

UNITED STATES DEPARTMENT OF TRANSPORTATION
 PIPELINE AND HAZARDOUS MATERIALS
 SAFETY ADMINISTRATION

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VOLUNTARY INFORMATION-SHARING WORKING GROUP

+ + + + +

MEETING

+ + + + +

MONDAY
 DECEMBER 19, 2016

+ + + + +

The Working Group met in the *Room, of the Hilton Arlington located at 950 North Stafford Street, Arlington, Virginia, at 8:30 a.m., The Honorable Diane Burman, Chair, presiding.

PRESENT

DIANE BURMAN, New York State Public Service
 Commission
 ERIC AMUNDSEN, Panhandle Energy/Energy Transfer
 Partners
 KATE BLYSTONE, Pipeline Safety Trust
 BRYCE BROWN, The ROSEN Group
 ROBERT BUCHANAN, Seal for Life Industries
 DAN COTE, NiSource Gas
 JASON CRADIT, TRC Oil and Gas (Willbros
 Divestiture)
 SHERINA MAYE EDWARDS, Illinois Commerce
 Commission *
 ALICIA FARAG, LocusView Solutions
 MARK HERETH, Process Performance Improvement
 Consultants
 LEIF JENSEN, Sunoco Logistics

WALTER JONES, Laborers' Health & Safety Fund of
North America *

MICHAEL KELLER, The University of Tulsa *

MICHAEL LaMONT, Integrity Plus

JOHN MacNEILL, Utility Workers Union

ALAN MAYBERRY, Pipeline and Hazardous Materials
Safety Administration

HOLLY PEAREN, Environmental Defense Fund

SIMONA PERRY, Pipeline Safety Coalition and
Consulting Services, LLC

JOE SUBSITS, Washington Utilities and
Transportation Commission

MICHELLE THEBERT, Georgia Public Service
Commission *

CHRISTOPHER WARNER, Mears Group, Inc.

MARK ZUNIGA, UniversalPegasus International,
Inc.

ALSO PRESENT

CHRISTIE MURRAY, PHMSA, Designated Federal
Official

MARIE THERESE DOMINGUEZ, PHMSA Administrator

ALAINA ANDERSON, PHMSA Attorney Advisor

AHUVA BATTAMS, I&E Attorney

SHERRY BORENER, PHMSA Chief Data Officer

DREW HEVLE, Kinder Morgan

CHRIS McLAREN, PHMSA Transportation Specialist

CHRISTINA SAMES, American Gas Association

CAMERON SUTTERTHWAITE, PHMSA Transportation
Specialist

STARR SILVA, Special Assistant to the PHMSA
Administrator

JOHN STOODY, Association of Oil Pipe Lines

* Present via teleconference

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

2 (8:45 a.m.)

3 MS. MURRAY: Well, good morning
4 everyone. Happy Monday.

5 We're going to go ahead and get
6 started with our very first Voluntary
7 Information-Sharing System Working Group meeting.

8 Next slide, Pam.

9 First I want to just say thank you to
10 everyone who was able to travel out to our
11 working group meeting on very short notice.

12 We were aggressively working to get
13 our nominations and appointments made so that we
14 could convene today.

15 So, thank you very much for those who
16 are able to join us in person and those who are
17 joining us remotely over the phone.

18 Those individuals who are on the
19 phone, could you please announce your name?

20 (SIMULTANEOUS SPEAKING)

21 MS. MURRAY: I'm sorry, can you say
22 that again? One of you, hopefully, at a time?

1 And, if you're not speaking, please mute your
2 line.

3 MEMBER KELLER: Mike Keller,
4 University of Tulsa.

5 MS. MURRAY: Thank you, Mike.

6 MEMBER KELLER: You're welcome.

7 MEMBER JONES: Walter Jones, Laborers'
8 Health and Safety Fund.

9 MS. MURRAY: Can the gentleman who
10 just spoke please speak again?

11 MEMBER JONES: Walter Jones, Laborers'
12 Health and Safety Fund.

13 MS. MURRAY: Thank you, Mr. Jones.

14 And, then, the young lady who was
15 speaking?

16 MEMBER EDWARDS: Sherina Maye Edwards,
17 Illinois Commerce Commission.

18 MS. MURRAY: All right, thank you,
19 Commissioner Edwards for joining us also.

20 MEMBER PERRY: And, Simona Perry,
21 Pipeline Safety Coalition.

22 MS. MURRAY: All right, thank you, Ms.

1 Perry.

2 Any others joining remotely?

3 MEMBER THEBERT: Michelle Thebert,
4 Georgia Public Service Commission.

5 MS. MURRAY: Good morning, Michelle.

6 MEMBER THEBERT: Good morning.

7 MS. MURRAY: Okay, so, by my count, we
8 have five individuals joining remotely.

9 All right, well, good morning. I'm
10 Christie Murray. I am serving in today's working
11 group committee meeting as the Designated Federal
12 Officer who will be presiding over the committee
13 meeting today.

14 Next slide?

15 Now, for those who are joining us
16 remotely, are you able to see the presentation
17 that we have displayed?

18 MEMBER KELLER: I'm still sitting in
19 the virtual lobby. This is Keller.

20 MS. MURRAY: All right, well, we will
21 work to get you the presentation slides so that
22 you're able to join this.

1 For the few introductory aspects, they
2 won't be absolutely needed, so I think you'll be
3 fine. But, once we get into the presentations,
4 we'll make sure you have a copy of the
5 presentations in case we have issues with the
6 virtual conference -- meeting conference.

7 So, I wanted to just set the stage by
8 talking about the purpose of the working group
9 that we're participating in.

10 Ultimately, the goal of this working
11 group is to fulfill Section 10 of the Protecting
12 Our Infrastructure of Pipelines and Enhancing
13 Safety which is our Pipes Act of 2016.

14 And, this congressional mandate we
15 received from our reauthorization this past
16 summer has us focusing on developing or
17 considering the development of a voluntary
18 information sharing system that will allow our
19 industry to collaborate to ultimately improve
20 inspection and other pipeline safety related
21 information to be able to improve gas
22 transmission and hazardous liquid pipeline

1 facility integrity risk analysis.

2 Ultimately, the main deliverable from
3 this working group will be to provide
4 recommendations to the Secretary of
5 Transportation on this subject matter.

6 Next?

7 So, a bit of safety and housekeeping
8 before we get too far into the details.

9 For those who are physically here, we
10 do have exits that are outlined on the diagram in
11 front of you. There are three exits to my right
12 and then there's also the exits to my left.

13 In either case, you'll want to take
14 the stairway down to the main lobby level to exit
15 the building.

16 Also, in the event that you need to
17 take advantage of the restroom facilities, they
18 are immediately to my left outside the door. The
19 ladies room is on the right side and the mens
20 bathroom is on the left.

21 Next?

22 Also, if you have not done so already,

1 please silence your mobile devices so that we can
2 minimize any disruptions during the meeting.

3 And, also, thank you, audience, who --
4 and members of the public who are joining us as
5 well to our meeting. We definitely are
6 interested in a great dialogue and rich
7 conversation around information sharing.

8 We will ask that if comments are made,
9 we will give an opportunity for those comments
10 and hold your comments until we open the floor.

11 And, also, please keep your remarks
12 relatively brief so that we can allot time for
13 multiple individuals to be able to share.

14 Also, there's an opportunity if needed
15 or if you want to take advantage of it to have
16 written comments submitted to the docket. And,
17 we provided the docket number listed here.

18 For those who are remote, it's PHMSA,
19 P-H-M-S-A, dash 2016-0128.

20 Next?

21 So, what I wanted to do generally is
22 generally is talk a little bit about the agenda.

1 If everyone around the table, does all the
2 committee members have one of these blue folders?
3 Did everyone get the reading material for today?

4 Okay, raise your hand if you didn't
5 and we'll make sure you get a copy of it. Okay,
6 great.

7 So, everyone should have a copy of the
8 meeting agenda. I won't read it in its entirety,
9 but, what I did want to just point out is we
10 really have kind of a thematic approach to the
11 set up of this first meeting.

12 Because it is a the first meeting,
13 it's important to focus on some of the committee
14 management aspects and also to lay the foundation
15 for information sharing with some introductory
16 conversation that will lead to some great
17 dialogue.

18 And, also, have an opportunity for the
19 committee to discuss how the committee will meet
20 and what information, presentations, educational
21 input they may need in order to conduct the
22 committee's business.

1 And, we'll also talk a bit about
2 subcommittee needs.

3 Also, we will break for lunch around
4 noon today. And, lunch will be on your own. In
5 your folders you may find, if it's not in your
6 folders, definitely at the registration desk, the
7 list of restaurants that are in the vicinity for
8 lunch.

9 And, then, we'll close out with any
10 action items that we may come up with during the
11 meeting. We'll recap those and close our meeting
12 out this afternoon.

13 Any questions so far? Okay.

14 MEMBER EDWARDS: Ms. Murray, this is
15 Sherina Edwards. Are you going to -- is there an
16 opportunity where the people in the room are
17 going to introduce themselves just so that we
18 know who's there?

19 MS. MURRAY: Yes, absolutely. We will
20 do introductions in just a few moments.

21 MEMBER EDWARDS: Okay.

22 MS. MURRAY: So, what I will do is, I

1 will -- I want to introduce first the Committee
2 Chair, the Honorable Diane Burman and she will be
3 chairing the committee with us. And, I'll have
4 her introduce herself briefly now.

5 CHAIR BURMAN: Hello, my name is Diane
6 Burman. I am with the New York State Public
7 Service Commission.

8 And, as I see today, it's really a
9 getting to know you day. We'll include an
10 educational component of what the general
11 substantive information is.

12 We're going to get a sense of this
13 working group and the tasks at hand.

14 To me, the substantive objective of
15 the group is to develop recommendations on how
16 best to establish a voluntary information sharing
17 system to exchange and protect pipeline safety
18 and inspection related data.

19 The integrity and reliability of our
20 natural gas system is paramount. At the core of
21 that is safety.

22 My focus as a state regulator is on

1 how important pipeline safety is to everyone,
2 regulators, the public, the gas companies and gas
3 consumers.

4 We all have to work together to ensure
5 that the latest technologies and best practices
6 are responsibly incorporated into the pipeline
7 and distributors' daily procedures.

8 Opportunities to engage with PHMSA
9 such as this are important and a continued
10 working relationship is vital to provide
11 constructive concerns and comments and help us
12 achieve our objective on continuing and improving
13 pipeline safety.

14 Thank you.

15 MS. MURRAY: Thank you very much.

16 Next, we will have opening remarks by
17 PHMSA's administrator.

18 All right, well, we're going to
19 actually do a few things in reverse. Cameron, if
20 you can bring back up the -- actually go to the
21 next few slides.

22 What we'll do is kick it off with

1 introductions. But, as I set the stage for
2 introductions -- one more, thank you -- I do want
3 to talk about how the membership of the committee
4 as we do introductions and as you're listening to
5 introductions how the membership was very
6 deliberately laid out as far as the stakeholders
7 that are represented on the working group.

8 As a part of our Section 10 of Pipes
9 Act mandate, the mandate specifically specifies
10 that we have to have a member of the working
11 group from PHMSA, also industry stakeholders and
12 a vast number of represented groups such as
13 operators of pipeline facilities, inspection
14 technology coating, cathodic protection vendors
15 and pipeline inspection organizations.

16 Also, we have to have safety advocacy
17 groups represented, research institutions, state
18 public utility commissions, state pipeline safety
19 inspectors, labor representatives and other
20 entities.

21 Next slide?

22 So, with that being said, and this may

1 be a little difficult to read, but as you can
2 see, we have 24 members on the working group.
3 And, each of those members have been categorized
4 by one of the groups, the represented groups that
5 I mentioned previously.

6 This is a bit small, but we can
7 certainly provide this to you so that you can
8 see.

9 Also, in your folders, there is a
10 committee roster that has a designation next to
11 each individual's name as to which group they are
12 participating in.

13 Next slide?

14 So, now, what I think we can do is
15 definitely go around and do introductions and
16 have everyone introduce themselves.

17 Let's see, we can start with Ms.
18 Dominguez and work our way around
19 counterclockwise from her. And, just tell us
20 your name, title, organization and maybe what
21 connects you to this working group or what's of
22 interest to you.

1 MS. DOMINGUEZ: Good morning,
2 everyone. My name is Marie Therese Dominguez and
3 I serve as the administrator for the Pipeline and
4 Hazardous Materials Safety Administration at the
5 U.S. Department of Transportation.

6 And, I'm about to tell you in a few
7 minutes why I think this is so incredibly
8 important.

9 And, I want to thank you all very much
10 for agreeing to participate in this
11 groundbreaking work group on voluntary
12 information sharing.

13 MS. BORENER: Good morning, I'm Sherry
14 Borener. I serve as the Chief Data Officer at
15 PHMSA.

16 And, I'm here today to do my very best
17 to figure out how to support whatever decisions
18 you make about information sharing and to set up
19 structures and basically to support your
20 implementation of all of the information sharing
21 you decide to do as a result of the committee's
22 work.

1 So, thank you very much. I'll be
2 speaking this afternoon about VIS.

3 MEMBER LAMONT: Good morning, I'm Mike
4 LaMont, Vice President of Integrity Plus. And,
5 my background is developing integrity management
6 programs and helping operators comply with the
7 requirements.

8 And, I'm excited to be here. I look
9 forward to finding a solution that everyone can -
10 - that really works for everyone.

11 MEMBER HERETH: Good morning, I'm Mark
12 Hereth with Process Performance Improvement
13 Consultants.

14 I've been in the industry 37 years.
15 My early years in petrochemicals and refining,
16 the last 24 or so in pipelines.

17 I've worked a lot around ILI and data
18 sharing including investigations looking at the
19 ILI and how we can improve the use of the
20 technology.

21 I also worked on a group in INGAA
22 looking at how to advance, as Chairman Burman

1 said, the best available technologies and to
2 bring them to the forefront for use in every day
3 compliance.

4 And, Chairman Burman, I appreciate
5 your comment and I fully support them in terms of
6 you, the committee and through all the job that
7 we have in front of us. I'm honored to be on
8 this committee.

9 Thank you.

10 MEMBER WARNER: Good morning, I'm
11 Chris Warner from -- I'm Senior Vice President of
12 Mears Group.

13 And, in my early life, I was an
14 operator working on transmission integrity, so I
15 have a long history of being concerned about
16 pipeline integrity.

17 Ten years ago, I transitioned to Mears
18 Group with his a cathodic protection consultant,
19 direct examination consultant. And, it also has
20 a branch of inline inspection.

21 So, this really is close to my heart
22 both from an operator perspective and from a

1 consultant perspective. So, appreciate being a
2 part of this committee.

3 MEMBER ZUNIGA: Hi, my name's Mark
4 Zuniga. I'm with UniversalPegasus. We are an
5 inspection service provider along with an
6 inspection technology service provider.

7 I, myself, have been in the pipeline
8 industry in and around applying technology to
9 pipeline projects for the past 20 years or so.

10 MEMBER MACNEILL: Good morning. My
11 name is John MacNeill. I'm the National Safety
12 Director for the Utility Workers Union of
13 America. I represent members that work in the
14 utility industry in gas, steam, electric.

15 And, I'm here to hopefully make a
16 difference and help for the safety of my members.

17 Thank you.

18 MEMBER JENSEN: Good morning. My name
19 is Leif Jensen. I'm with Sunoco Logistics. I
20 have about 30 years in the industry, 20 of which
21 is in natural gas, across the board, local
22 distribution, transmission and storage.

1 The last ten years have been with
2 Sunoco operating hazardous liquid pipelines
3 across the nation.

4 I am the Senior Director of Asset
5 Integrity which includes corrosion, pipeline
6 integrity, small pipeline projects, compliance
7 and so forth.

8 And, you know, my primary interest in
9 joining this group, and I'm honored to be here,
10 by the way, is all in the spirit of pipeline
11 safety and protecting the sensitivities that
12 operators have, the confidentiality requirements,
13 you know, protection from FOIA and so on.

14 So, I think the -- in the spirit of
15 pipeline safety far outweighs a lot of those
16 other elements. And, I think that we will have
17 the opportunity to persevere.

18 So, thank you.

19 MEMBER COTE: My name is Dan Cote. I
20 am Vice President of Pipeline Safety and
21 Compliance for NiSource.

22 I've been a utility operating guy for

1 over 40 years and was doing distribution
2 integrity management before it was a regulation
3 or before it was even considered as a need in the
4 industry.

5 My passion, quite frankly, is pipeline
6 safety. In my mind, the most basic service we
7 provide is the right of people to live in their
8 homes unmolested with the secure energy source.
9 And, that's our challenge here.

10 In my mind, the information arena is
11 one that will allow a enormous opportunity for us
12 to get better through the sharing of information.

13 So, I'm excited by this opportunity
14 and I believe, if we execute this well with a
15 central theme of pipeline safety, this will be
16 successful.

17 Thank you.

18 MEMBER CRADIT: Hi, good morning. My
19 name's Jason Cradit. I'm Senior Director of
20 Technology for TRC.

21 My main focus has been in
22 cybersecurity as well as cloud data management in

1 and around pipeline systems previously with
2 General Electric, PII, Willbros and MJ Harden.

3 Thank you.

4 MEMBER FARAG: I'm Alicia Farag with
5 LocusView Solutions. We are a subsidiary of GTI,
6 Gas Technology Institute.

7 We do technology for collecting and
8 analyzing asset and integrity data. And, I'm
9 hoping to bring a perspective on the actual
10 mechanics of data sharing from multiple
11 stakeholders.

12 MEMBER BLYSTONE: I'm Kate Blystone.
13 I'm with the Pipeline Safety Trust. I'm the
14 Outreach Manager for them.

15 And, my interest in pipeline safety
16 began in 1999 after the pipeline explosion in
17 Bellingham. I was the first intern for Safe
18 Bellingham back when I was much younger which was
19 the predecessor to the Pipeline Safety Trust.

20 So, this has been an issue for me for
21 a very long time. And, I just hope to bring a
22 perspective of the public to this table today,

1 just the general public who's going to be
2 affected by our decisions.

3 MEMBER PEAREN: My name is Holly
4 Pearen. I'm a Senior Attorney at the
5 Environmental Defense Fund.

6 EDF is pleased to participate in the
7 working group and is primarily interested in
8 fostering a dynamic environment for research and
9 perfection, advance leak detection inspection
10 technologies.

11 The transportation and storage sector
12 contributes about 20 percent of the methane
13 emissions from the natural gas sector. And, we
14 think that more robust, less destructive
15 inspection technologies can be developed and
16 start -- and deployed to state lowering those
17 emissions.

18 Sharing information about the
19 available technologies and respective strengths
20 and weaknesses is essential to expedient and
21 efficient R&D.

22 And, I think on a different note, EDF

1 has watch with, you know, some dismay at the
2 increasing deterioration of communications
3 between energy, transportation proponents,
4 communities and environmental stakeholders.

5 And, really feel that when parties
6 pull back and stop conversing and retreat to
7 talking points, nothing productive happens and
8 conflicts, you know, can become more entrenched.

9 And, so, in the spirit of fact-based
10 transparent dialogue and honest communication, I
11 think this working group can really set a great
12 example and move forward towards productive
13 rather than positional dialogue and sort of focus
14 on the shared goals of safe, efficient energy
15 transportation.

