Does it mean that our inspections are taking
13 longer, so they're generating fewer cases?

14 I don't know what that means. I'm
15 going to flip it around. What does it mean if I
16 see an increasing trend? Can you judge the
17 adequacy of an enforcement program based on
18 whether you're increasing or decreasing
19 enforcement cases?

20 I don't know that you can, because
21 without knowing all the data, does that mean
22 companies -- if you see an increasing trend,

1 companies are less compliant? That's the obvious
2 intuitive thing that people would say.

3 But what you may not know is if you
4 see an increase in numbers, I will tell you that
5 for both these charts would have been correct for
6 us, in regards to II, because on inspection --
7 integrated inspections, our inspections can take
8 eight to 12 weeks, over an eight month period,
9 and for the longest time we said, "One
10 enforcement action coming out of every
11 inspection."

12 But that means we're waiting eight
13 months, a year, a year and a half to get
14 inspection letters to companies, when we found
15 safety items, and that's unacceptable.

16 So, in the first chart, we were
17 issuing fewer enforcement cases, and now, we're
18 telling our people, "Wait a minute. Cut it off
19 midstream. If you see a safety issue, go ahead
20 and issue an enforcement case."

21 So, what does that do to our trend?
22 The numbers may go up, and there are various

1 states of this.

2 So, I'm dwelling on this a little bit,
3 because I think that we have to be really careful
4 with metrics, and when we choose metrics, we have
5 to think about the unintended consequences, and
6 how other people will see them and what we
7 present them.

8 Is this chart meaningful? Now, I
9 apologize, this is a little bit blurry. I had to
10 take it in a picture shot. I couldn't adjust the
11 scale.

12 So, what this is, just to read for
13 folks, it says, "This is the number of incidents
14 per thousand miles of gas transmission pipeline
15 by decade of pipe installed." This is using an
16 average of the annual incidents between 2002 and
17 2012.

18 So, what it says is, is if you look at
19 the average incident rate on pipelines per
20 thousand miles, this is who is having the most
21 failures. Is that useful information?

22 I think it would be. I think you can

1 gather some information from it, but you can't
2 determine everything from it.

3 So, let me put something else out
4 there. This number out here looks like of high.
5 It says 1.28 of the pipelines installed in the
6 2010's have a higher incident rate.

7 We have all seen the bathtub curve.
8 I think everyone around the table is -- is
9 anybody in the committee not familiar with the
10 bathtub curve?

11 Okay, the bathtub curve basically says
12 if you were to plot out the incident rates on the
13 life of a pipeline, you will see more events
14 occurring at the very beginning, right after you
15 put it in line, because they're working out the
16 kinks. You're going to have more reports, more
17 boo-boos, you know, the fender-bender kind of
18 things.

19 That will settle down as operations
20 get more steady state. Things calm down, and
21 then as you get towards the -- I don't want to
22 say the end of life of the pipeline, but you get

1 way down the line, you start to see that bathtub
2 curve come back up.

3 What I would suggest is perhaps, this
4 is that front edge of the bathtub curve. We can
5 use this kind of information to target
6 inspections, to educate ourselves, areas we need
7 to look at.

8 We could also misuse this information,
9 and presume that all pipelines that were
10 installed in this time frame automatically have a
11 higher risk, and that is not necessarily the
12 case.

13 Again, I'm trying to emphasize the
14 point. We've got to be careful with the metrics
15 we choose and we've got to understand the
16 context.

17 I'm going to also provide one other
18 slightly different scenario, relating to metrics
19 that kind of came out unexpectedly. This is from
20 the PHMSA evaluation. We were looking at our
21 enforcement metrics, and we noticed that we
22 didn't have a whole lot of enforcement cases

1 related to construction. We have some, but we
2 didn't have a lot of big ones.

3 So, we're going out and we're giving
4 presentations, talking about the challenges we're
5 having with construction of pipelines and the
6 different things we're finding, and yet, I'm not
7 seeing the corollary high rate of enforcement.

8 So, we're thinking what's going on
9 here? Why is that occurring, and we talked to
10 some of our folks and we found out something kind
11 of interesting.

12 People, our field folks, were
13 defaulting to warning letters and notice of
14 amendments, rather than issuing the big cases,
15 the NOPV's and the compliance orders and civil
16 penalties, and you know why they were doing that?
17 Because they could get them out quickly.