16 MEMBER BUCHANAN: I'm Bob Buchanan.
17 I'm with Seal for Life Industries. We're a
18 division of Berry Plastics Corporation. And, for
19 the most part, I'm a coatings guy.

20 We manufacture and develop various
21 different coating technologies, plus, we also
22 have a cathodic protection system. So, we kind

1 of have a unique approach to or a viewpoint on
2 corrosion prevention of pipelines whether it's
3 from coatings or CP and, again, different coating
4 technologies.

5 Obviously, my interest is getting to
6 know and getting, I would say, closer to PHMSA to
7 a degree. As a vendor, we are -- have always
8 been a stakeholder, but we've never really had a
9 voice at PHMSA, so I think it's important to be
10 able to -- I'm quite honored to be on this
11 working group, by the way.

12 And, it's very important to be able to
13 get closer to and get to know PHMSA better. So,
14 I guess really, it's about pipeline safety,
15 whether it's through some sort of corrosion
16 prevention technology, but also information
17 sharing and understanding what's going on with
18 the pipeline world.

19 MEMBER BROWN: Good morning. My name
20 is Bryce Brown. I'm a Vice President in Group
21 Strategy Management for the ROSEN Group. I'm in
22 my 26th year with the organization coming from

1 the data side, through integrity side.

2 We, as a company, are an asset care
3 company with a longstanding history and portfolio
4 on inline inspection. And, we, as an industry of
5 inline inspection service providers, have a
6 vested interest in understanding the synergies
7 and the effective sharing of data.

8 And, it's an honor for myself to be
9 invited and participate in this.

10 Thank you.

11 MEMBER AMUNDSEN: Good morning, Eric
12 Amundsen with Energy Transfer. I've been with
13 those assets for 35 years.

14 Like the others, I'm honored to be a
15 part of this group. It's a very noble thing that
16 we're going to try and solve here.

17 Start by acknowledging and applauding
18 the legislation. I think it really does address
19 a gap that we have in the industry, but not too
20 naive to think that it's going to be easy. If it
21 was easy, we would have done it already. Right?

22 So, I think we've got a lot of

1 challenges before us, but I think we've got,
2 looking around the room and with all the
3 experience and diversity of this group, it's very
4 excited at where we'll end up here.

5 But, again, back to, I think it's a
6 gap that we really need to address. It seems
7 very simple in its, you know, in its context.
8 This is the, you know, the check part of the
9 plan-do-check-act, continuous improvement cycle.

10 But, to be honest, we don't -- this is
11 something we don't do very well. As an industry,
12 we don't do very well as companies and working
13 with our service providers, obviously.
14 Otherwise, we wouldn't be sitting here.

15 So, really anxious to be a part of
16 moving the ball here and closing this gap.

17 Thank you.

18 MEMBER SUBSITS: Hi, it's Joe Subsits.
19 I am the Chief Engineer with the Washington
20 Utilities and Transportation Commission. I'm
21 here representing the National Association of
22 Pipeline Safety Representatives.

1 And, as an inspector, I've seen many
2 operators and I've seen them work through ILI
3 processes. And, the science isn't always
4 perfect, but I've seen them a lot of things and
5 learn a lot of good things, but it's just a shame
6 that a lot of these things get lost.

7 And, I see this as a great opportunity
8 to learn from each other and to help our own
9 organizations get better in the process.

10 MS. WHETSEL: I'm Cheryl Whetsel on
11 the Advisory Committee Manager. You're going to
12 get to know me pretty well, at least for
13 administrative matters as the time goes on.

14 In addition to managing this
15 committee, I also manage the gas and the liquid
16 pipeline safety advisory committees. I'm in the
17 Office of Rulemaking and I also manage the
18 standards incorporated by reference.

19 And, just one administrative matter,
20 I am looking for a committee roster that has a
21 little note at the top that says please update
22 your information. If anybody has that, if they

1 could give it to me so I can start moving it
2 around the room.

3 If I don't find it, I apologize to
4 those people who have already maybe filled out
5 their information and might have to do it again.

6 But, if you have someone else who
7 manages your calendar, an administrative
8 assistant or someone you would like to add to the
9 listing, please let me know and I'll put them on
10 the mailing list so you'll have a secondary
11 person to manage your calendar then when we have
12 meetings.

13 That's it.

14 MR. SUTTERTHWAITE: Cameron
15 Sutterthwaite, Acting Director, Standards of
16 Rulemaking, PHMSA.

17 And, that's it. Am I'm just here to
18 support.

19 MR. MCLAREN: I'm Chris McLaren with
20 PHMSA. I've been at PHMSA for 15 years basically
21 developing and implementing the integrity
22 management inspection programs.

1 It's been a main focus for me as well
2 as other things. And, I am here as part of the
3 committee staff to support the committee.

4 MS. ANDERSON: Alaina Anderson, I'm
5 with PHMSA'S Office of Chief Counsel the General
6 Law Division.

7 MEMBER MAYBERRY: Good morning. I'm
8 Alan Mayberry, Associate Administrator for
9 Pipeline Safety.

10 I'll give a couple remarks in a bit,
11 but, you know, I'd just like to say, first, that,
12 you know, I look forward to this -- of the
13 outcome of this group as another tool in our
14 toolbox for, you know, looking at pipeline safety
15 and ensuring pipeline safety.

16 You know, it goes beyond regulations
17 and the typical things you tend to see. I think
18 this -- we have a great opportunity in this
19 working group. So, I look forward to, you know,
20 the discussion and the ultimate end product.

21 Thanks.

22 MS. MURRAY: All right, and I'm

1 Christie Murray. I'm the Acting Deputy Associate
2 Administrator for Policy and Programs. And, I
3 have been with PHMSA for about six and a half
4 years now.

5 When I'm not in acting role, I am the
6 Director of our Program Development Division. We
7 handle everything from the MPMS system, damage
8 prevention, 811, public awareness, our community
9 assistance and technical services program and
10 more.

11 So, happy to be here.

12 Next, I'm want to make sure that I
13 give the individuals on the phone first an
14 opportunity to introduce themselves. And, then,
15 I'll ask any other PHMSA staff who's here to go
16 to the microphone if it's there. We'll grab the
17 microphone, we'll get that there.

18 But, give them an opportunity to
19 introduce themselves as well.

20 So, on the phone, I'm going to call
21 your name just so that we don't have to have you
22 talk over each other.

1 Mr. Keller?

2 MEMBER KELLER: Hi, sorry, I have a
3 wicked cold this weekend, so I am kind of getting
4 over that.

5 My name is Michael Keller. I am an
6 Associate Professor of Mechanical Engineering at
7 the University of Tulsa in Tulsa, Oklahoma.

8 My research interest in material
9 science, so a mechanics guy and a good portion of
10 my research has been in understanding the
11 performance of repairs for damaged pipeline and
12 pressure equipment as well as in erosion and
13 corrosion of oil field equipment, actually,
14 through our erosion and corrosion center at the
15 University of Tulsa.

16 MS. MURRAY: Thank you.

17 Mr. Jones?

18 MEMBER JONES: Hi, again. I'm Walter
19 Jones. I'm the Assistant Director of
20 Occupational Safety and Health at the Laborers
21 Health and Safety Fund. We're a fund of the
22 laborers union and their signatory contractors.

1 And, I provide safety and health
2 support to our signatory contractors.

3 I look forward to participating on
4 this committee. And, where possible, instituting
5 best practices that go beyond the minimum
6 requirement.

7 MS. MURRAY: Great, thank you.

8 Commissioner Edwards?

9 MEMBER EDWARDS: Sorry, I was on mute.

10 Hi, again, Sherina Maye Edwards from
11 the Illinois Commerce Commission.

12 And, Commissioner Burman mentioned
13 earlier, I think our focus is exactly there. I
14 think it's great that we're represented on the
15 committee.

16 But, I feel this is a bright light.
17 We definitely be determined, have long-term
18 relations and going forward on what we think
19 necessarily needs to take place from a regulator
20 standpoint.

21 Looking forward today to kind of just
22 getting the framework and seeing how we can maybe

1 most provide our value here then take it back to
2 our regulators through work.

3 Thank you.

4 MS. MURRAY: Thank you.

5 Dr. Perry?

6 MEMBER PERRY: Hi, I'm Simona Perry.
7 I'm Vice President of Pipeline Safety Coalition.
8 We're a safety pipeline, safety education group,
9 organization.

10 I'm also Research Director and founder
11 of c.a.s.e. Consulting Services. I'm trained as
12 both an ecological risk assessor as well as a
13 social scientist.

14 So, I'm very honored and excited to be
15 a part of this group. One of my main concerns is
16 understanding how people translate risk, the
17 public in particular, how industry can play a
18 larger in helping in that education and
19 translation piece by providing clear, concise
20 information about the risks from pipelines as
21 well as just looking at the, you know, the social
22 and kind of cultural, believe it or not, gaps

1 that we have when we talk about in forwarding
2 communication on issues where people, you know,
3 safety is involved.

4 So, I really look forward to being a
5 part of this.

6 Thank you.

7 MS. MURRAY: Thank you.

8 And, finally, Ms. Thebert?

9 MEMBER THEBERT: Hi, Michelle Thebert,
10 Georgia Public Service Commission. I've been
11 with the Commission for 20 years this year. And,
12 a majority of those were spent in rates and
13 regulation department.

14 I've been on the pipeline safety side
15 for four years come this March. So, I've kind of
16 seen both sides of the safety versus the call
17 submitter implications, you know, with rates.

18 So, I'm looking forward to, you know,
19 I'm a big proponent for transparency in the
20 industry and hopefully this will, you know,
21 spread throughout the industry and people
22 realizing it's not about thanks for your

1 information, it's good, sometimes, depending on
2 what it is.

3 So, I'm looking forward to
4 participating. Thank you for having me.

5 MS. MURRAY: Okay, thank you very
6 much.

7 Now, we'll ask if there are any PHMSA
8 staff members here to please introduce yourself.

9 MS. WHITE: Hello everybody. I'm
10 Nancy White, Director of Policy and Programs for
11 the Office of Pipeline Safety. I'm here to
12 support this effort and very much looking forward
13 to seeing how this can carry the safety ball
14 forward.

15 Thank you.

16 MS. MURRAY: Okay, thank you.

17 MS. BATTAMS: I'm Ahuva Battams. I'm
18 an attorney with the Office of Chief Counsel in
19 the Pipeline Division. I'm also here for
20 support.

21 MR. HOLLINGSHEAD: Hello everyone.
22 I'm Brandon Hollingshead. I'm the Assistant

1 Chief Counsel for General Law within PHMSA's
2 Office of Chief Counsel.

3 MS. SILVA: Hello everybody. I'm
4 Starr Silva with PHMSA and I'm the Special
5 Assistant to the Administrator.

6 MS. DOMINGUEZ: I just want to make a
7 really clear statement. Please don't everyone
8 get overly concerned about the number of
9 attorneys that are in the room.

10 Part of it is, is that this is a
11 federal advisory committee and we need to make
12 sure that it's run smoothly and actually abides
13 by the law. So, the charter and the work that
14 we're doing actually is part of the reason why
15 our legal staff are here.

16 MS. MURRAY: Okay, thank you. Good
17 point.

18 Okay, so, Cameron, if you could back
19 up a couple of slides. Next, what we'll do is
20 we'll back up and we will -- we look forward to
21 opening remarks from Ms. Dominguez and Mr.
22 Mayberry.

1 MS. DOMINGUEZ: All right, good
2 morning everybody. This is Marie Therese
3 Dominguez.

4 As I said before, I serve as -- I have
5 the privilege of serving as PHMSA's
6 Administrator. And, for those that know me and
7 those that don't, I'll be a little bit more
8 direct.

9 I couldn't be happier that this group
10 is meeting today. This is something that I think
11 is absolutely fundamental to the next level of
12 pipeline safety which is looking not only at
13 safety management systems but also really taking
14 information and sharing it in new ways that we
15 can actually identify emerging risk earlier and
16 actually address it and really lead to a new
17 level of pipeline safety.

18 So, first and foremost, I want to
19 thank everyone very much for your participation
20 today, for coming on short notice. It really is
21 incredibly important that we were able to
22 assemble today.

1 And, I just want to share with you
2 some opening remarks to set the stage a little
3 bit and look forward to a very productive day.

4 Welcome, first and foremost. I am
5 actually very thrilled to see all of you joining
6 together from such diverse representative groups
7 to consider the development of a voluntary
8 information sharing system that will truly
9 improve pipeline safety across the entire
10 industry and across for the American public.

11 Your participation is extremely
12 crucial and its critical. This working group
13 will collaborate on inspection information,
14 feedback and information sharing with the purpose
15 of improving gas transmission and hazardous
16 liquid pipeline facility integrity risk analysis.

17 This working group will provide
18 recommendations to the Secretary of
19 Transportation.

20 It will also provide unique insight on
21 information sharing matters including whether a
22 sharing system is needed.

1 How it can be most effective and ways
2 to encourage the exchange of information,
3 inspection information and the best practices for
4 the protection of proprietary and security
5 sensitive information.

6 But most importantly, I think your
7 input will help further pipeline safety across
8 the industry by figuring out a mechanism to
9 actually share information collaboratively.

10 So, why is this so terribly important?
11 PHMSA's existence is really to look at pipeline
12 safety across the board for the American public.

13 And, one of the ways that we've been
14 looking to advance that goal is to look at safety
15 management systems. And, a safety management
16 system, or an SMS, is the best structure for
17 sharing information and managing safety.

18 It's critical that we develop an SMS
19 in order to encourage information sharing,
20 promote better safety practices across all the
21 industries that we work with and for the benefit
22 of our stakeholders to achieve the best possible

1 safety outcomes.

2 Safety management systems are a very,
3 very comprehensive look at everything that an
4 operator does as well as, for instance, PHMSA,
5 we're also taking on developing a safety
6 management system for ourselves, how you actually
7 tie every action that you're doing to a process
8 that's connected to a safety outcome.

9 The essential components for a
10 successful SMS system are data analysis and
11 sharing. Sharing of information and in a non-
12 punitive setting, whether that be through
13 reporting or actions by employees or anything
14 else.

15 Information sharing is facilitated by
16 a system that encourages open reporting of issues
17 and protects against any sort of retaliation writ
18 large.

19 Awareness and discussion are also
20 crucial aspects and allow -- and it really allows
21 for an organic flow of information across the
22 board.

1 And, I want to make a distinction,
2 data sharing, which is different from information
3 sharing is another crucial component of a
4 successful safety management system.

5 Data sharing is more granule than
6 information sharing. You don't need to work with
7 data sharing in order to benefit from information
8 sharing. But, it's a useful tool to have in a
9 larger safety management system arsenal.

10 Pipelines within the United States are
11 moving higher volumes of product than ever
12 before, putting an unprecedented amount of demand
13 on the entire infrastructure system.

14 An SMS would provide a plan for
15 keeping pace with this demand without sacrificing
16 safety.

17 Many industries, whether they be
18 aviation, the chemical industry, the nuclear
19 industry, among others, have utilized safety
20 management systems to actually manage risk and
21 improve safety over the course of their time.

22 And, we've seen this time and time

1 again. One of the things that I asked when I
2 first came to PHMSA was, one, how are we
3 quantifying our impact on safety?

4 And, secondly, and so we've tied all
5 of the organizational changes that we've made and
6 all of our actions back to that metric of how do
7 we actually improve safety across the board and
8 the actions that the agency takes.

9 But, secondly, how do we actually make
10 sure that we are structured in a way that our
11 acts on a day to day basis and the work that we
12 do as a regulator impacts safety in a way that we
13 can actually begin to quantify?

14 And, when I first came on board, one
15 of the first things that I did was have the
16 opportunity to talk to the industry, in
17 particular, and one of the first questions that I
18 posed was, where is the pipeline industry on
19 adopting a safety management system?

20 I can say now, 20 months later, there
21 is a very aggressive effort underway by the
22 pipeline industry to really look at pipeline

1 safety management systems across the board.

2 And, the reason that this work is so
3 important is because it truly advances that
4 measure.

5 It gets to the next level of not just
6 adoption internally by the industry of a safety
7 management system, but then, how do you take that
8 information and share all the work that you all
9 are doing, the industry in particular, that the
10 you I'm referring to, sharing it in a platform.

11 This committee's work will be figuring
12 out, how do you actually take information and
13 data and share it in a way that you can really
14 identify risk in a new way?

15 And, it's the benefits of it are not
16 only for the American public for a safer system,
17 but also for the operators themselves and for
18 everyone benefitting from the system.

19 You've got lower injury risks, you've
20 got more information sharing. You've got a way
21 of detecting problems before they become
22 accidents or incidents.

1 And, that's the importance of the work
2 that you're undertaking today.

3 So, SMS really looks at integrating
4 that modern safety concept into a repeatable,
5 proactive, standard operating procedures grounded
6 truly in safety.

7 They advance safety by counting for
8 the culture of an organization, it's systems and
9 processes and human behavior and using
10 information to really -- all this information to
11 mitigate risk.

12 SMS would be useful for investing in
13 predictive analysis capabilities, improving
14 integrity verification procedures and utilizing
15 data to stay ahead of technical developments that
16 could pose new and unforeseen safety risks that
17 we don't yet know about.

18 A commitment to safety management
19 systems will help provide operators to manage the
20 multiple facets of pipeline safety, fundamentally
21 changing the day to day operations by
22 incorporating a focus on safety into absolutely

1 every single aspect of a pipeline management
2 system.

3 As Christie just -- Dr. Murray said
4 before, the Pipeline Safety Reauthorization Bill
5 or the 2016 Pipes Act, which Congress passed in
6 June and the President signed, really supports
7 the progress towards a holistic view of safety by
8 moving toward an SMS and this next generation of
9 safety data collection and sharing.

10 And, the most primary way it does that
11 is by the creation of this working group, the
12 voluntary information system working group.

13 You all will collaborate to generate
14 recommendations, again, for the Secretary of
15 Transportation regarding information sharing
16 systems, stimulating an exchange of inspection
17 information will also, again, providing
18 protection for security sensitive information.

19 Some of the specific things that
20 you'll do include identifying the need for a
21 system to confidentially share pipeline dig
22 verification data with inline inspection

1 operators.

2 Encouraging the sharing of pipeline
3 inspection information and the development of
4 advanced pipeline inspection technologies.

5 You all will be looking at sharing
6 data to increase knowledge of the advantages and
7 disadvantages of the varying types of inline
8 inspection technologies.

9 Creating a secure system that protects
10 proprietary information while also encouraging
11 information sharing and the development, again,
12 of advanced technologies.

13 Protecting safety and security
14 sensitive information and determining associated
15 regulatory funding and legal issues.

16 By bringing together representatives
17 from safety advocacy groups, research
18 institutions, state public utility commissions,
19 state officials responsible for pipeline safety
20 oversight, state pipeline safety inspectors,
21 labor representatives, PHMSA officials, industry
22 stakeholders and other entities who represent the

1 public, we hope to take advantage of the breadth,
2 the depth, the knowledge that you all bring to
3 the table and your experience to truly represent
4 and develop the best possible safety management
5 systems that we can possibly apply to the
6 pipeline industry.

7 A strong safety management system
8 across the pipeline industry must include a
9 platform to share and analyze data, allowing
10 users to see emerging trends and informing best
11 practices.

12 This collaboration can be achieved
13 while still protecting proprietary interests, but
14 allowing for a marked improvement on safety.

15 In the interest of increasing
16 transparency and building on trust, PHMSA has
17 made annual reports of incident data for each
18 operator available online.

19 The PHMSA website also shows operators
20 integrated into larger safety systems, larger
21 safety programs.

22 We have interactive web pages

1 displaying 20-year incident trends, pipeline
2 infrastructure trends, pipeline replacement
3 updates, raw data, flagged data files and
4 integrity management performance measures.

5 We're a regulator. And, we hold
6 operators accountable through our regulations and
7 enforcement actions.

8 But, our rules, whether they're
9 prescriptive or performance-based, like every
10 regulator, can only serve to achieve minimum
11 federal requirements.

12 It's essential that we find a way to
13 fill the gaps between regulations and push for a
14 cultural change to make safety the number one
15 priority. Transparency, collaboration and the
16 adoption of an SMS engenders a safety conscious
17 culture within the pipeline industry.

18 In the course of this transformation,
19 the cooperation of communities and the public
20 will be invaluable. Pipeline safety is a shared
21 responsibility, one in which all stakeholders
22 must be involved.

1 So, thank you all very much for
2 agreeing to serve on this historic working group.
3 Your efforts will lead to strong -- to
4 groundbreaking, I'm sure, new level of safety in
5 this industry, in the pipeline industry.

6 And, I challenge you, I think somebody
7 said it earlier, this is going to be a challenge.
8 It's not going to be easy, but we have the right
9 group of people together. I'm sure you'll forge
10 relationships, get to know one another and truly
11 get some very positive work done.

12 Because, I think you have the
13 opportunity to truly make a significant
14 difference. You have a chance to actually roll
15 up your sleeves, do some work here that will
16 truly lead to the next level of pipeline safety
17 in this country.

18 And, I very much appreciate your
19 willingness to take it on and look forward to
20 working with you. You have a great team here
21 supporting you from PHMSA.

22 So, with that, I'll turn it back over

1 to Dr. Murray.

2 MS. MURRAY: Okay, thank you very
3 much.

4 And, I'll pass it to Alan for remarks.

5 MEMBER MAYBERRY: Okay, thanks,
6 Christie.

7 I guess really my remarks really
8 qualify more as opening thoughts to begin the
9 day. But, I just wanted to welcome you and
10 appreciate your participation in this important
11 working group.

12 You know, especially on this short
13 notice. I know many of you had to travel across
14 the country to get here, so appreciate your
15 taking time out of your day on Sunday, no less,
16 to be here for this important meeting.

17 We're very pleased with the turnout
18 today.

19 And, I'm also honored to be around
20 such a diverse group of distinguished people.
21 I'd say your experience and your backgrounds were
22 quite impressive.

1 I think that will work very well on
2 this committee.

3 I know, at times, when you have such
4 a large diverse group, sometimes I think it can
5 be a challenge to get to an end. But, I think,
6 in this case, that will definitely help to have
7 the perspectives that you each bring to the table
8 here.

9 And, by the way, I'm switching hats.
10 I'm giving you really my thoughts as the
11 Associate Administrator, not as a committee
12 member, although they're sort of related, they go
13 hand in hand.

14 I'm a little bit out of order here in
15 that I'm on the committee but also leading the
16 pipeline safety program.

17 I was very intent on meeting the
18 mandates that came out of the 2016 Act, not to
19 mention the earlier Act out of 2011.

20 But, anyway, nonetheless, I view this
21 as, you know, if you talk in terms of the theme
22 which I've discussed frequently, is we really

1 need to be focused on preventing the next
2 accident.

3 You know, in the aftermath of large
4 low probability, high consequence events, often
5 times, we are left to look at, well, what
6 happened and how do we avoid or prevent that from
7 happening in the future.

8 And, certainly that is very important
9 to do and we do that quite well. But, I would
10 tell you that we really need to be focused on
11 preventing the next accident.

12 And, to me, this group is what that is
13 all about as far as the information sharing
14 initiative that we're here to discuss today.

15 You know, in the mandate, the focus
16 was inline inspection and certainly that is a
17 major issue. I think it's a media issue as Eric
18 has pointed out. It's an area that has been a
19 challenge for all of us.

20 And, as a regulator, I can tell you,
21 from my perspective, time and time again, in the
22 aftermath of an accident, we often hear from the

1 operator that, well, I just pigged that line or
2 I'm in the process of pigging the line.

3 We've even had accidents where a pig
4 is in the line when the line gets shutdown.

5 So, you know, where there's some lines
6 that we can, you know, take from those types of
7 incidents and then your knowledge that can really
8 improve how information is shared related to ILI.

9 So, I look forward to that discussion.

10 But, you know, we're not limited, and
11 this is the way I see it, to ILI. Certainly,
12 that's what the mandate says, but my hope for
13 this group is that whatever we come out with will
14 be applicable to other areas, the other less, you
15 know, areas with involving less well-known
16 technology that are much simpler and, you know,
17 dealing with just basic, you know, leak issues
18 and distribution systems or coating issues and
19 the like.

20 So, we're really about, you know,
21 setting up a system for sharing information that
22 could apply to the variety of issues that are out

1 there, the universe of issues that are out there,
2 not only ILI, although, again, that is the
3 specific mandate we have before us.

4 You know, I would add, you know, for
5 you who've not been involved with PHMSA in the
6 past, you newbies around the table, this is, you
7 know, very important to us as the regulator to
8 have input from our stakeholders, the diverse
9 stakeholder community.

10 Of course, in this case, we're going
11 to be serving up information to the Secretary for
12 further action. But, your input is crucial to
13 that process, and really, to all of our processes
14 as we develop policies to apply nationally. And,
15 I encourage your input.

16 I was telling Christie and Diane
17 before the meeting started that really it's hard
18 to mess up here. You really can't mess up in
19 this process other than not providing input.

20 And, so, really, it's incumbent upon
21 you to provide the input that we need to, you
22 know, to move this process forward. So, I

1 encourage you to do that and I look forward to
2 the conversation.

3 And, then, finally, I would just like
4 to say a word of thanks to the PHMSA staff for
5 landing this thing on the date. Today was the
6 deadline in the mandate to actually stand up this
7 working group.

8 And, I can tell you, there was a lot
9 of work being done in the background leading up
10 to this. So, just my appreciation to Christie
11 and the team that really, you know, worked late
12 hours and I think missed some football games with
13 kids and the like. And, a lot of things, a lot
14 of work was done just to put this on today. So,
15 my appreciation to PHMSA and the PHMSA staff to
16 do that.

17 And, with that, I'll put my member hat
18 back on and turn it back over to Christie.

19 MS. MURRAY: Thanks, Alan.

20 Just a couple more things from me.
21 This is a federal advisory committee meeting.
22 Committee members and members of the public are

1 asked to preserve order and decorum during this
2 meeting.

3 No one shall, neither by conversation
4 or otherwise, delay or interrupt the proceedings
5 or the peace of the committee, nor disturb any
6 member while speaking or refuse to obey the
7 instructions of the Chair or Designated Federal
8 Officer or its presiding officer.

9 If someone chooses to be disruptive,
10 we will have to ask them to leave.

11 Next, I will hand it over to our
12 Chair, Commissioner Burman, for remarks.

13 CHAIR BURMAN: Thank you.

14 And, so I heard from Alan that you
15 can't mess up and then I just heard that if I'm
16 disruptive, I'll be asked to leave.

17 I really, first, just want to thank
18 the administrator. With her leadership, this
19 really has gotten off the ground. And, you know,
20 it reminds of a quote about many people have the
21 right aim in life, they just never get around to
22 pulling the trigger and the vision must be

1 followed by the venture. And, it's not enough to
2 stare up the steps, we must step up the stairs.

3 And, that's really what we're doing
4 here today.

5 For order of business and for the
6 lawyers who, I know, are making sure that we
7 follow, this is a meeting of the Department of
8 Transportation's Voluntary Information Sharing
9 Working Group.

10 The meeting is being recorded. A
11 transcript will be produced for the record. The
12 transcript and the presentations given today will
13 be available on the PHMSA website on the egov
14 docket at www.regulations.gov and the docket
15 number for this voluntary information sharing
16 working group is PHMSA-2016-0128.

17 Just order of business, please mute
18 your phones and any other electronics.

19 Introduce yourself each time you speak
20 so your comments can be acknowledged in the
21 meeting transcript. And, if you have a question
22 or comment, please set your tent card on its

1 side.

2 A quorum has been -- a quorum is
3 established if the majority of the committee
4 members are in attendance. That's in person or
5 via conference call. And, we have determined
6 that a quorum is present and we're now officially
7 called to order and we can start the official
8 agenda.

9 MS. MURRAY: Okay, thank you.

10 CHAIR BURMAN: Okay, so, for Agenda
11 Item 2, the Charter Review.

12 MS. MURRAY: Okay, for those of you
13 who are the phone, in the email I sent you
14 yesterday, you should have a document that is
15 labeled Charter. Please open that. We're going
16 to pull it up here as we speak and we will be
17 reviewing key elements of the actual Charter.

18 Thank you, Cameron.

19 As specified in the Charter, this
20 committee will be known as the Voluntary
21 Information Sharing System Working Group, or we
22 can refer to it as the Group.

1 And, the Charter is established in
2 accordance with the provisions of Section 10 of
3 the Protecting Our Infrastructure of Pipelines
4 and Enhancing Safety Act of 2016, Public Law 114-
5 183, the Federal Advisory Committee Act of 1972
6 and 41 CFR 102-3.50(a).

7 In Section III of the Charter, it
8 specifies -- and, I'm not going to read the
9 Charter in its entirety, I may just highlight key
10 aspects that I think are relevant for our
11 discussion today.

12 But, I think the objective is
13 important and I think I touched on it earlier,
14 but I want to reemphasize that the Group is
15 responsible for providing the Secretary of
16 Transportation with independent advice and
17 recommendations on the development of a voluntary
18 information securing system to encourage
19 collaborative efforts to improve inspection
20 information feedback and information sharing with
21 the purpose of improving gas transmission and
22 hazardous liquid pipeline facility risk integrity

1 risk analysis.

2 In the next section, the description
3 of duties, the Group shall consider and provide
4 recommendations to the Secretary. And, those
5 recommendation considerations as outlined below
6 include the need for an identification of a
7 system to allow -- to ensure that dig
8 verification data are shared with inline
9 inspection operators to the extent consistent
10 with the need to maintain proprietary and
11 sensitive -- security sensitive data in a
12 confidential manner to improve pipeline safety
13 and inspection technology.

14 Also, to look at ways to encourage the
15 exchange of pipeline inspection information and
16 the development of advanced pipeline inspection
17 technologies.

18 Next, in Part C, this group will also
19 outline opportunities to share data, including
20 dig verification data between operators of
21 pipeline facilities and inline inspector vendors
22 to expand their knowledge of the advantages and

1 disadvantages of the different types of inline
2 inspection technology and methodologies.

3 In Section D, to look at options to
4 create a secure system that protects proprietary
5 data while encouraging the exchange of pipeline
6 inspection information and the development of
7 advanced pipeline inspection technologies and
8 risk -- enhanced risk analysis.

9 And, then, in E, understand the means
10 and best practices for the protection of safety
11 and security sensitive information and
12 proprietary information.

13 And, finally, looking at the
14 regulatory funding and legal barriers to share
15 the information described in the paragraphs I
16 mentioned above.

17 And, ultimately, and you'll keep
18 hearing this theme reiterated throughout our
19 meeting, our main objective will be to publish
20 the Group's recommendations on the PHMSA's
21 website once we have made those recommendations
22 to the Secretary.

1 So, we will actually make the
2 recommendations, this committee will make the
3 recommendations to the Secretary for public
4 website sharing.

5 Section V highlights that the Group
6 reports to the Secretary of Transportation.

7 And, then, I'm moving to Section VI,
8 support. So, the Pipeline and Hazardous Material
9 Safety Administration is here to provide support
10 to this Group's efforts and serve as the Group's
11 sponsor.

12 In Section VII, the estimated annual
13 cost, operating costs, we've anticipated roughly
14 \$250,000 for travel, meeting space, recording of
15 the proceedings, plus one-half of a full-time
16 equivalent of staff support.

17 This amount also covers limited
18 conference management support for the meetings
19 provided by a contractor.

20 Section VII discusses the Designated
21 Federal Officer. This DFO, as you may hear us
22 refer to it, must be a full-time or permanent

1 part-time employee appointed in accordance with
2 agency procedures.

3 PHMSA's Deputy Associated
4 Administrator for Pipeline Policy and Programs or
5 that individual's designee will serve as the DFO.
6 In this case, it will be as the Acting Deputy
7 Administrator for Policy and Programs today.

8 The DFO will approve or call all
9 advisory committee and subcommittee meetings,
10 prepare and approve all the meeting agendas,
11 attend all committee and subcommittee meetings,
12 adjourn any meeting when the DFO determines
13 adjournment to be in the public interest and
14 share meetings when directed to do so by the
15 Secretary.

16 We're anticipating that this working
17 group will meet approximately four times per year
18 face to face. There may be other needs for
19 virtual briefs and conversations, informational
20 briefings based on the needs of the committee.

21 In addition, the duration of this
22 working group, this working group will exist to

1 the point where we actually fulfill the
2 obligations to provide those recommendations to
3 the Secretary.

4 So, the Group's purpose will be
5 fulfilled once the recommendations are published
6 on the website.

7 Unlike some of our other federal
8 advisory committee's which are more longstanding,
9 this Group does have a beginning and an end to
10 it.

11 Termination, so this Charter will
12 terminate two years after its effective date
13 unless, (a) it's renewed in accordance with the
14 FACA requirements and other applicable
15 requirements, or (b) the Group is terminated
16 earlier because we've fulfilled our purpose.

17 And, the last section, it just
18 specifies, as I mentioned previously, the
19 membership and designation of the members who are
20 serving on this working group.

21 Thank you.

22 CHAIR BURMAN: Thank you very much.

1 Does anyone have any comments or
2 questions about the Charter? Anyone on the
3 phone?

4 MEMBER EDWARDS: Yes, hi, my name is
5 Sherina Edwards.

6 I guess the only question, I was
7 trying to look through this late last night as
8 well, but, the only thing I guess hasn't been
9 resolved for me after this overview is, for as
10 far as the members on the committee, I understand
11 that we have a Charter and it would be -- there's
12 like a two-year provision.

13 But, as far as the members, so do we
14 as members stay -- what our -- is it a term or
15 are we -- how do we roll off, that type of thing
16 I was curious about.

17 CHAIR BURMAN: Under the Charter,
18 Section XII, it states that the Group will
19 consist of no more than 30 members appointed by
20 the Secretary for a term of three years.

21 So, as I read it and I'll look to the
22 lawyers for PHMSA to confirm, that means that the

1 appointments that were given this month will last
2 for three years, assuming the committee is in
3 operation.

4 MEMBER EDWARDS: Right. But, is that
5 regardless of whether or not you're still at your
6 current place of employment or does that not
7 matter? Is it the person or is the title? I
8 guess that's what I'm trying to say.

9 CHAIR BURMAN: I think what she is
10 asking is that to the person or in their position
11 as like, for example, myself as a state
12 regulator. Would, if I left the state or my
13 position, would there be another person appointed
14 or does it -- do I remain in that position?

15 MS. ANDERSON: Oh, it's to the person.

16 CHAIR BURMAN: To the person?

17 MS. ANDERSON: Yes.

18 CHAIR BURMAN: The way I understand it
19 is, if I would leave, not that -- please no news
20 story, I'm not planning on leaving, but, if my
21 term ended or I left my state position as a state
22 regulator, then by default, my term would end and

1 there would be a vacancy.

2 MS. ANDERSON: Yes, so it would be --
3 it would depend on each situation.

4 Oh, sorry, this Alaina Anderson with
5 PHMSA Office of Chief Counsel.

6 CHAIR BURMAN: Alan?

7 MEMBER MAYBERRY: Just to reinforce
8 that, this is Alan Mayberry.

9 Yes, it's to the position and if a
10 person leaves employment with their current --
11 where they're currently employed, that would
12 create a vacancy that we would need to reappoint
13 another member.

14 So, it's specific to the person, not
15 the position that they're in. And, that's an
16 important note that there really is no proxy to
17 your participation in this group, it's to the
18 individual. Your participation, that's a role
19 that's not -- you can't delegate it to another
20 person say within your organization.

21 MS. ANDERSON: And, that information
22 will be more -- it'll be covered more when we

1 discuss the Bylaws as well.

2 MEMBER EDWARDS: Okay, thank you.

3 CHAIR BURMAN: Thank you.

4 Does anyone else have any other
5 comments, questions?

6 MEMBER AMUNDSEN: Question here, Eric
7 AMUNDSEN with Energy Transfer.

8 You know, Section IV of the
9 description of duties, to me, seems somewhat
10 constraining. So, I guess my question is, are we
11 bound or constrained by this description of
12 duties, which is very specific to sharing ILI
13 data with or ILI vendors and industry, community
14 and stakeholders.

15 Can we, if the need be, can we expand
16 beyond this or are we constrained by the duties
17 as written here?

18 CHAIR BURMAN: Alaina?

19 MS. ANDERSON: Well, these are the
20 requirements. We are required to do this, so I
21 know that you'll discuss this more later this
22 afternoon. But, you absolutely do have to

1 provide these recommendations.

2 MEMBER AMUNDSEN: So, I guess, to
3 clarify, as long as we do this, can we do more?

4 MR. MCLAREN: With regards into other
5 inspection technologies?

6 MEMBER AMUNDSEN: Yes, because, you
7 know, again, this seems to me to be very specific
8 and, you know, we'll nail this, but if we
9 identify, you know, Ms. Dominguez talked about
10 SMS and so I think there's a lot of other
11 opportunity and topics to share information on
12 just beyond ILI dig data, you know, feeding back
13 to our technology providers.

14 You know, you can go toward -- then
15 what do you do with that? How do you turn that
16 into recommendations?

17 So, again, I just -- I'm just afraid
18 that we're a bit bound here and would hope that
19 we would have some opportunity to push the
20 boundaries out a little bit if we so see the
21 need.

22 MS. ANDERSON: That's what you're

1 going to have to deliberate and figure out.

2 MS. DOMINGUEZ: So, the answer to
3 that, and I'll answer to the agency, so on behalf
4 of PHMSA, as Alaina pointed out, according to the
5 statutory requirements, at a minimum, you have to
6 look at ILI data.

7 If the work group wants to make
8 recommendations that go beyond that, you're
9 absolutely free to do so. And, can expand that
10 as to how you would look at data sharing writ
11 large.

12 CHAIR BURMAN: Okay. Does anyone else
13 have any questions or comments? And, again,
14 remember, if you do, to raise your tent card.

15 And, for those on the phone, does
16 anyone have any further comments or questions as
17 related to the Charter?

18 Okay, then, hearing no --

19 MEMBER AMUNDSEN: One more -- I'm
20 sorry -- one more.

21 I mean, that said, do we need -- does
22 the Charter need to be modified to allow that

1 flexibility?

2 MS. ANDERSON: No.

3 CHAIR BURMAN: Okay, so now, and,
4 Eric, do you feel your comments were addressed?

5 Okay, so now, we'll move on to Agenda
6 Item 3, the Committee Orientation, and I'll turn
7 it over to Cheryl.

8 MS. WHETSEL: While he's getting up
9 the slides, I just wanted to tell you, what I'm
10 going to cover right now is administrative
11 concerns and parliamentary procedures.