18 Because of our internal process, and
19 the way we handle enforcement, if an inspector is
20 onsite and they find a problem that is not a
21 major problem, but to find a problem of a lesser
22 note, they can quickly get a letter out to a

1 company, go on record, "You need to fix this
2 issue," so we can -- they were -- we identified a
3 process problem, by using the metrics to see
4 where we had an issue. Does that make sense?

5 Okay, so, we're working on a solution
6 for that particular issue.

7 Some times there are tidbits you can
8 kind of detangle out of your metrics. You can
9 find clues of process challenges in your metrics,
10 that you might not otherwise find.

11 This is one of my favorite charts.
12 I'm going to show two of them. This one is one
13 of my favorites. I love it because I think it
14 tells a really good story.

15 Notice that the time frame is 1988 to
16 2014, 2013, I don't know if it actually goes up
17 far. Yes, it says 2014, yes. So, I like it. I
18 love that trend. I think it tells a great story.

19 This one 'spills' also tells a
20 fantastic story. I love that trend line. I
21 started working for OPS in 1991. So, I like to
22 say I'm part of the -- you know, part of that,

1 kind of trend line there. But there is a problem
2 with this, a challenge with this.

3 I'm going to show you two more charts
4 and then I'm going to flip back here.

5 This is another one. You've seen it
6 before. This is for all system types, the number
7 of serious incidents, serious incidents,
8 fatalities, multiple injuries, things like that.
9 Again, you see a really nice trend line here.

10 This one -- and then maybe I'll use
11 this one to make my point. This one is also --
12 this is significant incidents, which would be
13 very, very small reports, basically anything
14 that's reportable. Maybe not the five-gallon,
15 but very small incidents get reported in our
16 category of significant, and so, we look at it
17 and we say, "Well, it's pretty stable," and I
18 think if you draw a trend line, it's actually
19 going down, but let me ask you what happens if
20 you look from 2006 forward.

21 If you were to only look at that time
22 frame -- let me see. We'll come back here. This

1 one.

2 What happens here, if you look at 2006
3 forward, your scale, you've got to look at --
4 overall the trend line is really good. That
5 doesn't mean we can rest on our laurels and
6 assume that we don't have more work to do.

7 We have more work to do. These are
8 the kind of things, when you post metrics, you
9 have to be aware of. People use different
10 scales. We've seen this before. We will get up
11 and say, "Our trend line is good." We'll see
12 someone get up and say, "The trend line is not so
13 good," because they'll look at a different scale,
14 okay, and I'm just pointing these things out
15 because you're going to see this a lot.

16 Now, this is -- we talk about
17 transparency. We talk about how good it is, but
18 we're all judged with metrics. Metrics can help
19 us tell our story, but it can also help other
20 people tell stories that we may not think are
21 true or accurate, and having said that and having
22 been bit recently, I'm a little bit sensitive in

1 this area.

2 But I do believe that -- that last
3 item is very important. Sometimes clear sight
4 requires distance. Sometimes we're too close to
5 our metrics and we can see them for what they're
6 telling us, so, sometimes it's good to get shaken
7 up and have someone show you something that you
8 don't see.

9 So, that was all an introduction into
10 a very quick update on the six to 12 metrics that
11 we were tasked -- Alan and I were tasked with
12 developing for the -- working with groups to
13 reflect the performance of the national pipeline
14 infrastructure and the regulator.

15 That was our task. It's been what,
16 over a year now? Last meeting, I went through --
17 or Alan and I went through each one of these and
18 we showed you the metrics that we had arrived at.
19 We graphed them up, the tentative ones. I was
20 actually going to go into our PDM today and show
21 you what they actually look like, but that is not
22 going to happen. I can't connect from here.

1 But what I would say is, on the
2 metrics that we have arrived at, we identified
3 the metrics. We don't have a consensus in all
4 cases, and we're doing some tweaking.

5 We definitely agree that context and
6 verbal descriptions must be applied to all the
7 metrics, for the reasons I just discussed.
8 Throwing up metrics on a website, without
9 context, can be -- can be unfortunate.

10 The other thing that's important to
11 realize is all the metrics that I'm going to show
12 you here in a second will be available by OpID
13 and safety program relationship.