12 And, again, the -- if someone could
13 raise their hand, I'm getting a little nervous
14 about my roster. And, the administrative whiz
15 kid, I won't let you go out with my roster. So,
16 whoever has the roster -- thank you -- all right.
17 And, once you're finished if you could take it
18 across the room.

19 Again, make sure that you have the
20 correct information so we can get in touch with
21 you by phone or by email. And, again, if you
22 could provide an administrative assistant or some

1 other person's name that helps you with your
2 calendar, I will add them to the mailing list.

3 Any future changes, you're going to
4 want to send to me. I found that industry folks
5 have a way of changing their titles very
6 frequently. So, if you could let me know of any
7 changes, I'd appreciate that in the future.

8 And, you can send it to my email
9 address which is my name plus dot.gov. I'm sure
10 you'll have it in your inbox many times.

11 Again, this has been a miracle putting
12 on this particular meeting in the short time
13 frame that we've had. But, just so you know, the
14 Federal Advisory Committee does make us -- well,
15 the statute states that we have to have 15-day
16 notification in the Federal Register for each and
17 every meeting that we have.

18 So, we will be providing at least 15-
19 day notification in the future, which we did this
20 time as well. And, I'm not sure how many people
21 caught it.

22 Scheduling meetings is a really tricky

1 business with trying to pull together so many
2 people in one place at one time.

3 Generally, what we'll do is check our
4 executive calendar and select two or three sets
5 of dates and then I'll go out and poll members.

6 Once we have your comments back, then
7 we'll select the date that the majority of the
8 members may attend.

9 Again, we will try and get out any
10 information packages to you at least 15 days in
11 advance of the meeting. However, we do like to
12 try and do that a little bit earlier whenever
13 possible.

14 A few of you are eligible for
15 invitational travel. So, just so that you know,
16 that travel is reimbursed up to the limits
17 allowed by the Federal Travel Regulations.

18 Travel information is available on the
19 GSA's website and that information is there if
20 you care to look for any regulatory information
21 yourselves.

22 Just so you know that we are required

1 to make all of your airline or other type of
2 transportation reservations because we use
3 certain contract carriers in the federal
4 government.

5 So, anyone requiring invitational
6 travel, we will have to make your reservations.

7 I think a couple of you may have
8 issues this time by having to make your own
9 reservations and we will work with you on getting
10 that reimbursed.

11 I should have made my slides a little
12 bit larger on my paper here.

13 I'm not going to go through all of the
14 little significant issues here on this slide.
15 It's primarily for those people who will be
16 accepting invitational travel so they can refer
17 back to this later.

18 As far as the meals and incidentals,
19 I do want people to know that you do not have to
20 have any receipts for your meals. That's usually
21 a question that people ask. But, do keep your
22 receipt for your eTicket, the itemized bill for

1 the hotel.

2 You can also get reimbursed for
3 parking, tolls, shuttle services. But, you need
4 to have a receipt for anything over \$50.

5 So, down at the bottom of this slide,
6 there's travel questions you can call either
7 myself or you can call Janice Morgan. And,
8 Janice, could you stand?

9 Janice is also the guru of all things
10 hotel related. She is our conference manager,
11 she has been for a long time, so some of you
12 already know her. But, you'll get to know her as
13 well.

14 Thanks, Janice.

15 Okay, just briefly, parliamentary
16 procedures, just Robert's Rules of Order is the
17 standard for facilitating discussions and group
18 decision making.

19 The full set of rules, as I'm sure
20 some of you know, it's very complicated. The
21 committee, once you get to a point where you're
22 going to be voting, you might want to discuss

1 those Robert's Rules.

2 You can use a modified version of it.
3 I've read where most committee or board meetings
4 will just use the four motions that are at the
5 bottom of this screen there.

6 And, I've also provided on the next
7 slide just definitions for those motions.

8 And, that's all I have. I'm available
9 for anybody who is having issues with
10 invitational travel. Please see me at a break
11 and let me know -- anybody else has any issues
12 let me know.

13 Also, generally, we will make
14 arrangements for a block of rooms at the
15 government rate. The government rate is \$182 for
16 this hotel. If, for some reason you did not get
17 that rate, please let me know and Janice will
18 wave her wand and put you right into the block so
19 you will get that rate.

20 And, any other questions, please feel
21 free.

22 Yes?

1 MEMBER COTE: Yes, just a comment on
2 the 15 days, many will be interested in the
3 deliberations of this committee. And, the people
4 that I've been wanting to attend or submit
5 comments, 15 days isn't very much time.

6 To the extent you can extend that out
7 as much as possible, I'm sure it would make
8 everyone's life easier and it would produce more
9 external engagement.

10 MS. WHETSEL: Thank you.

11 The powers that be are in the room
12 here, so I'll make sure they know that.

13 I'm sorry, what was your name again?

14 MEMBER COTE: Oh, Dan Cote, I'm sorry.

15 MS. WHETSEL: Dan, thank you for that
16 comment. I am always pushing to get it out
17 earlier, too.

18 And, I think someone else might be
19 talking about the docket. But, everything will
20 be provided on the docket, all of the documents
21 that we pass out to the individuals on the
22 committee and you'll get a meeting transcript

1 following this meeting for your reading
2 enjoyment.

3 And, also on the website, we also
4 provide the information. So, I hear you. Thank
5 you very much.

6 Any other questions?

7 CHAIR BURMAN: Thank you, Cheryl.

8 So, now, we're moving to Agenda Item
9 4 which is a review of the Bylaws.

10 MS. ANDERSON: Okay, it's Alaina
11 Anderson, Attorney Advisor for PHMSA's Office of
12 Chief Counsel.

13 We mentioned the Bylaws, so I
14 mentioned the Bylaws earlier.

15 The Bylaws provide additional guidance
16 in addition to the Charter. The Bylaws -- our
17 Bylaws are made up of the FACA regulations, the
18 Federal Advisory Committee Ag regulations, a
19 little bit of the Department of Transportation's
20 committee policy.

21 We have a committee policy that DOT
22 drafted that all of the operating administrations

1 follow.

2 In addition to that, it's also some
3 guidance from the General Services
4 Administration, GSA, which is responsible for
5 providing us with the FACA regulations.

6 So, a little bit of all of that is in
7 here in addition to some language that we added
8 as well.

9 So, you'll see some of the language
10 that we already had in the Charter. So, some of
11 the information that we've talked about before.

12 So, you'll see the purpose. Some of
13 this, again, came from -- directly from the Pipes
14 Act of 2016 that what you're supposed to do to
15 consider the development of the voluntary
16 information sharing system. You'll see that
17 language again.

18 In the authority section, you have the
19 Pipes Act, you have FACA. And the 41 CFR 102-
20 3.50, I just wanted to say that that basically
21 explains that Congress basically directed us to
22 establish this advisory committee. It is

1 nondiscretionary.

2 In the Section III, we talked about --
3 some of this language comes from GSA just
4 explaining the committee membership size and
5 appointments. We talked about this earlier,
6 appointments are personal to the member and are
7 not transferrable to another individual. Members
8 may not designate someone to attend and
9 participate in discussions or vote in their
10 place.

11 The second paragraph, this is also
12 from GSA just additional guidance that we should
13 have a fairly balanced membership. And, I think
14 we did a really good job with that.

15 That will be defined by several
16 factors and so we just listed that there.

17 Membership is voluntary. However,
18 members, again, are expected to attend and
19 participate in meetings, including those held via
20 teleconference or through another electronic
21 medium.

22 Additionally, members may be required

1 to provide written input for reports and
2 recommendations.

3 Here, yes, we did, we are required in
4 the Charter to state terms. And, here, we
5 listed, yes, you can serve for terms of three
6 years.

7 But, again, if you do complete the
8 recommendations, provide us with the
9 recommendations and they are posted maybe in six
10 months, you may get this done in six months,
11 then, of course, you won't be serving for three
12 years.

13 If a vacancy occurs, PHMSA will take
14 action to fill the vacancy. When this working
15 group terminates, all appointments to this
16 working group will terminate.

17 Again, although this is called a
18 working group, we did take that language from the
19 Pipes Act of 2016. This is an advisory committee
20 because it meets the definition of what an
21 advisory committee is under the Federal Advisory
22 Committee Act.

1 When you go to meeting procedures, we
2 took most of this from the FACA regulations. So,
3 the agenda, these are requirements, the minutes
4 and the records, the majority of this is required
5 by the FACA regulations and the requirements that
6 you -- that we have from the Department of
7 Transportation with open meetings and closed
8 meetings.

9 With voting, when a decision or
10 recommendation under this working group is
11 required, the Chairperson will request a motion
12 for a vote.

13 Any member, including the Chairperson
14 may make a motion for the vote. A quorum is
15 required for a vote.

16 In other words, a majority of the
17 current members of this working group must be
18 present whether attending in person, by
19 teleconference or through another electronic
20 medium.

21 At a meeting, to perform the
22 committee's statutory duties, the DFO will assure

1 there is adequate representation of members to
2 ensure a fair and comprehensive vote.

3 With the roles, we wanted to make sure
4 that everyone know what exactly you're supposed
5 to do. So, the Chairperson, we have the duties,
6 which I think she is -- knows what she's doing.

7 And, the DFO, this information, again,
8 comes from the FACA regulations and the
9 Department of Transportation's policy.

10 And, advisory committee manager,
11 Cheryl is over there.

12 And, committee member, an appointed
13 individual to the committee who attends and
14 participates in committee meetings, gathers
15 information as necessary to discuss issues
16 presented, deliberates and provides verbal or
17 written consensus advise to the Secretary or to
18 PHMSA.

19 And, committee staff, any federal
20 employee, private individual or other party who
21 is not a committee member and who supports the
22 committee and/or any subcommittees that may be

1 established.

2 We have additional information. Some
3 of this was in the Charter regarding compensation
4 and expense reimbursement.

5 And, then, we also have the section
6 regarding subcommittees. You may get to the
7 point where you're discussing the recommendations
8 and decide that you need some more expertise.

9 And, so, the Office of Chief Counsel can provide
10 additional information than what's already in the
11 Charter and the Bylaws as to how to actually set
12 up the subcommittee.

13 So, you can have more individuals come
14 in in addition to you all to determine how to
15 actually provide recommendations to the
16 Secretary.

17 And, those are the Bylaws.

18 Do you have any questions?

19 CHAIR BURMAN: Thank you.

20 Before we take any questions, again,
21 put up your tent cards if you do, just an order
22 of business.

1 I see that it is about 10:10 right now
2 which means that if once we're done with the
3 Bylaws section, we would be taking lunch.

4 So, what we're going to do is flip
5 around the order of business and Agenda Item 5,
6 the introduction to the voluntary information
7 sharing portion will go before lunch.

8 And, unless, of course, we have a two-
9 hour discussion on the Bylaws.

10 So, with that, I'm going to open it up
11 for anyone who has any comments or questions on
12 the Bylaws in the room.

13 Anyone on the phone?

14 We've done an amazing job. Oh, wait,
15 one question.

16 MR. MCLAREN: This is Chris McLaren
17 with PHMSA. And, while I have the experts
18 sitting next to me, I just kind of wanted to
19 discuss the formal nature of the establishment
20 and use of the subcommittee.

21 In the Bylaws, it kind of talks about
22 a fairly structured subcommittee where a report

1 is issued.

2 Are there -- is that a firm formalness
3 to establish a subcommittee or can the
4 subcommittee be established that would just come
5 in and provide verbal recommendations? Or does
6 it need to be a work product that's provided? Do
7 you understand my question?

8 MS. ANDERSON: I do understand your
9 question. And, I haven't seen any guidance that
10 says that it has to be in a certain format,
11 whether they -- but I do know that they -- the
12 subcommittees do have to report to this actual
13 committee.

14 So, that's the only thing that I've
15 seen in writing. I can go back and we can go
16 back in and find anything else. But I haven't
17 seen anything.

18 Cheryl, I know that you've researched
19 this, too. And, have you seen anything?

20 ME. WHETSEL: Yes, we will provide a
21 transcriber. So, there'll be a transcript for
22 each and every meeting, even if it is a

1 subcommittee meeting.

2 It's a really great reference so
3 individuals can go back and review what was said
4 during the meeting. And, it is verbatim so, you
5 know, you're not going to miss anything.

6 So, we will have a transcriber at
7 every meeting. But, I would think that for each
8 and every subcommittee, we would want to at least
9 have a list of action items and things that are
10 being reported out.

11 MR. MCLAREN: And, as a follow up
12 question, I guess it's just a more of a question
13 of the formalness of the subcommittee, and I
14 guess I'm thinking more of a sub-work group where
15 a group -- is there a mechanism for a voted on or
16 a volunteered for a group of individuals to go
17 talk about a topic and come back and report out
18 at the next meeting verbally or in writing?

19 MS. WHETSEL: I would say that the
20 committee at large is going to make those kind of
21 decisions on who's going to sit on the meeting.
22 As long as the reporting back out to the larger

1 committee.

2 And, I believe the DFO is expected to
3 be at every meeting. So, even the subcommittee
4 meeting. So, does that help?

5 MR. MCLAREN: Yes, it does. Thank
6 you.

7 MS. WHETSEL: Are you sure?

8 MC. MCLAREN: Well, it says that
9 there's not a step below. It sounds like it's a
10 subcommittee.

11 MS. WHETSEL: It's a subcommittee, but
12 you're -- the group here will decide on, you
13 know, what kind of expertise they want to go to
14 and, you know, for additional information.

15 And, I see, Alan has his tent up. So,
16 I'll let him go forward as well.

17 MEMBER MAYBERRY: No, I was just going
18 to reinforce that the report out will come in
19 many forms. I would expect it might be a, you
20 know, addressing the committee, the larger
21 committee, you know, on a topic.

22 And, we haven't, you know, one of the

1 discussions items is what subcommittees do we
2 need to form. You know, maybe this one on, you
3 know, legal type issues and protection of
4 information type issues, that kind of thing.

5 But, the group will go off and do, you
6 know, further -- a deeper dive on the topic and
7 then come back and report to the group. While
8 there perhaps is another subcommittee working on
9 another, you know, issue in parallel reporting
10 back. So, it should work.

11 CHAIR BURMAN: Okay. Eric?

12 MEMBER AMUNDSEN: A quick question,
13 Eric Amundsen.

14 Just I guess process-wise, is there an
15 intent for the committee to vote and adopt the
16 Charter formally or is it given to us in a sense?

17 MS. ANDERSON: The Charter's been
18 filed and established and it needs to be renewed
19 every two years. But, yes, it's established, no
20 need to vote on it.

21 CHAIR BURMAN: I think as just a
22 personal preference, also, that we should

1 probably vote to adopt both the Charter and the
2 Bylaws. And, Eric, I think you're going to make
3 a motion for that, if you want, and then we'd
4 have someone second it just for, you know, making
5 sure that we're following the formal process.

6 I do just want to note two things, one
7 the Charter, which, Eric, you raised a good
8 question on in terms of the scope as well as in
9 the Bylaws with the subcommittees, both the
10 Charter and the Bylaws refer to subcommittees and
11 I would think that some of the work that we might
12 do and look expanding, we do through the
13 subcommittees.

14 Under the Bylaws, it says that the
15 Chairperson may have subcommittees with approval
16 of PHMSA. So, the way, as long as I remain
17 Chair, the way I'd work is working through the
18 formal meetings to decide what subcommittees we
19 may need.

20 And, so, and if we need to, we'll set
21 that up through that process so that everyone has
22 an ability to weigh in on the relevant

1 subcommittees and the work that would be tasked
2 with that.

3 MEMBER AMUNDSEN: Agreed.

4 CHAIR BURMAN: Okay.

5 MEMBER JENSEN: Well, Leif Jensen once
6 again with Sunoco Logistics.

7 While we're talking about
8 subcommittees, I think it would be appropriate to
9 remind everyone, as we frame the context of
10 subcommittees, that our goal here is pipeline
11 safety.

12 And, there's a lot of debate going
13 around the nation as it relates to environmental
14 issues, climate change and that as long as we
15 keep the framework focused on pipeline safety,
16 then we will persevere.

17 If we don't have that common ground
18 and framework well established, then we all start
19 going off in tangents and that's when the
20 dissidence begins.

21 So, thank you.

22 CHAIR BURMAN: Okay, does anyone else

1 have any comments or questions in the room? On
2 the phone?

3 Okay, now, I'm going to open it up if
4 someone wants to make a motion to approve both
5 the Charter and the Bylaws?

6 MEMBER AMUNDSEN: Eric Amundsen,
7 Energy Transfer. I'd like to make a motion to
8 approve the Voluntary Information Sharing System
9 Work Group Bylaws as written.

10 CHAIR BURMAN: Can I have second?

11 MEMBER JENSEN: Second.

12 CHAIR BURMAN: All those in favor?
13 Opposed?

14 Abstentions?

15 Okay, the motion is approved.

16 MEMBER AMUNDSEN: Eric Amundsen,
17 Energy Transfer. I'd like to make a motion to
18 approve the Voluntary Information Sharing System
19 Working Group Charter as written.

20 CHAIR BURMAN: Okay.

21 Second?

22 MEMBER SUBSITS: Second.

1 CHAIR BURMAN: All those in favor?

2 Any nos?

3 Abstentions?

4 With that, the motion is approved.

5 Okay, so now, we're going to take just

6 a five minute break and then we're going to go

7 into Agenda Item 5, Introduction to Voluntary

8 Information Sharing.

9 Thank you.

10 (Whereupon, the above-entitled matter

11 went off the record at 10:15 a.m. and resumed at

12 10:20 a.m.)

13 CHAIR BURMAN: I think we're back

14 right now. Can those on the phone hear us?

15 MEMBER EDWARDS: Yes.

16 MEMBER PERRY: Yes.

17 CHAIR BURMAN: Thank you. And before

18 we begin on Agenda Item 5 on the Introduction to

19 Voluntary Information Sharing, I'd just like to

20 make sure before we move forward if there are any

21 further questions on any of the other agenda

22 items or comments that someone would like to

1 make. Please raise your tent card. Eric.

2 MEMBER AMUNDSEN: Again, Eric
3 Amundsen, Energy Transfer. Since in the mode of
4 voting and actually approving some things, I
5 thought it would be a good idea if we formally
6 voted in our Chairman.

7 CHAIR BURMAN: Okay. Thank you for
8 that. I've actually only held public office
9 once. But I never was voted on before and I only
10 ran for office as school secretary and lost.
11 With that, here we go. Does someone want to make
12 a motion?

13 MEMBER AMUNDSEN: Eric Amundsen,
14 Energy Transfer. I would like to make a motion
15 to vote Diane Burman as our Chairman of this work
16 group.

17 CHAIR BURMAN: Does anyone want to
18 second that?

19 MEMBER HERETH: Second.

20 CHAIR BURMAN: Any discussion? No.
21 Okay. All those in favor?

22 (Chorus of ayes)

1 Any nos?

2 (No verbal response)

3 Any abstention?

4 (No verbal response)

5 With that, the motion has been
6 approved. Thank you. I'm honored to serve.

7 And now we'll move on to Agenda Item
8 5, Introduction to Voluntary Information Sharing.

9 5. INTRODUCTION TO VOLUNTARY INFORMATION SHARING

10 DR. BORENER: Thank you very much for
11 this opportunity to speak with you all. I was so
12 impressed as you introduced yourselves. And I
13 know I'm going to learn an awful lot from you
14 over the time that I'm able to support this
15 Committee.

16 I was recently in a training program
17 and the Surgeon General spoke. He said there are
18 three things that you need to say.

19 CHAIR BURMAN: Can you just state your
20 name?

21 DR. BORENER: I'm sorry. My name is
22 Sherry Borener and the Chief Data Officer and

1 Senior Research Advisor of PHMSA. I will in just
2 a second. So I was recently at a training
3 program and the Surgeon General spoke. And he
4 said it's very important to communicate the story
5 of me, the story of us, and the story of now.

6 To introduce myself to you, I've been
7 with the Department of Transportation since 1986.
8 I started there a couple of weeks before
9 Challenger. I was working with pipeline safety
10 when the Bellingham accident happened.

11 This is my life. I've been doing this
12 my whole life. And nothing is more gratifying
13 than seeing people who are committed to it and
14 want to improve safety.

15 What I'm going to talk about today is
16 a broad context for safety management systems,
17 the value of information sharing and very
18 specific information about data sharing programs
19 from my last nine years of experience at FAA.
20 Hopefully, these things will set a context and
21 help you to think about what your objectives will
22 be for your program, where the best value may be

1 and the long term commitment that you might have
2 to make to information sharing in order to get
3 the best benefit.

4 Why do you want to do this right now?
5 Probably because you've discovered that there are
6 things that you can improve by having better
7 information sharing.

8 Our first topic and why am I going to
9 talk about SMS first is because Safety Management
10 Systems are the basis for information sharing.
11 Safety Management Systems can be used to
12 interpret historical data, to discover failures
13 from the past and to take action.

14 But when we want to get into a
15 proactive system, we have to collect data at the
16 hazard level. It's more detailed. And finally
17 we have to decide what's actionable and what's
18 advisory.

19 I'll talk about the advantages and
20 disadvantages of just simple information sharing
21 systems, systems like ASRS where people give you
22 near miss reports or error reports, but you don't

1 have detailed data, then consider the alternative
2 of more detailed data, data sharing, and finally
3 the issues of data protection.

4 These topics will be on the board.
5 I've been told I speak very, very quickly. So
6 I'm going to slow down and go back over that one
7 more time. We're going to talk about SMS, Safety
8 Management Systems. We'll talk about improved
9 information sharing. We'll talk about data
10 sharing and data protections and the legal
11 structure that will allow you to protect the
12 proprietary data that you want to share. And
13 finally how is this going to go forward? What
14 are the issues that we have on the table to
15 discuss?

16 How many people have worked with a
17 non-punitive reporting system of some sort,
18 something inside of API, the Data Mining
19 Committee? So we have people here who have
20 worked in this area before.

21 Non-punitive reporting systems are a
22 critical first step to getting people involved in

1 information sharing. API published 1173, your
2 rule or recommended practice on SMS. And within
3 the plan, do, check, act concept is an idea of
4 information sharing for identification of safety
5 issues, for addressing risk and actually
6 approaching it in a business-like manner.

7 PHMSA recently published our own SMS
8 guidance and program following on from plan, do,
9 check, act. But we are talking about risk
10 management which requires that we have
11 information that is available on the entire
12 industry, safety assurance which is post hoc
13 evaluation of the performance of the systems and
14 processes that have been put in place to manage
15 safety and safety promotion which really is
16 promotion of a non-punitive reporting culture.

17 Everyone here has probably done --
18 we've been in the safety business for a long time
19 -- reactive safety management. An accident has
20 happened. We've gone out. We've had an
21 investigation. We have findings.

22 The NTSB has provided information back

1 to us. We've figured out which of those causal
2 factors had the most profound effect on the
3 event. And we took some action. Either we had a
4 regulation or a procedure or a new technology or
5 a combination of those.

6 Proactive safety management is a step
7 forward that says let's use what we've seen in
8 the past to identify indicators of those events
9 in the present. We know that corrosion leads to
10 leaks of a certain type or perhaps to rupture.
11 So we've taken action that's proactive based on
12 our understanding of the inspection data, the
13 accidents and so on.

14 Predictive safety management goes
15 beyond that. And this is evaluation of safety
16 issues at the constituent level. So that's as
17 detailed as the specific data that comes from
18 your data system or from the ILI data. All three
19 of these things are necessary to have an
20 effective safety management system.

21 What we're talking about today is
22 information sharing and data sharing. The FAA

1 has implemented a system of this type and it
2 started in 1975. Last year, they passed a final
3 rule on SMS systems that enabled people to have
4 information sharing that's protected where
5 proprietary data is shared. This has been a long
6 road. And I'll talk a little bit about what that
7 means.

8 But one of the basic values of this is
9 that early detection is available to you as well
10 as future risk analysis which means it could
11 inform design, it can inform siting, it can
12 inform training. It doesn't necessarily just
13 have to inform inspection and response.

14 I said this a second ago. SMS
15 accomplishes its risk management process
16 initially through historical data. So just going
17 back and looking at incidents and accidents and
18 using that to make a decision about the future.

19 In 1975, FAA initiated the Aviation
20 Safety Reporting System. Has anybody here heard
21 of ASRS? It's very similar to BSEE. Okay.

22 Let's say that I'm a pilot and I would

1 really rather not have to share something that is
2 a potential error on my part with my direct line
3 management. But I know that this is a risk. So
4 I want to report that I've made an error and this
5 is an actionable error.

6 It's not something that has resulted
7 in an incident or an accident, but it was an
8 error nonetheless. I consider it to be a risk.
9 And it's something like it was about midnight.
10 It was the end of the day. It was a long shift.
11 We were just coming back. I came up. I was
12 taxiing on the runway and I missed my turnoff.
13 And it put me in a position where I was almost in
14 a collision course with another aircraft.

15 No accident has occurred. But the
16 fact that there were two or three risk factors
17 present was very important in that event. And
18 the fact that something went right, the fact that
19 there was no collision happened is also
20 important.

21 So this non-punitive reporting
22 environment (ASRS) has collected millions of

1 datapoints of this type. That leads to things
2 like improved runway lining, earlier reporting on
3 fatigue, changes in the manner in which
4 information is provided to pilots.

5 Later on, because we now have runway
6 systems that are covered by radar and have
7 automated systems for reporting and detection of
8 runway violations, these data are collected
9 passively. And we can identify these errors
10 automatically from the system, very much like the
11 inspection data, the data systems that you have
12 now can do for pipelines.

13 Let's talk about the Heinrich
14 Triangle. Information sharing is pretty easy to
15 achieve. It's one of the goals that this
16 Committee could achieve pretty straightforwardly.
17 And the idea behind it is that if we could
18 improve our safety culture so that people feel
19 comfortable identifying their errors the near
20 miss reporting, hazard identification, discussing
21 what went wrong and also what went right, what
22 your barriers are that successfully prevent

1 events, these things would be very valuable to
2 you.

3 This is what the ASRS program is, the
4 Air Traffic Safety Reporting System for air
5 traffic controllers, others in other industries.
6 In fact, BSEE has a similar program. It's all
7 based on this concept. For every fatal accident,
8 there's a ratio of about 9.8 to 1.0. For every
9 fatal, the number of serious accidents outnumber
10 them by about 10 to 1. And accident incidents in
11 general 30 to 10 and 600 to 30 is the ratio for
12 incidents or negative environmental conditions
13 that result in accidents in reportable events.

14 This study conducted by Conoco in 2003
15 which was a retrospective study of their own
16 incident data showed that this ratio pretty much
17 held. These 3,000 near miss events were good
18 indicators of how often they were going to have
19 serious events and possibly fatalities.

20 So why do you want near miss data?
21 Because near miss data is actionable and it
22 allows you to prevent that injury and fatality

1 that you don't want at the top of the pyramid.
2 But you do have to collect a lot more data to be
3 able to get that information.

4 So I'm going to give you a couple of
5 quotes here from a couple of near miss reporting
6 programs, BSEE's If You Observe It Report It from
7 the FAA since 1975. They supported ASRS. And
8 this guidance came from the FAA's Commercial
9 Aviation Safety Team on how to establish an
10 effective voluntary information sharing program.

11 Probably the most important is to
12 establish trust and to build confidence in the
13 members of the team. The second is to make sure
14 that everyone is involved. Third is focus on
15 safety. I think that was something we heard
16 earlier from you, Jeff. Establish information
17 and data governance controls.

18 This is something that our
19 organization PHMSA can really support,
20 establishing this data governance structure that
21 allows you to share information without sharing
22 proprietary data. And then make sure that it's

1 collaborative and that it's really driven toward
2 results.

3 Supporting or exchanging data for the
4 sake of having a big data-sharing program is
5 going to be frustrating and tiresome. It won't
6 be something that really is rewarding unless it's
7 focused on specific issues and actionable items.
8 So I urge you to identify the safety issues first
9 and get the data to support the analysis as
10 opposed to going in the opposite direction.

11 I mentioned these two programs. I'm
12 going to talk more about CAST because the
13 Commercial Aviation Safety Team is the thing with
14 which I've had the most experience. Since 2003,
15 I worked with the Commercial Aviation Safety Team
16 which is a team like this. It started out as a
17 working group. And it's a permanent FACA
18 committee within the FAA.

19 Its purpose is to help industry, labor
20 and government to identify issues, safety risk
21 issues, identify potential solutions including
22 regulatory and non-regulatory options, looking at

1 both the cost-benefit analysis and the business
2 case for the company. Why is this going to pay
3 off for you to be able to address this safety
4 issue? It includes the Aviation Safety Analysis
5 and Information Sharing system (ASIAS) which is a
6 very big information sharing program that
7 collects minute data on aircraft performance, but
8 also collects these independent, personal reports
9 from ASRS.

10 These things are combined into a very
11 broad information network. Then once a quarter
12 members of the CAST team come together to talk
13 about these issues. The last meeting had about
14 1,000 participants.

15 So imagine this in your industry. A
16 time when hundreds or even a thousand members of
17 the industry could come together to talk about
18 the things that they know are safety issues that
19 need to be addressed in the industry. They can
20 suggest and organize specific study groups. They
21 can get access to the data to do the analysis.
22 And they can take action either voluntarily or in

1 a regulatory environment to deal with those
2 problems.

3 The best thing about InfoShare is that
4 the time lag that's required for regulation
5 doesn't constrain the members. If they discover
6 an issue, they find an answer. They know what
7 the correct action or answer could be. They can
8 go ahead and do it that day. That's a huge
9 improvement over waiting for the government to
10 come up with a palatable and acceptable
11 regulation to control risk. That can be the
12 difference between a life and a death.

13 It is extremely important. And it's
14 something that I think the team would tell you
15 they're very, very proud of because they've been
16 so successful at it.

17 Safe Outer Continental Shelf is the
18 Bureau of Safety and Environmental Enforcement
19 Department of Interior program. This was
20 implemented very recently. And the rule that
21 implemented this was in April of 2016. So this
22 is just very recently. I think he talked about

1 this. The Director was visiting us.

2 This system is very much like ASRS
3 where it's near miss reporting. It's collected
4 independently by a third party through the Bureau
5 of Transportation Statistics. The data are
6 aggregated and then the information becomes
7 actionable as provided back to the industry.

8 So you can have a Cadillac. You can
9 have the ASIAs which has a very, very big broad
10 base of information, very complex algorithms, a
11 lot of data. But it's also very effective to
12 have near miss reporting because it's something
13 you can take an action on right away.

14 Let's talk about data sharing. By the
15 way, did anybody want to comment on any of these
16 earlier points or?

17 MEMBER JONES: Yes, I just had one
18 question.

19 DR. BORENER: Sure.

20 MS. BAL: This is Walter Jones with
21 the Laborers' Health & Safety Fund. I just want
22 to point out that those of us in industrial

1 hygiene and worker safety know that the term near
2 miss is used pretty broadly and widely.

3 But these are not near misses. They
4 are actually misses. And we tend to use the term
5 close calls. But we're trying to gain traction
6 in using words for what they mean. I just wanted
7 to point that out.

8 DR. BORENER: Okay. I believe the
9 definition that BSEE has is near miss reporting.
10 It says voluntary reporting of near miss
11 incidents. This is exactly their definition.

12 But your point is very well taken.
13 Any condition or hazard that should be reported
14 and close calls, but even hazardous environments
15 I think are important to report. This is really
16 the essence of the whole thing is to get more
17 data and information to everyone on issues that
18 need action.

19 Data sharing. If I know that -- I
20 know this because we have reports -- for instance
21 the number of times that two aircraft come within
22 a potential collision situation in a particular

1 airspace that that's happening too frequently. It
2 happens more frequently in one location than any
3 other. I can ask the pilots. I can ask the air
4 traffic controllers what were the circumstances
5 and why did that happen.

6 Another alternative is I can go
7 directly to those system components that collect
8 their information and I can ask them what does
9 this indicate about the behavior of the system
10 now. So one is passive data collection. The
11 other is voluntary information sharing.

12 They really are not substitutes for
13 one another. So it's important to have the
14 operator tell you what the circumstances are.
15 But the use of this data is helpful to you if
16 it's possible to design or to organize a response
17 that goes beyond training and procedure.

18 What we're looking for when we talk
19 about data sharing -- I really want to be
20 specific about this -- is that we're looking at
21 the component tree reporting to us directly, not
22 via the operator. So we're taking sensor data.

1 We're taking condition data. We're taking
2 through-put data, other things that can be
3 passively collected by the system itself and
4 provided back to us in order to diagnose the
5 condition of the system. And what's harder about
6 this is that you have to know what that data
7 really indicates.

8 When you collect a lot of data, you
9 have to decide is it actionable, is it bad. I
10 can get weather data and I'm very happy that my
11 phone keeps giving it to me. But I get weather
12 data every five minutes. It tells me it might
13 rain in about five minutes. And if it does rain,
14 it won't rain very hard.

15 Did I need to know that? Sometimes
16 collecting data requires an additional
17 intelligence level. We need more information
18 from the operators. We need more reporting from
19 the operators to be able to understand how to
20 interpret it and actually use it for action.

21 That's not to say you don't want the
22 information. But when you're collecting this

1 data and you're pooling this data, you do have to
2 structure it in a way so that it addresses a
3 question that's important to you.

4 I would suggest that when you look at
5 this we think about what studies could we get
6 from our near miss or other information sharing
7 that would help us to decide what data we want to
8 collect and how to share it.

9 And then finally protection of
10 proprietary data is a big issue now. It always
11 has been in the industry, but it's even more
12 significant since we have data breaches. So the
13 exchange of data versus the exchange of
14 information are topics that we have to address.

15 One way of thinking about that is do
16 we really have to send the data in order to use
17 the applications that help us to interpret it.
18 And one work group may want to address the
19 question "How could we design analytical systems
20 that look at data without us having to move data
21 from place to place?"

22 So I have an anecdote here which is

1 about traffic collision avoidance systems. It's
2 again in the FAA. The reason I brought it up is
3 because it's not your area. I don't want to
4 frighten you when you fly back, but I want to
5 tell you.

6 There is a set of databases that were
7 brought together, safety reports from airlines,
8 aircraft performance data which is on board data
9 just like the data that's in the pipeline, air
10 traffic reports, the radar passively collected
11 data, other weather and infrastructure data
12 that's relevant to whether or not aircraft are
13 performing correctly in safe separation. What is
14 that? It's three miles and a thousand in the
15 area of the terminal.

16 One of the things that the Commercial
17 Aviation Safety Team became concerned was why are
18 we having many, many more traffic collision
19 avoidance systems alarms over a particular
20 airspace. In this case, it was Oakland. And the
21 Oakland airspace design promoted in a sense more
22 conflicting air traffic events. This was

1 identified by looking at the combination or
2 fusion of all of these different datasets.

3 Once this was identified as an issue,
4 it was possible to deconflict the design of the
5 airspace, not just the aircraft themselves. And
6 using that process, the CAST decided to continue
7 to perform a metric analysis, a monthly analysis,
8 of whether or not other locations were having
9 similar problems.

10 This is an ongoing safety assurance
11 program that's built upon a fusion of these
12 primary data sources. But the original reason it
13 was studied was because of air traffic safety
14 reports, particularly because of T CAST events.

15 This probably is a normal process for
16 the kind of thing that you'll do in the future.
17 You'll have safety reporting. Somebody will tell
18 you that they have a consistent problem when they
19 go out and they want to mark a line. There are
20 two or three lines that are buried together and
21 they can't determine which one is the active
22 line.

1 You'll use the information that you
2 can collect from various sources to decide to how
3 best to address that issue. Those things will be
4 identified geographically around the country.
5 You'll have a general assessment of the risk not
6 just in one location or for one operator but for
7 all operators nationwide.

8 That will give you an idea of how
9 important that problem is and whether or not you
10 should address it. Then having decided that,
11 you'll come up with either technological or
12 procedural or both kinds of solutions to the
13 problem.

14 Earlier I talked about how you use
15 historical data to understand safety and to
16 implement the SMS. Now we're talking about data
17 at the very detailed level, constituent data, and
18 data like the data that you get from inline
19 inspection which is like this sort of data.

20 I put this picture up here because I
21 was looking for something that would describe the
22 concept of what you would be able to do once

1 there's an agreement upon this information
2 sharing environment. I'd like to be able to
3 support using this analysis to do targeted
4 research on safety around the network. And I
5 think this is a very good way of thinking about
6 what are the options for the outcomes of our
7 activities might be.

8 I mentioned most of these programs.
9 But people would probably like to know more about
10 ASIAs. ASIAs likes to think of themselves as the
11 needle in the haystack program. The data that
12 they're analyzing is at such a fine grain that
13 they really are literally looking for the
14 smallest detail that predicts a potential issue
15 in the future.

16 ASIAs includes government, industry,
17 labor and operator and OEM. So it's the entire
18 complement of the industry that's involved in the
19 Commercial Aviation Safety Team and ASIAs. And
20 all of these partners share their data. That's
21 essential.

22 The operator as well as the

1 manufacturer, the vendors and the people who have
2 to execute as well as the government share their
3 information. And it's non-punitive.

4 Why is this important? Because it's
5 working. So around 2000 -- I think it was 1997 -
6 - was the beginning of the Gore Commission.
7 There had been a number of horrible accidents.
8 There was the ValuJet accident. There was
9 another accident in Little Rock. Three or four
10 really terrible complete-loss accidents for
11 aircraft. Vice President Gore established a
12 commission to try to figure out how to reduce the
13 safety risk.

14 So this is 1996. Right now, I think
15 in 2015, we had no fatal accidents. So this
16 thing works. It identified some root causes. It
17 identified data that helped us to improve the
18 safety of the system. It was very successful.

19 And it's successful worldwide. ASIAS
20 and the information sharing process has been
21 adopted by all of the organizations that are
22 identified on this map. This is an older map.

1 So they are probably even broader. I know there
2 are more partners in Latin America at this time.
3 That's really a testament to how successful it is
4 and how well the structure transfers from
5 organization to organization.

6 I talked about this briefly. But
7 there's been an 82 percent drop in the fatal
8 accident rate since 1996 after implementing the
9 Commercial Aviation Safety Team's
10 recommendations.

11 How does this happen? You could
12 certainly voluntarily share information now. But
13 if you are going to share information in an
14 environment where there are issues of proprietary
15 data protections or legal protection the
16 individuals who decide share potentially damaging
17 information, you need some kind of legal
18 authority.

19 The FAA established the FAA 14 CFR
20 Part 193 which protects data from the Freedom of
21 Information Act. This is probably the single
22 most important item for members of the operator

1 community.