14 Safety program relationships are where
15 companies are connected, where for example, and
16 sorry, Ron, I'll just Kinder Morgan as an
17 example.

18 Kinder Morgan has a lot of companies
19 that have annual reporting to PHMSA. Each one of
20 those companies has a separate report, but in
21 many cases, they're related in a certain program,
22 such as integrity management program or their

1 drug and alcohol testing program or their
2 operator qualification program.

3 So, we have a thing we're about to
4 roll out in September, which will allow the
5 public to look at our website and determine how
6 companies are related through those safety
7 program relationships. That's company submitted
8 information, and companies, by the way, are
9 encouraged to verify that the information is
10 correct, because it's going to roll it out here
11 in September, okay.

12 But anyway, the metrics that we've
13 identified will be available by individual
14 operator ID and through the safety program
15 relationship. So, there's a lot of different
16 ways you can slice and dice the different metrics
17 I'm about to show.

18 The other very, very important item
19 that I just discovered, some people thought that
20 we were going to put the six to 12 new metrics up
21 and all of our other metrics that are currently
22 available, we're going away. That's not true.

1 Everything stays out there.

2 Everything you've looked at for years will still
3 be there. The six to 12 are ones we just wanted
4 to highlight as something that we all thought
5 were valid metrics, okay.

6 So, for gas distribution, and again I
7 apologize, I'm not showing you the charts on
8 this. I was planning to do this through PDM and
9 I -- but these are the agreed to metrics from the
10 guest distribution team. Alan, do you want to
11 talk to these?

12 MR. MAYBERRY: No, but to Linda's
13 earlier point, you know, no single metric really
14 tells the whole picture. Certainly, that was
15 evidenced by the slid on repairs related to
16 integrity management.

17 So, the focus was giving a cross-
18 section, and oh by the way, one area where were
19 had difficulty, but we're continuing to do work
20 was related to enforcement metrics, and we're
21 doing work internally and continuing to work on
22 that, to have something meaningful related to

1 enforcement. That was one that was difficult to
2 get really some good meaningful ones at the time.

3 So, we'll continue to work on that,
4 but that's related to distribution, and those are
5 the ones that we ended up with, that covers the
6 gamut from incidents from, you know, vintage,
7 down at the bottom, decade of installation, that
8 sort of thing, inventory of casta and wrought
9 iron, unprotected steel and that sort of thing.

10 MS. DAUGHERTY: Okay, I've got gas
11 transmission next.

12 MR. MAYBERRY: Okay, and then gas
13 transmission. Similarly, starting with incidents
14 and then of course, causal factors and focused on
15 that group -- do we have others -- we have
16 another slide on that?

17 MS. DAUGHERTY: Yes, one more on gas
18 transmission.

19 MR. MAYBERRY: Okay, right, so, yes,
20 on down through -- you know, through decades, the
21 vintage of the pipe.

22 So, trying to add context to it, as

1 far as normalizing the numbers, I mean, per
2 thousand miles, in many cases actually, it didn't
3 really change the trend line. It was still
4 similar to just -- if you go by the raw number,
5 but you know, anyway.

6 MS. DAUGHERTY: I would also mention
7 that there were discrepancies between what the
8 gas team came up and the liquid team, and we
9 tried to do some harmonization, and for very
10 valid reasons, identified some areas where we
11 need to have some differences.

12 First example, specifically on the
13 miles by decade installed for -- it's most
14 important for the gas distribution, this down
15 here.

16 There, on the gas distribution side,
17 folks are working to replace some of the older
18 pipe that has degraded, not all -- I want to be
19 very, very clear. Bad pipe does not mean that
20 it's old and old pipe does not mean that it's
21 bad.

22 Those two are not equivalent

1 statements. We've got to be very clear, because
2 a lot of people tend to think if it's old, it's
3 bad, and that is not correct. It's more about
4 the conditions and the threats they've been
5 exposed to.

6 However, we do know that there is some
7 older pipe out there, some very old pipe in the
8 ground that would degrade over time, and so, some
9 of those are being depicted and identified by
10 this type of metric, you know, what type of pipe
11 is out there?

12 Yes, there is still some, you know,
13 1850's vintage pipe that's still in use today. I
14 would suspect, unless that's in perfect
15 condition, that might be a candidate for eventual
16 replacement, you know, it's just depending on the
17 condition of the pipe.

18 On the liquid side, we did not include
19 the miles by decade installed because you know --
20 and that -- we're still discussing it to some
21 degree, but we did not see that it would have the
22 same kind of value as it would for gas

1 distribution.

2 Also, there was discussion on the
3 liquid side of the value of the repair, integrity
4 management repairs. There was concern that that
5 information, for the reasons I presented earlier,
6 could be misinterpreted without a whole lot of
7 description and context.

8 What you see here on this last slide
9 is the metrics that are tentatively agreed to for
10 the liquid folks. The serious incident trend,
11 the fatality and the injury trends, those are
12 absolute numbers. We talked about whether you
13 put them in a rate, but the liquid side, it
14 wouldn't make any sense because the numbers are
15 so low.

16 The last year, there were zero
17 fatalities, I believe on the liquid lines. No?
18 Ron? Yes. I thought you were questioning me on
19 that.

20 So, the other thing that we did, and
21 I have to thank Carl for helping focus on this
22 is, he identified that there needed to be a focus

1 on the integrity targets that operators could --
2 we need to draw attention to those integrity
3 aspects, which operators could directly impact.
4 The type of things like integrity inspection.

5 So, we've separated those out as far
6 as, we'll have two different types of trend lines
7 per chart, and it will talk about the different
8 types of integrity targets.

9 Then the last item here, this is
10 something that we put on the liquid side, was the
11 different types of tool runs that have been done
12 on mileage on the pipeline side.

13 So, it will give people a different
14 flavor of the type of tools that are being used
15 to assess the hazardous liquid lines.

16 The other thing also we mentioned, we
17 excluded CO2 from our performance metrics, and
18 there is some debate on whether we should or not,
19 keeping in mind that all this information is
20 available in our online data. These are just
21 ones that we're highlighting. Every metric
22 doesn't have equal weight and we just figured

1 these would help reflect overall performance
2 better than some.

3 I think -- has everyone seen my
4 correlation slide?

5 Okay, this one. Okay, this is one of
6 my favorite slides. If you guys have not gone to
7 this website, just remember that correlation is
8 not causation. This down there, this is the --
9 for those of you that can't see, this is a
10 correlated graph showing the divorce rate in
11 Maine, as it correlates with the per capita
12 consumption of margarine in the U.S., and it
13 shows a very definite correlation here, from 2000
14 to 2009.

15 However, I would say that there
16 probably isn't a relationship there. That's what
17 Jeff said, how do we know it's not?

18 Well, maybe we should look at the per
19 capita consumption of margarine in Maine compared
20 to the divorce rate.

21 Just for fun, this spurious
22 correlations is a lot of fun. They have a lot of

1 very interesting things, and with that, do you
2 have any questions for Alan?

3 MR. TAHAMTANI: Linda, you had better
4 charts. So, any questions for Linda? Mr.
5 Pevarski?

6 MR. PEVARSKI: Just one question.
7 When you're looking at the metrics and you're
8 talking about some -- the transparency and the
9 ability to misconstrue metrics, are you looking
10 at doing any trending analysis or any kind of
11 root cause analysis to go along with that?

12 MS. DAUGHERTY: I think that will be
13 one of the jobs of the new teams that we're
14 standing up. I mentioned earlier that -- and
15 part of the change in field ops, I'm asking Wayne
16 Lemoi to work on trending for inspections, and
17 then I've got the accident investigation team
18 that's going to really look at that.

19 Those folks are going to work with our
20 data folks to do trending for just these types of
21 issues, trying to tease out what we can learn
22 from the data, how -- what lessons are we

1 learning from this? It's data, but what does it
2 tell us?

3 MR. PEVARSKI: Correct, and well, the
4 trending and the root cause, will that be part of
5 the transparency?

6 MS. DAUGHERTY: I think that's a good
7 idea. I hadn't thought about taking it that far,
8 but I think that's a good idea.

9 MR. WIESE: Actually, I would say that
10 we had -- we had been thinking about that.

11 So, part of the point of putting
12 together this team, you know, with people from
13 around the horn, was that not just to figure out
14 which charts should you put out there, but to
15 have some discussion about -- I mean, I think
16 it's Linda's point, and I think maybe we're --
17 the answer is yes.