2 If you're sharing detail data about
3 the operation and the content of what you're
4 moving -- for instance, if you have to share not
5 just location but also through-put information --
6 you don't want your competitor to know that.
7 That's not going to be helpful to you and it's a
8 deterrent to getting management to work with us
9 if they have to do that.

10 So the Freedom of Information Action
11 protection which was extended to the air carriers
12 encourages them to share that data without the
13 fear that they're going to give some competitive
14 information away that would undercut them in a
15 particular market. This is really essential. It
16 also protects voluntarily supplied data.

17 It's not a get out of jail free card.
18 It's not an amnesty card. You can't have a
19 terrible accident that was preventable. You
20 can't be impaired and then report through a
21 voluntary information program and say that you're
22 okay. That's not the purpose of it. But it does

1 protect you if you're showing or sharing
2 information that is serious and has a safety
3 implication.

4 And finally there are interpretative
5 orders on the flight operational quality
6 assurance data which is the very detailed data
7 off of the aircraft that are shared among the
8 partners. This is data that's right down to when
9 does the gear come down, what do the flaps do,
10 etc. This is very specific data. It's analogous
11 to the data that you might get from ILI data.

12 But it needs to be protected again
13 because it's an indication of how the operator
14 actually performs their job and especially the
15 pilot who is flying. So that pilot union is also
16 protected. You don't want to have somebody have
17 action against them because they decided to do a
18 go-around because of safety when someone outside
19 judges "Well, you could have landed."

20 And those are very important financial
21 decisions. So it's something that needs to be
22 protected.

1 BSEE just recently -- this is April
2 29, 2016 -- published their rule on voluntary
3 reporting of near miss incidents according
4 occurring on the outer continental shelf. And
5 their data are collected by the Bureau of
6 Transportation Statistics which is also protected
7 by this proprietary coverage. So their data are
8 not subject to FOIA either.

9 This is something that would have to
10 be discussed. Again, it's a topic that you might
11 want to discuss as part of this group.

12 This is just more detail about this.
13 It's in your handout. But again, I think this is
14 extremely important because companies will want
15 to share data if they know they have protection.

16 The last part of this presentation and
17 then you get to go to lunch. There are lots of
18 opportunities for partnerships and for sharing of
19 information. That information can be very basic,
20 near miss, hazardous conditions. It can be
21 pooled together and used for action, whether or
22 not specific data are exchanged.

1 More detailed information improves
2 just the fidelity of your actions, so the higher
3 quality of the data, the higher fidelity of the
4 data, the higher of the frequency of the data.
5 Right now, the data that it's shared with Office
6 of Pipeline Safety is annual. More frequent data
7 exchange. Higher fidelity can improve the way
8 that you either anticipate issues or respond to
9 them.

10 One of the questions that you probably
11 will have to address is where will that data
12 reside. One concept might be that the data all
13 goes to a big, single information environment and
14 it's interpreted there.

15 Another is there is a standard for
16 data exchange that the data stays home.
17 Personally, I like the data stays home, but this
18 is up to you.

19 Imagine that you have an application
20 that can ask each one of your databases a
21 question and get an answer without transferring
22 data to a single central repository. It might

1 avert some of the issues we have with security.
2 It's a topic to talk about and maybe a work group
3 would want to address that.

4 I know that baselining and
5 benchmarking inline inspection data is probably
6 going to be one of the big issues here. As we
7 talk about that again what's the right framework
8 for that benchmarking, what's the right location
9 for that? Do you need a special pet pipeline in
10 which you do this testing. That's something that
11 we would talk about as an R&D activity.

12 And then how can the government help
13 you? What is it that we can do? I talked about
14 the structures that the FAA had. Those are very
15 valuable structures. Protection from FOIA.
16 Protection on voluntary information sharing.

17 Creating those safety cultures so that
18 both the company and the operator, the worker,
19 are protected. That's the way that you build
20 those things that were on the first slide up
21 there. You build the trust and you build the
22 ongoing relationship that allows you to actually

1 discuss and detect the issues that you want to
2 address.

3 I talked about all these. I hope that
4 this is helpful in setting some of the context
5 for what you'll be doing over the next few
6 months. Anybody want to talk here?

7 CHAIR BURMAN: So right now, I think
8 we're going to open it up for some discussion and
9 questions on this. Kind of how I look at this is
10 that this is significant parallels that we may be
11 able to draw upon. This slide is really the key.

12 And some of what you said talked about
13 trust being important, but also a framework
14 that's clear and that framework includes the
15 what's collected, who collects, the why it's
16 collected and the how and the when it's
17 collected. But everyone shares and that it's
18 non-punitive.

19 And then it identifies what the safety
20 issues are, what the data is, what the root
21 causes are. Legal and regulatory certainty is
22 very important, the legal authority which looks

1 at protecting data from the Freedom of
2 Information Act as well as protecting voluntarily
3 shared data and looking at any regulatory orders
4 and guidance that helps to further protect. But
5 again it comes back to really what the
6 opportunity is and what everyone is working on
7 together with the idea of improving in our case
8 continuing and improving pipeline safety at the
9 very core of it.

10 With that, I would like to open it up
11 for discussion from those around the table. If
12 you could put up your tent cards if you have any
13 comments. Alan.

14 MEMBER MAYBERRY: I want to try to
15 seed some of the conversation and since you
16 asked, Sherry, just that fourth bullet up there
17 when we talk specifically to ILI. And I referred
18 that in some of introductory thoughts.

19 I think of this in a couple different
20 areas. One, the need to share information
21 between the tool vendor, service provider and the
22 operator, you know, that back and forth

1 information. In that scenario, I think that I'm
2 not so sure. That's the function that needs to
3 happen really regardless of what we're talking
4 about here relayed information, sharing. But
5 that's an area of need certainly and an area that
6 we see that needs to be practiced, a routine
7 practice.

8 Even though I know a lot of operators
9 do it already, it's an area we see of need.
10 That's just so the tool vendor can really perfect
11 how they assess the features that are passed onto
12 the operator to dig and to refine the capability
13 and the operation of the tool.

14 That versus the performance of tools
15 for various threats that are out there. And you
16 had a slide with the Pull Test Facility in
17 Houston. I know one of the goals of the R&D of
18 that facility that's been stood up by PRCI and I
19 know has received some forms of R&D funding to
20 give a Good Housekeeping seal of approval on
21 tools for different threats.

22 I know a concern is that facility has

1 been stood up relating to proprietary information
2 that each vendor has on their particular tool.
3 But how do we leverage that for standing up a
4 system to share information like that to better
5 inform the operator community. In the failures
6 that we see and fortunately again they are very
7 rare, but they are very high consequence.

8 We almost get it right. But how do we
9 get the information out there to make sure to
10 really head off these accidents? I'll just throw
11 that out for initial conversation and thought.

12 DR. BORENER: Well, sometimes the
13 quality of the technology is not commensurate
14 with the interpretation. In other words, the
15 technology may be detecting things quite well.
16 That happens in the nuclear industry. It happens
17 in aviation.

18 But the ability of the operator either
19 the air traffic controller or the pilot to
20 actually interpret that information and take the
21 right action is limited because it's buried in a
22 million other alarms and alerts that are

1 happening. It's very hard to figure out which
2 one you're supposed to do.

3 This is why Boeing is even talking
4 about making an easy button that just brings you
5 to a level of flight no matter what. Sometimes
6 so many things go wrong in the airplane that you
7 don't know which one to do.

8 It's both things. It's both improving
9 the inline inspection data and ground-truthing it
10 probably with actual physical data, but also
11 improving the human interface. Then people will
12 actually take the right action once they get the
13 information or the alarm. Both things have to
14 come together.

15 CHAIR BURMAN: And we're going to take
16 questions just for order of business from the
17 table, then from the phone and then we're going
18 to open it up for public discussion. Dan.

19 MEMBER COTE: Just a comment. And,
20 Alan, I would like to respond to your question if
21 I may. From a strategic view, I think this sort
22 of process fits both distribution and

1 transmission. But in terms of practical
2 application because the variables are so much
3 greater in distribution systems than
4 transmission, honestly it's not so much an issue
5 of near misses.

6 We respond as an industry on the
7 distribution side to millions of motor complaints
8 that translates into hundreds of thousands or
9 millions of leaks and tens of thousands easily of
10 grade one leaks, the most serious types. You can
11 define those as potential near misses for
12 explosions, arguably and debatably. But that's
13 much different than the process of ILI, for
14 example, where you can much more proactively
15 analyze your systems.

16 Another critical difference is the
17 presence of SCAITA (phonetic), detailed SCAITA,
18 on transmission lines that do not exist on most
19 distribution lines. So the process needs to be
20 different. That creates a fundamental and
21 philosophical question in my mind for this
22 Committee.

1 We sort of skated around it a bit this
2 morning. But that is do we develop a process
3 that really captures distribution risks and
4 remediation issues. I think that looks much
5 different than this.

6 DR. BORENER: Right.

7 MEMBER COTE: And perhaps in that you
8 do the inverse of this. You start with what
9 really causes explosions in distribution systems.

10 PHMSA today captures a great deal of
11 data on individual incidents across the country.
12 With all due respect, it produces very little
13 information on the actual root causes of those
14 explosions when you drill all the way down.

15 And so there's currently a vast
16 repository of data out there that is available
17 for analysis. And how would LDCs contribute to
18 that? Perhaps that's a different way of
19 assessing and doing root cause data on those
20 incidents.

21 But the first question before we go
22 too far for this group is is that on the table.

1 Now I heard the discussion on ILI and how much we
2 expand it beyond that. But in my mind if we
3 ignore distribution pipeline safety as a
4 committee we're ignoring 80 percent of the risk
5 to the citizens of this country.

6 I mean certainly transmission failures
7 can be much more sensational. But they're far
8 more frequent on distribution systems. So that's
9 something we need to start with because I see a
10 separate path than the one that you have mapped
11 out here for distribution systems. So it's a
12 strategy issue.

13 DR. BORENER: Okay. Hopefully, what
14 we have is a strategy for enabling information
15 sharing. And it's not specific to a particular
16 type of transmission line or to a distribution
17 line. And it's not specific to a product.

18 The idea of showing you the analogy to
19 the FAA was really to just take the balcony view
20 and say, "Can this be done?" There's a big
21 difference between general aviation aircraft and
22 121, but they both apply. This should give you

1 the structure to collect the information, share
2 it in a non-punitive environment and then take
3 action no matter what the topic is.

4 And the fact that there's a specific
5 case which has to do with ILI, that's a topic
6 that should be thought of as a subset of the
7 general thing I think of information sharing,
8 volunteering information sharing.

9 MEMBER COTE: Understand. And my
10 point was though that the tools and processes
11 will be far different. And again I'll just say
12 one final time and then take my Prozac. We have
13 not firmly determined that that's in scope yet in
14 my mind. And I would like to hear that
15 validated.

16 DR. BORENER: Okay.

17 DR. BORENER: Do you want to validate
18 that?

19 CHAIR BURMAN: I think it's a very
20 good point and when we get to later looking.
21 Remember again the threshold question first is do
22 we need a voluntary information sharing and then

1 if we do, what does that look like. So I think
2 those are some of the issues that we'll be
3 looking at.

4 Does anyone else at the table? Please
5 raise your tent card. Excuse me. Mark.

6 MEMBER HERETH: Could you, Dr.
7 Borener, speak a little bit more about how CAST
8 and ASIAS use data to create information or
9 provide information to maybe draw the distinction
10 there?

11 DR. BORENER: Yes, and hopefully I can
12 even talk about the original issue. Issues arise
13 in CAST because there are either accidents or
14 incidents. And this was the post hoc assessment
15 of the 1996 system. So a set of 100 or so topic
16 areas were identified and then they were rated
17 with respect to their severity.

18 The one that was the most severe was
19 control flight into terrain, people flying
20 directly into a mountain or something like that,
21 and then identifying from there what the safety
22 issues were, what the problems were, what the

1 failures were and then what the design or
2 procedural or whatever operational changes would
3 be that would address that safety issue.

4 CAST really has a prioritizes method
5 of deciding what safety issues to address and
6 where for industry wide, acknowledging that
7 that's different from where there are big
8 disparities among the operators in this industry.
9 I think the other part of CAST that's important
10 to remember is that they themselves know there's
11 a big difference between a 121 carrier and a
12 personal general aviation operator. So safety
13 analysis is conducted for all of the levels in
14 the aviation system as well.

15 So the way that information might come
16 to CAST is that five or six operators will come
17 in and they'll say, "Look. We had this problem.
18 I've had three airplanes land with less than
19 minimum fuel in the last three months."

20 This is a really bad thing. You can't
21 do a go-around. You can't go to an alternative
22 airport. That would be a very high risk. You'd

1 lose everybody.

2 So they identify this risk issue. And
3 then they go back and they might go to FOQA data.
4 And Flight Operational Quality Assurance data is
5 onboard data on the airplane. And they would
6 look around the datasets they have for the last
7 six months and they would say, "How many landings
8 did we have at or within 10 percent of minimum
9 fuel at the time of the landing? Is this a
10 pervasive problem?"

11 If that's happening, they go back to
12 the air traffic control facilities where that's
13 happening and they ask people "Why are these
14 aircraft landing min fuel?" And the air traffic
15 controllers might be saying "We've got a problem
16 with stats." "We've got a problem someplace else
17 down the line" or "We can't really get people
18 onto the runway" or "We've got a closed runway
19 like we had at LaGuardia." But this whole
20 problem then is described from every perspective
21 in the system. Then in a room just like this
22 one, they talk about what are the alternatives to

1 deal with that risk.

2 So this is really a process that
3 because this group has been working together
4 since 1996 they can do. They can sit down and
5 they can say -- The head of flight ops from
6 United Airlines is sitting there. He can say,
7 "Okay, I'm going to train people this way. I'm
8 going to give this notice. I'm going to change
9 this. And they're going to take off with more
10 fuel than they usually would have had for that
11 route because we know this is happening."

12 And air traffic can say, "Okay. We're
13 going to stack you differently." In other words,
14 they can cooperatively solve the problem without
15 pushing a regulation at all. Or if it's
16 necessary to have a regulation, they can also do
17 that.

18 That's the general approach. As I
19 said, personal reporting and detailed data are
20 analyzed in a fused manner to be able to identify
21 what the issues are and then take action.

22 CHAIR BURMAN: Mark.

1 MEMBER HERETH: So that data exchange
2 goes both ways with the operators and the
3 manufacturers. It's a two way pathway.

4 DR. BORENER: Right. It's a multi-way
5 street.

6 MEMBER HERETH: Yes.

7 DR. BORENER: I think I put up a slide
8 about InfoShare. The point of InfoShare if
9 you'll excuse the analogy it's kind of a Las
10 Vegas rules meeting where what goes on in the
11 room stays in the room.

12 People come together. They talk about
13 their safety issues. They talk about problems
14 that they've had. They will carriers and
15 manufacturers, the air traffic organization, the
16 FAA safety organization, altogether.

17 And if it's an air traffic session,
18 they talk about problems they've had in air
19 traffic. And if it's about landing gear, they'll
20 talk about that.

21 And the important thing is that if
22 they feel that they need more detailed study they

1 can come from InfoShare directly to the ASIAs
2 program and say, "Do a detailed study on landing
3 gear failures in this aircraft type or in this
4 type of runway or in this type of landing
5 situation."

6 Then that study again will be focused
7 using the data that's available from all of these
8 different views of data sources. Then the next
9 quarter they'll come back and say, "Here's what
10 we found." So it makes it actionable.

11 To your point, that doesn't require
12 that the system be designed focused on a
13 particular accident type. It just has to be
14 designed in order to enable people to share
15 information.

16 CHAIR BURMAN: Are there any more
17 questions at the table? And then we go over here
18 to Chris. So you go.

19 MEMBER JENSEN: Once again, Leif
20 Jensen from Sunoco Logistics. Hi Sherry. What
21 you presented was the ultimate result. And my
22 question is more around the process of how this

1 group gets there.

2 My understanding is really about FOIA
3 as it really applies to government. And in that
4 case with the FAA, there was government and FAA
5 working through and developing a process.

6 When I reflect around the stakeholders
7 in this group, we have several non-government and
8 non-operator stakeholders. I'm somewhat
9 concerned as it relates to FOIA and
10 confidentiality as we develop the process. I'm
11 curious if you have any perspective of how FAA
12 and government establish that mutual trust as
13 they developed the process to come up with a
14 result.

15 DR. BORENER: Many long hours in
16 meeting rooms was that trust established. The
17 first question is do you really need data that
18 could be FOIA'ed. In 1996, it was pretty clear
19 what the failures were. And the data that was
20 necessary to understand that was available from
21 an NTSB reporter and accident investigation.

22 Sometimes it's not really required

1 that very detailed proprietary data be exchanged.
2 The 1975 establishment of the Aviation Safety
3 Reporting System, that legislation or that rule
4 in 1975, allows air traffic controllers, pilots
5 and others to non-punitively report their issues
6 to a third party. That third party is
7 indemnified under that rule.

8 The same thing happens with this
9 system, the BSEE, SafeOCS system. That allows
10 non-punitive reporting and third party collection
11 through the Bureau of Transportation Statistics.

12 There's a legal authority that's the
13 same as the US. Census that the Bureau of
14 Transportation Statistics enjoys. So that allows
15 people to provide information to them and it's
16 protected from FOIA.

17 Why does it matter to the industry?
18 Because if you send stuff to the government for
19 information, then it becomes subject to FOIA.

20 So either your industry competitor or
21 other individuals might want to get information
22 that way. And it's important if you want to

1 maintain proprietary nature of the data to figure
2 out how to protect it in the same way as Census
3 data is protected. I think even though the
4 government is the one that's subject to it that's
5 why it's important. Did that answer that?

6 MEMBER JENSEN: And just as a follow-
7 up to that, we're going to go through as Eric
8 pointed out earlier some rough times as we
9 develop this program. And there's going to have
10 to be some element of confidentiality amongst the
11 non-operator and non-governmental stakeholders in
12 the room. And we have to establish that up front
13 because if what I heard you say is the data that
14 we submit to the government is protected from
15 FOIA or can be. But the data that we may
16 ultimately share amongst ourselves over the
17 course of the next two or three years may not be
18 protected.

19 DR. BORENER: No. But you can design
20 it so that it's de-identified. So the governance
21 process, the data governance process, which is
22 another topic that you need to discuss as you

1 talk about information sharing can be designed so
2 that when data are provided the owner of the
3 data, the qualities of the data that would
4 identify it to you or to one particular owner are
5 stripped away from the data.

6 So you only have the information about
7 the event and the context, but not the operator
8 or something proprietary about the event that
9 would be potentially damaging. That's important
10 because some of these data could be reverse
11 engineered into something that would be useful in
12 some competitive way. But it's not the intention
13 of the program.

14 The program is just for the safety
15 issues that it's going to address. So we don't
16 really want to get more data than we need to take
17 a safety action.

18 And the data governance process once
19 that is established even if we aren't the
20 arbiter, even if the government is not involved,
21 you as members of that committee can also
22 establish that governance process and use a third

1 party vendor to provide that protection for
2 yourselves.

3 CHAIR BURMAN: Okay. We're going to
4 go to Alan. Chris, I know you also had a
5 question. And I do believe some folks on the
6 phone have some questions as well. So we're
7 going to open it up to Alan. And then, Chris, if
8 you're okay, we'll hold it for folks on the phone
9 and then come back to you. Alan.

10 MEMBER MAYBERRY: Okay. Thanks, Madam
11 Chair. Diane, I want to make sure that we
12 addressed or just at least close the loop on your
13 concern. We have a statute that we'll fulfill
14 the requirements to address the topic at hand
15 which relates to ILI. I mean specifically it was
16 related to inline inspection.

17 I think that's a starting point. I
18 know that there's discussion on can we go
19 further. My hope, my expectation, is that we
20 would -- You know, we haven't solved this Rubik's
21 Cube yet. My hope, my expectation would be that
22 what we come out of here would be a platform for

1 not just transmission but distribution as well.

2 So as we approach this, I think we
3 know the issues. Those are in the business
4 related to the challenges of inline inspections,
5 the issues that are out there.

6 Similarly, there are issues on
7 distribution related to leak management for
8 instance which has been a focus. We probably
9 ought to look at leak prevention or what are
10 learnings from the accidents that really we can
11 avoid similar things in the next accident.

12 There are a lot of -- By far, most of
13 the people who were injured or die in this
14 country it's probably from distribution accidents
15 out there, notably of course third party or other
16 outside force damage. But I think it's possible
17 to have a platform or framework that would be
18 applicable to both. We just have to keep that in
19 the back of our mind.

20 We do need to solve the mandate. But
21 I think we'll do a disservice if we're not able
22 to at least have the framework that could be

1 applied to much more than just transmission
2 inline inspection. And that's really the true
3 spirit of SMS and we're trying to solve here to
4 share information.

5 MEMBER COTE: That's comforting to
6 hear. Thank you, Alan.

7 CHAIR BURMAN: Okay. Great. And
8 before we go to those around the room, we're
9 going to open it up to those on the phone who may
10 want an opportunity to ask any questions. Is
11 there anyone on the phone?

12 MEMBER EDWARDS: Yes, this is Sherina
13 Edwards from Illinois Commerce Commission. Thank
14 you. This has been I think a fantastic
15 discussion.

16 And something I've been thinking about
17 as we've been talking is we're dealing with this
18 a lot on the state level from a cybersecurity
19 perspective. And we've seen a lot over the last
20 couple years. We're dealing with critical
21 infrastructure.

22 I'm wondering essentially is that

1 something necessarily that we should be talking
2 about here and not necessarily trying to reinvent
3 the wheel. For example, I don't know what the
4 extent of or the level of any breaches has been.
5 That's something that we've considered.

6 I think also from a voluntarily
7 information perspective again we're dealing with
8 this on a state level in that we do not have any
9 mandates specifically for our utilities to
10 necessarily report their breaches to us or
11 anything. We ask them to. So they generally
12 will do.

13 But because there is no specific
14 statutory mandate these utilities need to provide
15 us with this information. Essentially they can
16 refuse to do that or they can literally just
17 provide the information that they wish to share.

18 And a lot of that is the fear of the
19 fact that they are providing this critical
20 information and opening themselves up to a
21 liability and a vulnerability. And we as
22 commissioners and regulators feel the same way.

1 But if we're taking certain information from
2 them, we are now vulnerable.

3 So the conversation has been again on
4 a voluntarily basis how much should be provided.
5 We are having again these very same or similar
6 discussions. So I'm wondering if it's something
7 that we could talk about potential breaches or
8 breaches that have occurred. And then we can go
9 from there and say, "Okay. This is what we
10 should do as far as mandating."

11 I know the concern obviously is when
12 it gets to industry and government. That
13 crossover line, it gets to be very sensitive.
14 And there are some states I know, for example
15 Indiana, I believe Connecticut. They have gotten
16 FOIA exemptions where they are able to, for
17 example the utilities, provide this very critical
18 information over to the regulators. If they were
19 FOIA, there would be an exemption where they
20 wouldn't have to provide that information.

21 So again, I just want to make sure
22 that we're not reinventing the wheel and that

1 we're considering perhaps other industries or
2 sectors of the industry. Maybe we can apply some
3 of that here.

4 And for me it's very timely. I just
5 wrote an article on this entire thing. And the
6 issue of providing that information to government
7 and the issue of confidentiality and the feeling
8 of that vulnerability, I just wanted to raise
9 that here.

10 DR. BORENER: I think that is very
11 well received on this end. It's very important
12 to have the information from the state designees,
13 essentially the operators who are managed by the
14 states to share back to PHMSA. Right now,
15 they're in different databases. They're
16 separated.

17 Sharing within government is also
18 covered as well as sharing between government and
19 industry. I think I heard you say that there's a
20 structure already in place in Indiana. Is that
21 what you said?

22 MEMBER EDWARDS: Yes, that is.

1 DR. BORENER: I see. And so that
2 would be a fantastic thing to bring back to the
3 team, I think, the organization to understand how
4 we could piggyback upon other people's
5 structures. And then of course there is the
6 issues of how to get information into a central
7 environment.

8 MEMBER EDWARDS: And maybe,
9 Commissioner Burman, this would be something that
10 we'd want to consider for one of the
11 subcommittees. I know we're going to discuss
12 that later on. But it's a thought.

13 DR. BORENER: I'm sorry. I really
14 didn't get the last thing you said.

15 CHAIR BURMAN: That was Commissioner
16 Edwards talking about how we might be able to
17 through our national utility regulatory NARUC
18 have this as a topic. That's also a -- I'll do a
19 shameless plug now. Our next meeting is in D.C.
20 February 12th through the 15th. And we will be
21 talking about a lot of very important energy
22 related issues, especially the committee to be at

1 is the Gas Committee and our Pipeline Safety
2 Subcommittee. Sorry.

3 DR. BORENER: No, don't apologize. So
4 federated data management. I was wondering if
5 people here might have some experience with that.
6 But I think creating federated data connections
7 as opposed to a single, large database might
8 address some of the issues, especially with our
9 state partners.

10 I won't talk about it in detail now.
11 But I think probably some of you know what I'm
12 talking about. And that's something that
13 creative ways of dealing with the fact that we
14 have a very big distributed system have to be
15 addressed in our context I think.

16 CHAIR BURMAN: Thank you. And I know,
17 Chris, do you still have or does anyone else on
18 the phone before we move to those in the room who
19 might have a question or a comment?

20 MEMBER PERRY: Yes, this is Simona
21 Perry. And I wanted to just add that I wanted to
22 thank you, Dr. Borener. I feel that the trust

1 issue is one of the biggest things. I think all
2 of us on the committee are going to have to work
3 on.

4 I hear Mr. Jensen on being a little
5 bit unsure of having folks who aren't in industry
6 or government on the committee. And I think
7 that's really important.

8 I believe that one of the issues with
9 information sharing in the pipeline realm has
10 been a lack of real trust between the government,
11 industry and the public. So I'm very honored to
12 be on this committee because that.

13 And I also feel very strongly that
14 understanding the human factors in all of this is
15 really important. We're talking about a lot of
16 data that's easily, maybe not so easily, but it
17 can be collected remotely as Dr. Borener said.

18 However, really when it comes down to
19 it, it's who is reading that data. And I'm
20 really interested in understanding more about
21 that, the training that's involved, what that
22 means. And I think that information sharing is

1 really what we'd have to start talking about.

2 The data collection is key and making sure that
3 there are systems in place, that they are secure.

4 And also one other thing that I wanted
5 to add on the data security. I know that there
6 is a research institute at the University of
7 Texas Taylor or Tyler that actually has a grant I
8 believe to look at cybersecurity at least on
9 status systems. And that might be something as
10 well to talk about how they're looking at that.
11 You guys might already be aware of that.

12 But I just think it's really important
13 to continue dialoguing about what it means for
14 the public to understand not specific data, but
15 for them to understand how sharing is taking
16 place within the industry and within the
17 government and between the two. I think that's
18 where a lot of trust can be built. Thank you.

19 DR. BORENER: Thank you. I'm glad I
20 can point this out from another industry and also
21 understand some of the pitfalls of going through
22 the process of establishing an open information

1 sharing environment. But I really liked what you
2 said.

3 It's not sharing identifiable specific
4 data, but de-identified data that leads to
5 information and helps us to identify problems and
6 engineers solutions. Then we come back as the
7 operators and the government and figure out how
8 to transmit that, what training is required, what
9 design is required. That's the point of the
10 program.

11 MEMBER PERRY: Thank you. Exactly.

12 CHAIR BURMAN: Okay. Now we're going
13 to move on to those around the room. And also
14 just keep in mind that a lot of these items that
15 we're talking about when we get to later talking
16 about what should be the key topics or areas of
17 focus in the subcommittees that that's something
18 that we should be looking at. We heard a couple
19 of things, cybersecurity, as well as protection
20 data. So just keep that in mind so that
21 something doesn't fall off the table that really
22 should be incorporated into a subcommittee for

1 further discussion.

2 Now I'm going to turn it over here.

3 MEMBER WARNER: So this is Chris
4 Warner. As a follow-on to what I heard on the
5 phone and also Dan's comments about all the
6 information that we currently have available and
7 the quality and the analysis of that data, I
8 think in our history we haven't done a lot to
9 figure out how do we verify the quality of that
10 data and then how do we compile that and analyze
11 that data.

12 So I'm also curious whether we're
13 going to do something similar to the aviation
14 industry where we actually establish or have a
15 subcommittee that looks at establishing something
16 like CAST or ASIAs. Is that how you pronounce
17 it?

18 DR. BORENER: Yes.

19 MEMBER WARNER: That looks at this
20 data that we're going to gather on a voluntary
21 data basis and validates the accuracy, the
22 quality of that and then begins to go deeper into

1 saying "Okay. Let's go to industry and
2 manufacturers or other suppliers and says 'What
3 can we do about what we're seeing in this data?'"

4 DR. BORENER: Yes.

5 MEMBER WARNER: Because I don't hear
6 that right now. I hear we're talking about just
7 getting the data. I'm kind of curious to know if
8 that's possibly a subcommittee or an actionable
9 part of what we're doing.

10 DR. BORENER: I think that was the
11 most productive thing about CAST. ASIAs is just
12 a big database. Whether or not data is
13 actionable and it's meaningful really comes from
14 the members of the CAST who read it and decide
15 what to do with the information they collect.

16 On PHMSA's side the point is well
17 taken. There is a lot of incident and accident
18 data that have been collected and are stored at
19 PHMSA. Sometimes the ability to actually go back
20 and use that for information is restricted.

21 One of my jobs is to try to get that
22 data into a shape so that it's actually useable.

1 And it's cross industry useable. There are some
2 initiatives internally that we've taken to
3 improve the ability to read the narrative data,
4 to classify it and then provide that out for data
5 sharing as well.

6 But the people who know what it means
7 are the people in the industry. So they're the
8 ones that need to be working with us every day to
9 read that and make sure it makes sense.

10 CHAIR BURMAN: Do you have any more
11 questions before we move on to someone else?

12 MEMBER WARNER: No, that's it for me.

13 CHAIR BURMAN: Okay. Thank you.

14 Mike.

15 MEMBER LAMONT: Thanks. Mike LaMont,
16 Integrity Plus. One thing I want to point out is
17 that pipelines are very different than aircraft.
18 With aircraft we have what? Just three major
19 commercial manufacturers and there's a certain
20 shelf life for aircraft.

21 With pipelines, there's many different
22 manufacturers and then product types that we're

1 moving, a very unique environment. Some are very
2 arid environments. Some are coastal
3 environments.

4 I think it's going to be very
5 challenging to extract actionable data for
6 pipelines unless we're able to come up with some
7 categories perhaps of pipelines and say this type
8 of product, these type of pressure, these types
9 of diameters. So I think it's going to be
10 challenging.

11 That's one of the things that makes
12 the integrity management rule so effective is
13 that it accounts for all the different types of
14 assets and unique environments and allows
15 operators to go "We know better than anybody what
16 our highest risk assets are and we're able to
17 manage to do those." But just a comment.

18 DR. BORENER: But that's very
19 important. So the idiosyncratic nature of each
20 of those pipes, the structure of the organization
21 and even the environment in which they operate is
22 important. But it may be that there are things

1 from the integrity management program that would
2 benefit from cross-national information.

3 The only question I would ask is would
4 you want to know if the identical kind of pipe
5 that you're looking at deployed in another
6 environment has a very different behavior. That
7 vulnerability once it's used in a different
8 situation would be something you would want to
9 account for in your safety management program.

10 So you have a successful integrity
11 management program. How would more information
12 improve that performance?

13 CHAIR BURMAN: Alan.

14 MEMBER MAYBERRY: I just wanted to
15 make two points. First, on the issue of data
16 quality. That's a very important point that we
17 should look at that. And that would be something
18 that we focus on. I mean the information we
19 create from the data is only as good as the data
20 itself much like we say the validity of a risk
21 management plan is only as good as the
22 information you have on the pipeline system. I

1 think that's a good point.

2 And then, Mike, I related to your
3 comment. I would agree. I think it's a good
4 example with FAA. I mean certainly the aircraft
5 movement a lot of that is automated. When we're
6 dealing with inline inspection, there's not a
7 system that reports that immediately. It's not
8 really a SCADA-type function.

9 And it's an area that we've looked at.
10 I think we as an agency can do better to measure
11 of the effectiveness of integrity management.
12 And that's probably an area -- I mean certainly
13 NTSB has pointed out that how do we know that IMP
14 has been effective.

15 One thing we look at or statistics
16 that are reported to us on repairs that are made
17 are integrity management repairs. But if you have
18 a rising number of repairs, is that a good thing
19 or a bad thing? Does it mean you have issues or
20 is it a good thing that you're finding?

21 You know everything you're reporting,
22 every defect that was repaired that got close to

1 the 80 percent mark or above it, that's potential
2 prevented accident. What can we share on that?

3 I think there's opportunity as we
4 discuss further to talk about that point right
5 there like immediate repair conditions. Would
6 you expect in a mature integrity management
7 program should that start going down? Or if it's
8 not going down, what's the issue? Are there
9 issues with ILI performance or the assessments
10 that we require? Is there something to be
11 learned on technology we might need to improve to
12 address that issue if it is an issue?

13 I think there are learnings from that
14 for instance. That's all I had.

15 CHAIR BURMAN: Thank you. And then
16 we're going to move to this side of the room and
17 then we'll come back to this side. Kate, I think
18 over here you had your tent card up before Eric.

19 MEMBER BLYSTONE: I sure did. Kate
20 Blystone. At any rate, thank you. I think this
21 was a really great introduction to the topic.
22 And I certainly studied the FAA work before I got

1 here and I really appreciate the detailed
2 analysis there.

3 Mr. Jensen, it's fair for you to bring
4 up the FOIA issue because I will say as a member
5 of the public and a representative from the
6 Pipeline Safety Trust that's a big concern for
7 us. It's discomfoting to know that this data
8 would go somewhere where the public couldn't
9 access it.

10 However, I think there are ways to
11 ameliorate that concern. And one of the things,
12 I'm a planner. I'm a urban planner. For me,
13 part of planning is a system in which you go
14 through all these steps and then you revisit.

15 And the concern and something to
16 record for future action is it feels it's
17 necessary for us to have in our recommendations
18 some sort of check to make sure that whatever
19 system we put in place is actually working. I'd
20 like to see the 82 percent reduction. But how do
21 we know that it's working?

22 I think knowing that it's working and

1 there aren't tweaks to be made would help deal
2 with the discomfort that comes with the stuff
3 being away from the public's eyes. And I wanted
4 to ask you about that.

5 When this system was set up and CAST
6 was put into place, (1) is there a public
7 representative on CAST? Or is the public allowed
8 to participate in any way, shape or form?

9 (2) Did they do some analysis to say
10 we really need more data on this? We're not
11 getting this. Is there a GAP analysis that takes
12 place every time they meet?

13 DR. BORENER: Yes. And both things
14 happen. So first I want to say the fact that you
15 don't know that it was Southwest Airlines that
16 had that near miss doesn't mean that you don't
17 know the near miss happened.

18 The events are captured. It's just
19 the attribution to the particular operator that's
20 de-identified. And you have to know the context
21 in which the thing happened in order to be able
22 to do something with it.

1 So when CAST established its safety
2 program it did too things. It set up a tracking
3 program that's a process tracking program. So if
4 they said everybody needs to be trained on stick-
5 shaker events they went around and asked
6 everybody, "Did you put it in your training
7 program? How many people have been trained? How
8 many times has this happened?"

9 And then likewise they establish a
10 passive system monitoring metric that comes off
11 of the airplane so that they can say "Does it
12 happen" and "Are people taking the right
13 response?" Both things are in place. It's
14 process, personnel orientated activity as well as
15 a passively collected data analysis activity that
16 confirms the two things. People can say they're
17 doing things, but you can go back and see if they
18 really are or not.

19 The other part of this I think is that
20 the data that you have, there is a lot of data.
21 I mean when I came to the agency the first time I
22 worked with this agency was in 1994.

1 I wrote a report on leak detection
2 systems. And I went to different operators and I
3 asked them, "How do you do that?" And some of
4 them had little pieces of paper and they were --
5 No, it's true. Some people really did. And they
6 did a flow balance every few hours and that was
7 mostly to keep the operators awake I think
8 because there wasn't really much happening.

9 And then there was Enron. And they
10 had some great big system and it was very
11 complicated. So the first thing is you have the
12 data. You have the information, but it's very
13 hard to generalize around the similar
14 circumstances that are happening to different
15 operators.

16 Within operator maybe you're doing
17 just fine. But if you have an anomalous
18 condition that is happening to someone else it's
19 hard for you to find that out and then use what
20 they know to inform your own operation. That I
21 think we can address.

22 And I think the public would be able

1 to find out what the conclusions of the analysis
2 would be. They wouldn't just be able to say
3 "Well, it was this guy right here." That should
4 hopefully be the best of both worlds. Of course,
5 it's always going to be an opportunity for
6 improvement.

7 The other thing is that when detail
8 data started being shared by the airlines they
9 really did not want any kind of detail shared.
10 They were very, very uncomfortable about it.

11 So their first step was to say "We'll
12 give you a monthly average." And gradually they
13 realized that without knowing exactly what day or
14 what the weather conditions were like or whether
15 or not it was snowing when it happened, that
16 there was a limit to the usefulness of the data
17 they were collecting. So they were spending a
18 lot of money to collect the data. They might as
19 well fuse the information on that actually helps
20 them to interpret it.

21 It's taken maybe five years to get
22 from we'll share the information in an aggregate

1 level to we'll share the detail. And that really
2 is about trust. It's really just about that.
3 It's about protection of the data that needs to
4 be protected versus the conclusions and creating
5 a relationship I think among industry and
6 government where their focus is on the problem
7 and not an adversarial relationship among them.

8 This really allows you to bring
9 together all of your resources to address an
10 issue and to work together toward that.

11 CHAIR BURMAN: Thank you. Now we're
12 going to go to Eric. Then we'll go on the other
13 side of the room for one more question. Then
14 we'll go back to the phone And then we'll see
15 if anyone else has any more questions before we
16 open it up for public discussion. Eric.

17 MEMBER AMUNDSEN: Eric Amundsen. I
18 guess an observation or perspective or question.
19 I'm really just trying to get my head wrapped
20 around what the data is. I'm trying to boil all
21 of this down and try to boil down maybe the
22 conversation and the presentation that's been had

1 so far this morning. And it's been great.