18 The next step after you agree on
19 what's a meaningful metric is then to agree,
20 basically, what does that chart actually say?
21 Should you or should you not use less margarine?
22 You know, that's basically -- obviously, yes,

1 stop it. Go back to butter. It was always
2 better.

3 MR. TAHAMTANI: All right, butter is
4 always better. Ron?

5 MR. McCLAIN: Okay, Ron McClain with
6 the liquid side.

7 I am pleased you're looking at six to
8 12, you know, I would hate to have 30 or 40 of
9 50, because -- just because it could be thought
10 of, doesn't mean it's a good metric.

11 But I think six to 12 is maybe in the
12 right grouping, but what is your process to
13 finalize these, because you know, are they pretty
14 set or are you going to gather more input, and
15 you know, what stories do they really tell? What
16 is your next step, I guess?

17 MS. DAUGHERTY: I think that's a very
18 good question. We're -- on the -- well, I can't
19 speak for Alan on the gas team.

20 But on the liquid team, we're pretty
21 much set. I had a recent discussion with a team
22 member that I think that they may have more input

1 yet for us. You know, where I think maybe we'll
2 make some adjustments.

3 But I think that we're pretty far down
4 the road. I think we're pretty good, considering
5 we're not going to lose anything, as what's
6 already there.

7 To finalize them, we've already got
8 the gas teams metrics already programed into
9 Oracle. Those are going up on the PDM. That's
10 what I was going to demonstrate today, and the
11 liquid metrics are currently being programed.

12 So, we're pretty set there, unless
13 somebody throws out a show-stopper or if the
14 committee identifies something, they said, "Hey,
15 did you think about x or y," then I think we
16 would be receptive to that.

17 MR. MAYBERRY: Yes, Ron, this is our
18 initial cut. For the gas team, we haven't
19 disbanded the team. We agreed that we would --
20 you know, we would -- we haven't met in a while,
21 but we've been working on a few other things.

22 But we agreed that we would reconvened

1 periodically to address other issues, other data
2 related issues, but then also, that would include
3 this, do we need to tweak these. We'll see how
4 they're doing.

5 I guess I would also add that, you
6 know, what you're looking at here are static
7 charts. Our vision really is to develop more
8 dynamic charts, where you could drill down from a
9 higher level, down to a lower level.

10 One of the issues we had was getting
11 down to that number that we have now. There were
12 so many others that people kind of gravitated
13 towards too, but we had to have a cut off
14 somewhere.

15 But we were looking, and a lot of
16 times, the discussion was, "Well, that won't be a
17 top tier metric. We'll put that toward the next
18 tier down," and that would be one you could drill
19 down to, for instance.

20 MS. DAUGHERTY: And there was also a
21 lot of discussion about what was valid and what
22 was not.

1 For example, I think we had a healthy
2 debate on, you know, what about impacts? We had
3 one discussion on the liquid side about, if you
4 have releases in the facilities, maybe you should
5 just limit the metric to inside a facility, and
6 then somebody said, "Well, if it runs -- if it
7 goes offsite, that would also affect the
8 environment and the public." So, you can't lose
9 those.

10 So, those type of discussions were
11 quite robust. Settling down to this list I think
12 was challenging for everybody and it's not going
13 to be perfect. Next year, we may come back and
14 say, "Oh, ghee, we should use this metric. We
15 should add it," or maybe this one isn't of value.

16
17 MR. McCLAIN: Well, it just seems --
18 Ron McClain, again.

19 It seems fewer is better to start. You
20 can always add a metric. Sometimes once you've
21 had it out there, it's really hard to back up
22 from it, and in your discussion about facilities,

1 I mean, some pipelines have almost no facilities
2 to them. I mean, they're long, two pump stations,
3 and some are very complicated facilities.

4 So, anyway, I think fewer is better to
5 start, and then add as you go.

6 MR. TAHAMTANI: Thank you. Chuck?
7 All right, how about Michele?

8 MS. JOY: Michele Joy. Liquids
9 committee. Just a point of clarification.

10 Serious means anything reportable to
11 DOT?

12 MS. DAUGHERTY: I have got an answer
13 for you. I anticipated -- I anticipated -- it was
14 actually on the next slide.

15 Okay, so, while he's pulling it up, I
16 actually have the definitions up here. It's the
17 very next slide, but try it again. There you go.

18 We also had a discussion on the liquid
19 team about creating a different type of category
20 with a different definition, and we had a lot of
21 good debate and finally realized that that would
22 be very confusing to everybody. It would just be

1 another term that would be confusing.

2 MS. JOY: So, looking at your metrics,
3 I saw serious, which now, I understand to be
4 fairly serious.

5 MS. DAUGHERTY: Yes.

6 MS. JOY: But I did not see
7 significant, which has been the point of debate,
8 particularly around the dollar value. So?

9 MS. DAUGHERTY: That was the debate,
10 of whether we would have a category in which we
11 exclude the dollar figure.

12 MS. JOY: Okay.

13 MS. DAUGHERTY: There was a request by
14 one of the stakeholder members, that we create a
15 category, a new type of a definition where we
16 excluded property costs, that we would only look
17 at the other factors in, I guess significant. I
18 can't remember if it was significant or -- I
19 think that's what it was, and just exclude the
20 property damage.

21 We decided not to go that route,
22 because it would be confusing.

1 MR. DENTON: Todd Denton, liquids. So,
2 I'm curious, and you might have touched on it and
3 I missed it, but how much discussion you guys had
4 around say, leading indicator statistics like
5 line strikes without a consequence, and it may be
6 a data collection issue, right?

7 Automatic shutdowns on -- you know,
8 between -- of MOP or between MOP and 110 percent,
9 things like that.

10 MS. DAUGHERTY: Our original
11 discussion in the meeting was that we'd come up
12 with any metrics that we thought would be useful,
13 and then we would identify whether we had the
14 data available to it.

15 But the reality is, is you know, we
16 needed to come up with six to 12, and these are
17 the ones that we were able to come up with and
18 support.

19 I think step two, which we had talked
20 about in the group, and I don't know if it would
21 be the same group, are getting to those type of
22 metrics, because there is too much out there, I

1 think. We have to collect the information, but
2 there is a lot of information we could use to
3 help guide safety efforts, if we had better
4 understanding in some of the -- that data.

5 MR. DENTON: And you know, I think a
6 lot of us are collecting that, but again, it
7 would be -- it would be a serious effort, right,
8 to gather that from everyone.

9 MR. WIESE: I've asked for permission
10 to help swing at that one, if I can.

11 I think Linda answered for what we can
12 do right now in the real short term. But I'd
13 like to come back. Maybe we can talk later as a
14 committee, about sort of a voluntary reporting
15 system, you know, that's aggregated data on
16 things like near-miss.

17 So, I think this is very much part of
18 the SMS discussion. You know, how do we share
19 information about near-misses, so that people can
20 see things that are going on and say, "You know,
21 hey, is that even possible here," you know, ask
22 the question.

1 While I don't have a particular
2 history here, you know, I see that happening now,
3 that you know, we all know that -- the experience
4 of the airline industry, for example, and we'd be
5 happy to bring people in who run those systems
6 and talk about how they evolve.

7 But I think it's a natural evolution.
8 Tomorrow, Brian Salerno is back here from BSEE.
9 Staci King is there representing BSEE right now,
10 but he could certainly tell you what they're
11 doing. They've moved into that arena about sort
12 of the near-miss reporting, you know, some other
13 leading indicators.

14 But I think that's a really good topic
15 for future discussion. Thank you.

16 MR. TAHAMTANI: Craig?

17 MR. PIERSON: Craig Pierson, liquids.
18 This is a good time to tee-up a discussion that
19 can also come up tomorrow, with the significant
20 releases. These are 'or' conditions. These are
21 not 'and' conditions. So, each one is satisfied
22 and it triggers an incident, needs to reported.

1 So, if you look at the second line,
2 you can have a very small release. It could be
3 measured in ounces, that you could have a valve
4 release and it triggers a \$50,000 valve repair.
5 If you can't fix a valve, you have to repair it,
6 and it's just not significant, and we ask that --
7 and it also triggers a report, within one hour,
8 and you're trying to judge in one hour, do I have
9 to repair that valve or not, and can I -- you
10 know, do I have to replace it?

11 So, there is some awkwardness in that,
12 that figures into the discussion tomorrow.

13 The other comment that I've got, as I
14 looked at the metrics that you were
15 contemplating, it looked like there was some
16 focus on harm to people and the environment, as
17 opposed to some incidents that don't have harm to
18 people and the environment, and if I captured
19 that right, I think we commend that.

20 I think that we don't -- we want to
21 maintain the safety of the public and environment
22 in our focus, and not get distracted with things

1 that don't touch that as directly.

2 MS. DAUGHERTY: Well, we also had, on
3 the -- he took my control away again. Maybe this
4 is a signal, we need to wrap up, but thanks,
5 Cameron. Now, we know who is really in charge,
6 all right.

7 But when you look at this item right
8 here, the integrity targets, I think also the
9 focus on what we can control, I think is very,
10 very important. You know, I think that's -- you
11 know, the -- one of the issues that we struggled
12 with is how do you segregate what is really
13 important versus all the information? How do you
14 focus in on what is important?

15 We could put all sorts of information
16 up here, but how you boil it down, like Ron said,
17 down to six to 12, that will say, this will tell
18 you something. You know, the first line will
19 tell you, are people -- you know, up here, are
20 people getting hurt or injured by pipeline
21 operation?

22 You know, that's clear. That's

1 absolute. Can hit that, you know. Out on the
2 right-of-way, where you're affecting people, you
3 know, this is rate. Again, you know, barrels
4 spilled. So, you got your liquid impact to the
5 environment.

6 Here, you're talking about, are
7 operators targeting the risks? Are they managing
8 the risks? It's not so much the act of God kind
9 of things. It's not the tornado that takes out
10 the pump station or compressor station. So, did
11 you have something?

12 MR. MAYBERRY: I just want to really
13 -- well, unless there were -- as far as to
14 address the -- I guess one of the reasons we had
15 -- we're looking for a lead -- we were looking at
16 leading indicators, really to Todd's point, and
17 that's why we did look at like HCA leaks, which
18 could be a precursor to another event, or HCA
19 repairs.

20 We really wanted to drive some
21 predictive or some leading indicators, as opposed
22 to just the lagging ones that were after an

1 accident. So, that was our effort there.

2 You know, we'll try to continue, as
3 we're able to collect other information, we would
4 certainly try to enhance that.

5 Similarly on -- well, that's all
6 right.

7 MS. DAUGHERTY: I think your battery
8 is dying.

9 MR. MAYBERRY: Now, we did pick up
10 some on the gas side too, related to the
11 significance.

12 You could argue that these are leading
13 indicators, as well, and certainly, there are --
14 well, I mean, they're definitely lagging, but
15 they were ones that did not involve harm to
16 people, but they did result in property damage.

17 MS. DAUGHERTY: How are you getting
18 1,000 tickets?

19 MR. MAYBERRY: We collect that
20 information. Excavation damage trend lines. You
21 know, certainly the leading cause of harm to
22 people with -- you know, so, we're tracking that,

1 as well on the distribution side. Some other
2 examples there.

3 MR. TAHAMTANI: Thank you, Alan and
4 Linda. Any other questions? Craig, you still
5 got your card up. I'm sorry, Chuck?

6 MR. LESNIAK: This is real quick. You
7 know, the agency that I work for, we collect an
8 enormous amount of data, as well and one of the
9 things we started doing is, we started putting
10 our raw data out there, available for the public,
11 and we started getting interesting analysis and
12 feedback from the public, based on that, some of
13 it valid, some of it not.

14 Have you all thought about doing that
15 in the future and putting -- just posting the raw
16 data?

17 MS. DAUGHERTY: We have a lot of raw
18 data out there, and you know, it's one of those
19 things that's very scary, but it's actually kind
20 of exciting, because you get to some of that
21 cloud sourcing type concepts, where you get some
22 really smart people, you know, and I can tell

1 you, Carl does a lot of our analysis for us.

2 MR. MAYBERRY: I think Carl helped us
3 with the bathtub curve.

4 MR. TAHAMTANI: All right, if no other
5 questions, I want to turn the meeting over to
6 Jeff, for some closing remarks.

7 MR. WIESE: Yes, that would be great.
8 Well, first of all, thank you all for your time
9 today. I do want to remind, before we adjourn,
10 just a couple things.

11 One is that tomorrow, we will begin
12 promptly at 9:00 a.m. So, and I'll be even
13 prompt myself at 9:00 a.m. tomorrow. So,
14 appreciate it if you would, as well.

15 I want to thank you for coming in
16 today. There is a lot of opportunity for the
17 committee, and I happen to meet with Andy and
18 Chad and a few other folks, the other day, and we
19 were talking about the committee, and I think I'd
20 like to find some time tomorrow, to talk about
21 that conversation with the other members.

22 So, help me, you know, not forget

1 this, but I would also say we've added some real
2 strength to the committee recently. I'm going to
3 pick on Paula for a second, by telling you that
4 DOE does some fantastic stuff with data and
5 making charts, graphs and what-not available.
6 The EIA is really, you know, hands down. You
7 know, we're not -- they're -- the EIA is probably
8 bigger than all of OPS.

9 You know, so, it's really hard for us
10 to compete with that, but it does offer a model
11 for us to think about. They have really good
12 analysts there, and we need to think about that.

13 My closing comments really have to do
14 with the yin and yang of data collection. So,
15 you know, if you bear with me, the philosophical
16 part of this, after what I've gone through over
17 the past couple of years, I can tell you that we
18 used to collect all kinds of data. We used to
19 collect data on hydro-test failures, right, to
20 Todd's point.

21 But I still think that would be good
22 information, you know, and it would help us

1 figure out what pipe was failing, you know, what
2 kind of pressures was it failing at, was that a
3 lot or was it a little?

4 There are a lot of things you can
5 answer with it, but over time, the yin and yang
6 of data at the agency is, whether they're Federal
7 or State, there is countervailing pressure for
8 them to stop collecting so much information, stop
9 creating a burden, you know, on that, and so,
10 it's a fair point, right.

11 I think agencies can collect too much
12 data. They don't even use it, and you know,
13 what's the point of that?

14 But it is -- to tell you that we rely
15 on this data for a lot of things, and it's not
16 just metrics. We're going to put on our webpage,
17 people can look at it. It's the cost benefit
18 analysis and these rule makings, and you know, I
19 would just tell you that if you ask, pick one
20 operator who has a really -- you have a bad
21 accident.

22 If you take a look at what's on our

1 website about that accident, you know that that's
2 not the true cost of that accident. There is
3 third-party litigation out there, the cost of
4 which probably dwarfs everything that's on our
5 incident report, and I'm not picking on anyone by
6 saying that. I'm just saying that that seems to
7 me, to be the true cost of that incident, that
8 had something as a root cause of it.

9 But it can't be used. We've tried.
10 You know, if we -- we went through SEC filings,
11 you know, and tried to pull data out of there
12 that we could use and it's not allowable in our
13 framework.

14 So, just telling you that some of the
15 mandates we get, based on the data that we have
16 available are very difficult to prove, very
17 difficult, and if we had the true cost, we could
18 probably justify it, but we don't, but I wanted
19 to grant you that we collect stuff that we
20 probably don't need to collect, and there is
21 probably other stuff missing, that really should
22 be collected.

1 I think the industry has a strong role
2 here to play, in collecting and organizing
3 itself, you know. Near-miss data, I don't know
4 if we're going to get it -- if we're ever going
5 to get approval to collect it. Even if you agree
6 with this, getting the justification to collect
7 it, I don't know. You know, I'd be willing to
8 try. But you know, I think the industry can
9 collect a lot of that data that is below the
10 reportable level, do some analysis and help
11 itself by figuring out where do we need to be
12 going to intervene, before things go wrong,
13 right.

14 So, sorry, not to -- that -- not a
15 sermon. Just a thought. So, any rate, thank you
16 again, everyone. I'll turn it back to you and we
17 can close out and head home.

18 MR. TAHAMTANI: Thank you, Jeff, and
19 we are -- we stand adjourned. We'll see each
20 other at 9:00 a.m. promptly tomorrow morning.

21 (Whereupon, the above-entitled matter
22 went off the record at 5:00 p.m.)

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This is to certify that the foregoing transcript

In the matter of: Gas Pipeline Advisory Committee

Before: PHMSA

Date: 08-25-2015

Place: Arlington, Virginia

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