2 What is the data? In my mind, I think
3 the data is the miss. It's not necessarily
4 describing a physical condition as being the
5 data. The condition is what the condition is.
6 How well are we as humans in utilizing the
7 technology that we have to characterize that real
8 and actual physical condition correctly and then
9 auctioning off of it.

10 So there are two components to that.
11 Have you characterized that correctly and then
12 have you taken the correct action? And a miss
13 could be either one of those two. It was
14 characterized correctly, but you didn't do the
15 right thing. Or it wasn't characterized
16 correctly and you thought you did the right
17 thing, but you really didn't. But in any case,
18 it's a miss.

19 Kind of boiling that up a little bit
20 higher is how do we define success in this
21 context. How do we know that we're good or we're
22 good enough? To me the data is some way to

1 measure that, to tell us as an industry and as
2 stakeholders are we getting better and how do we
3 know. What is better? What does good enough
4 look like?

5 I think if we can get there with this
6 committee and this work group then we'll really
7 have accomplished something. I think it's less
8 about the physical condition and this tool
9 measured this. And they matched up or they
10 didn't. It's how well did we figure out that
11 they didn't match up and what did we do about it
12 and at the end of the day we made the right
13 decision.

14 DR. BORENER: I agree. I think that
15 is taking action for safety. And all these tools
16 are arrayed just for the purpose to make the
17 right decision at the right time and to give
18 authority to the person who has to make the
19 decision so that they can feel that their
20 decision is well founded.

21 CHAIR BURMAN: Thank you. Now we're
22 going to move over here to Mark. Then we'll open

1 it up again to the phone, then back to the table
2 if there are any. And then we'll open it up for
3 public discussion. Thank you.

4 MEMBER HERETH: Some of the
5 constituents or some of the parties that we're
6 behind the bill, the legislation, that we find
7 ourselves working with today were not only
8 looking at how to prevent failure, how to improve
9 the way in which we use tools to prevent failure,
10 but also to look at how we can advance the
11 technology and make improvements in the
12 technology to preclude failure.

13 My question is are there examples that
14 we have in CAST where they've looked at not just
15 from a failure or near miss perspective, but
16 looking proactively at data in that predictive
17 sense that you talked about to look at how can we
18 use our systems better to preclude failure. So
19 it's a different view.

20 DR. BORENER: Some of the early work
21 in CAST really revolved around alerting and I'll
22 talk about the Terrain Avoidance Warning System

1 first because that relates to the deadliest
2 accident which is the CFIT accident. This topic
3 came up to CAST. Actually, there's also fuel
4 tank inerting which just finally got 20 years
5 later passed last year. And that was that TWA
6 800 flight.

7 But the idea of Terrain Avoidance
8 Alerting or TAWS is that the aircraft itself can
9 tell as you approach terrain that you're in the
10 wrong place because there's onboard radar that
11 says that this is the wrong thing for you to be
12 doing. That is a post hoc piece of information
13 that can be analyzed. It can be passively
14 detected and analyzed.

15 But then using that a system to
16 provide a warning to the cockpit that you're
17 about to hit a mountain and you've got to pull up
18 tells you stop doing that essentially. It gives
19 you that warning. So then it avoids the
20 collision or it helps you to avoid the collision
21 by making you take a response that you might not
22 have been aware of.

1 That's a direct result of the
2 deliberations of the Commercial Aviation Safety
3 Team. And they recommended the TAWS Alerting
4 System be deployed in all commercial aircraft
5 before the rule went into place. For two years
6 before that, this group acted and Boeing
7 engineered that system. It's now basically
8 required in all aircraft.

9 Fuel tank inerting is a more
10 interesting thing because there was a lot of
11 contention in CAST about fuel tank inerting.
12 It's a rare problem. You might remember the --

13 In this particular case, there was a
14 spark in an empty fuel tank on an airplane that
15 caused its catastrophic loss. That's TWA 800.
16 If you ever want to see something about that go
17 out to the NTSB. They have a reconstruction of
18 part of that there. And the recommended safety
19 response on the part of the team was that an
20 inerting device or an inerting process be put
21 into that tank to avoid the possibility of the
22 spark in this accident.

1 Part of the industry said, "No, it's
2 too expensive." It doesn't happen that much.
3 The risk from that is not that high. It's not
4 warranted. It's not as important as other things
5 that we might do.

6 And the team decided that there would
7 be a phased-in approach that allowed for full
8 application over a long time period. So the
9 final rule on that took about 20 years from the
10 time that TWA 800 happened to the time that it
11 was actually implemented.

12 I'm bringing that example up because
13 it's a negotiated process. It's a process where
14 costs and benefits are weighed and the entire
15 industry weighs in on the answer. So it is
16 definitely on the side of safety. But if other
17 things are more critical before that thing has to
18 be addressed that ends up being lower down on the
19 list of implementation requirements.

20 So both things have happened. TAWS
21 went into effect within two years. Fuel tank
22 inerting took 20.

1 CHAIR BURMAN: Thank you. Does anyone
2 at the table have any questions or comments?
3 Anyone on the phone?

4 (No verbal response)

5 Now we're going to open it up for
6 public discussion. Whoever wants can go to the
7 mike.

8 MS. WHETSEL: Please be sure to state
9 your name and where you're from for the court
10 reporter.

11 MS. SAMES: Christina Sames, American
12 Gas Association. I think the major challenges,
13 well most of them, have been identified. But
14 before I begin, I want to say fully supportive of
15 this initiative.

16 We, American Gas Association, actually
17 aggressively pushed for something like this six,
18 seven, I don't know how many years ago. Our
19 challenges were how do you share relevant
20 information, how do you make it non-punitive, how
21 do you create an environment where people willing
22 share voluntary information. They have all been

1 discussed.

2 I think that it would be very simple
3 if we were only talking about -- simple a
4 relative term -- what PHMSA inspects. The
5 challenges that Dan Cote brought up and others is
6 when you get to how do you get acceptance not
7 only from Federal Government but also from state
8 government.

9 I think starting with ILI data we can
10 begin to look at ILI data for interstates and
11 intrastates and how do we create a framework that
12 then could be expanded to things like near miss
13 reporting, information that operators find that
14 are safety concerns.

15 I know a number of AGA's members
16 voluntarily report these types of items to their
17 state regulators. I know others that are very
18 hesitant to do so and it really depends on the
19 environment.

20 When I think through the amount of
21 data that could be collected to me it's really
22 overwhelming. And it really gets back to some of

1 the discussions of what is data overload. If the
2 committee can really focus on relevant data that
3 allows us to take actionable actions, how do we
4 take great information and then say, "Oh, didn't
5 quite know that.

6 It's a new piece of data that I can
7 utilize to improve my safety."

8 We actually created something similar
9 -- I saw Max. Yes, Max Kieba is here -- on the
10 distribution side classic pipe failure reporting
11 voluntary. Max, any idea how many tens of
12 thousands of datapoints we now have?

13 MR. KIEBA: I'm not sure if I can say.

14 MS. SAMES: Yes, it's well over
15 40,000.

16 MR. KIEBA: It's only about 50.

17 MS. SAMES: About 50 now, yes. It
18 just keeps increasing. But a voluntary
19 information sharing group made up of various
20 stakeholders that analyze the data and then
21 determine and create status reports on here is
22 what we're seeing.

1 I really see something like this that
2 can also be very similar to the PPDC.
3 Information collected. Information analyzed by
4 stakeholders. Information shared so that many
5 can take actionable items. But it gets back to
6 what data, how do we keep it secure and how do we
7 make it non-punitive.

8 CHAIR BURMAN: Thank you.

9 MR. STODY: Hello. John Stody from
10 the Association of Oil Pipe Lines. And I wanted
11 to say that we're excited about this process. We
12 think it's a great group of people who have come
13 together from what we have interacted with the
14 operators, the vendors, the members of the
15 public, the other entities. We all know that we
16 have safety in mind.

17 We think that the FAA is a great
18 building block and there are many solutions to be
19 offered from the FAA model. But we also see
20 challenges beyond that that the FAA model falls
21 short. And when I think about aviation, what we
22 don't see in the conversation today about

1 aviation is whether we should have airplanes or
2 whether we should be flying from point to point
3 or whether it would be good to stop flying
4 airplanes and whether it would be good to stop
5 having new airplanes flying around.

6 And we do see that in the pipeline to
7 date. And people are coming to the table with
8 those solutions and there are good policy
9 discussions to have. But it's a much more
10 existential debate on whether we should even have
11 pipelines or whether we should have new
12 pipelines.

13 So for the FAA model to be specific,
14 for example, de-identification may be good for
15 Southwest versus United. But it's really not
16 about that. It's about airplanes at all. So
17 just taking the name off doesn't help if there
18 are some stakeholders -- and I'm not talking
19 about in this room -- who would use the process
20 to question whether we should even have
21 pipelines. So that's why we will be asking about
22 questions about the CAST model, who participated,

1 was that public, were the solutions public, were
2 the problems public and what role that was in
3 terms of the stakeholders who don't necessarily
4 share pipeline safety as their ultimate goal.
5 They may have other goals that might conflict
6 with pipeline safety or making pipelines safer.

7 CHAIR BURMAN: Thank you.

8 DR. BORENER: I do want to respond
9 that people may not decide whether there should
10 or there shouldn't be airlines. But they sure do
11 argue about runways. There are a lot of places
12 that have acknowledged that the traffic is there,
13 but they want no more.

14 And that is an issue that CAST has to
15 deal with as well because expansion of service or
16 service to new communities is always contentious.
17 So I think your point is very well taken.

18 CHAIR BURMAN: Does anyone else have
19 any questions from the public? Anyone else on
20 the phone?

21 (No verbal response)

22 Anyone else at the table? Dan.

1 MEMBER COTE: Just an observation.
2 I was interested in that discussion on defining
3 success. Several of you have framed questions
4 without really asking the question what
5 constitutes success in this arena without putting
6 it in quite that format.

7 And for me, the model the FAA used is
8 a pretty clear. They counted the number of
9 planes that fell out of the sky. And that became
10 the criteria. And we saw very impressive charts
11 that showed dramatic reductions over the life of
12 the program.

13 In my mind, that defines success for
14 us. We know how many incidents we have in gas
15 systems every year where federally reportable
16 incidents where we essentially blow things up.
17 And that's a pretty clear scorecard in my mind.
18 And from the public's perspective, not advocates
19 for specific positions or specific causes, but
20 from the public that we serve that's the criteria
21 that most of them use.

22 At least as a starting point, I would

1 recommend this committee, but back to where we
2 started in terms of making this about pipeline
3 safety. And the way we define pipeline safety is
4 not blowing things up. In my mind, we have a
5 pretty easy framework to use as a scorecard going
6 forward. There's a pretty good history in the
7 past of counting those and we know how many we've
8 had. And we can certainly track it going forward.
9 Thank you.

10 CHAIR BURMAN: Thank you. Does anyone
11 else have any questions on the phone? At the
12 table? In the audience?

13 (No verbal response)

14 So now we're going to take a lunch
15 break. I'm going to make an executive decision
16 unless I get overruled by everybody to come back
17 at 1:30 p.m. I think that gives us time and then
18 we're go to go. Thank you, everyone. We'll
19 stand at ease right now until 1:30 p.m. Is that
20 correct? Okay.

21 (Whereupon, the above-entitled matter
22 went off the record at 12:07 p.m. and resumed at

1 1:40 p.m.)

2 CHAIR BURMAN: Okay. We're ready to
3 get started now. We're going to be on Agenda
4 Item 6, Overview of Recommendation Deliverables,
5 Proposed Common Language Definitions.

6 AGENDA ITEM 6: OVERVIEW OF RECOMMENDATION
7 DELIVERABLES PROPOSED COMMON LANGUAGE DEFINITIONS

8 MR. McLAREN: Well, good afternoon.
9 I'm Chris McLaren with PHMSA. And this review of
10 the recommendation deliverables is around Section
11 C of Section 10 of the PIPES Act. And you've
12 seen this list of six items now a few times. And
13 thank you, Cheryl, for having a great discussion
14 and doing some brainstorming sections around the
15 deliverables.

16 I think that this provides a good
17 introduction into some of the discussions we'll
18 have later about subcommittees that are on the
19 agenda, about some of the topics where we need to
20 have additional information gathered and
21 additional thoughts.

22 I thought if anybody would like to

1 have we can spend five or ten minutes on each one
2 or groups of them in case anybody had any talking
3 points. I note that we did have quite a bit of
4 discussion prior to lunch.

5 The first two are the need for and the
6 identification of a system to ensure that dig
7 verification data are shared within inline
8 inspection operators to the extent consistent
9 with the need to maintain proprietary and
10 security sensitive data in a confidential manner
11 to improve pipeline safety and inspection
12 technology. And I would like to include number
13 two in this initial discussion, ways to encourage
14 the exchange of pipeline inspection information
15 and the development of advanced pipeline
16 inspection technologies and enhanced risk
17 analysis.

18 There's a lot of definitions in there.
19 And that's my next section is to talk about
20 definitions which I think will be very key to us
21 having a good basis for our discussion going
22 forward. So the definitions discussion will come

1 later, but there certainly are a lot there. Does
2 anybody have any thoughts or comments or feedback
3 on these two to start out with?

4 CHAIR BURMAN: And if you do please
5 raise your tent card. Anyone on the phone?

6 (No verbal response)

7 MR. McLAREN: I'll continue on in just
8 laying some ideas out there for the meeting
9 minutes. Cheryl talked about API, the PPTS data
10 gathering and triaging exercise. There's also
11 the AGA, Plastic Pipe Database Committee that
12 gathers data like that. She also talked about
13 the new BSEE, OCS data exercise and there's
14 several others, the FAA experience, etc., that we
15 talked about. So there's a lot of venues out
16 there.

17 The third one is opportunities to
18 share data including dig verification data
19 between operators of pipeline facilities and
20 inline inspection vendors, to expand knowledge of
21 the advantages and disadvantages of the different
22 types of inline inspection technologies and

1 methodologies.

2 CHAIR BURMAN: Sherry.

3 DR. BORENER: Sherry Borener from
4 PHMSA. I can see that the content is identified
5 in these three bullets. I'm not sure exactly
6 what the deliverable is. Maybe that my
7 confusion.

8 For instance, in number one, we know
9 that there is the need for this. Does this mean
10 that we would do a white paper? Would we
11 encourage some sort of prototype development? I
12 mean I'm not sure what these things are. So the
13 deliverables themselves, could you clarify a
14 little bit about what that means?

15 MR. McLAREN: Yes. Thank you. And
16 that's in Section D of the Act where it talks
17 about the deliverable being "the Secretary shall
18 publish recommendations provided under Subsection
19 C on a publicly available website of the
20 Department of Transportation."

21 So the recommendations would be
22 included in some sort of a report would be an

1 initial possible vision for that. It could then
2 be posted to the PHMSA website to further the
3 discussion.

4 CHAIR BURMAN: Christie.

5 MS. MURRAY: And I would just add to
6 Chris' remarks -- this is Christie Murray with
7 PHMSA -- that what we meant by recommendation
8 deliverables here were to make sure that we come
9 back and revisit the required aspects of the
10 mandate that this group is tasked with, making
11 sure we account for as part of our effort.

12 Ultimately, the recommendations that
13 we or this committee will submit to the Secretary
14 must address these required areas. So these are
15 the required areas that our deliverables must
16 cover just for clarification purposes.

17 MR. McLAREN: I'd like to note some of
18 the discussion we had previously during Sherry's
19 session also about the fact that this framework
20 that we're building looking for ways to leverage
21 on other pipeline safety topics such as
22 distribution, maybe control room management,

1 abnormal operation events, etc. But these are
2 the specific deliverables that we must meet at a
3 minimum.

4 Okay. Next slide. Number four is
5 options to create a secure system that protects
6 proprietary data while encouraging the exchange
7 of pipeline inspection information in the
8 development of advanced pipeline inspection
9 technologies and enhanced risk analysis. Again,
10 here we see several definitions. And I think if
11 there's any comments or feedback and discussion
12 from the group, remembering that we're going to
13 be I'm sure dwelling on definitions for the next
14 couple of meetings probably in some aspects.

15 Okay. Hearing no comments, number
16 five, means and best practices for the protection
17 of safety and security sensitive information and
18 proprietary information. Certainly we rely on a
19 lot of the expertise. Hopefully, Sherry will be
20 able to participate in our meetings multiple
21 times and other presenters on how the FAA has
22 done that and other organizations have done it

1 and are planning on doing it like at BSEE.

2 MEMBER WARNER: Chris. This is Chris
3 Warner. It seems like it's more than just
4 protection of safety and security sensitive
5 information. It also seems like it's operator or
6 vendor specific information as well. I just
7 wanted to clarify that that was also part of the
8 division.

9 MR. McLAREN: Well, maybe we could
10 certainly rely upon one of the PHMSA lawyers in
11 the room. As an engineer, that's how I would
12 interpret it. But I would rely upon maybe a
13 legal opinion on that if we needed it.

14 CHAIR BURMAN: Could you repeat the
15 question?

16 MR. McLAREN: So in number four or
17 number five it talks about proprietary specific
18 to safety and security sensitive information. I
19 think for this to be successful it's also going
20 to have to guarantee privacy around whoever
21 submitted the information, kind of what we see at
22 the FAA. You don't have the specific airline

1 name or operator name and possibly even the
2 vendor. And it's providing the tool.

3 MS. BATTAMS: I definitely think that
4 that's something we will be very sensitive to to
5 make sure that we're sharing the information, the
6 detail, we need and then keeping in mind the non-
7 punitive nature of the voluntary sharing.

8 At this early date, I'm not sure what
9 specific information we will be redacting or
10 protecting in a specific way. But it's
11 definitely something that we will all be working
12 to agree on to make sure that everybody is
13 comfortable and we're still achieving our goal of
14 sharing the information necessary to improve the
15 pipeline safety.

16 MS. DOMINGUEZ: This is Marie
17 Dominguez. I think that looking at how to
18 actually define all of that should I think -- I
19 would suggest that you continue to make a
20 recommendation on what the scope of all of that
21 would be and perhaps actually have a work group
22 that would generate some of those deliverables on

1 how to look at that.

2 CHAIR BURMAN: Alan.

3 MEMBER MAYBERRY: Yes, you know, I'm
4 trying to solve this. I think that's one of the
5 areas valid for discussion when we look at
6 identifying challenges to make for a successful
7 system. Certainly, that is something that's on
8 the table that we would need to identify and
9 address.

10 CHAIR BURMAN: Anyone on the phone?

11 (No verbal response)

12 Okay, Chris.

13 MR. McLAREN: Thank you. And I think
14 that that goes into number six. Our mandate does
15 say that we shall consider and provide
16 recommendations on these. So consideration and
17 recommendations on the regulatory funding and
18 legal barriers to sharing information described
19 in one through four. I think that's all a very
20 important discussion to get noted and to have on
21 the table.

22 CHAIR BURMAN: Not hearing any

1 questions or comments, we'll continue.

2 MR. McLAREN: Okay. So that was a
3 discussion of the deliverables. The next topic
4 is definitions. And in committee work and work
5 group work, considering common definitions seems
6 like a very important thing especially when we
7 see the number of definitions that we have coming
8 at us. We have Section 10 of the Pipes Act of
9 2016 instead of the PSIA. My mistake. And I've
10 got some of those listed on the next slide.

11 We also have the FAA program, 14 CFR
12 193. And that's where Sherry was getting some of
13 her verbiage of the different types of data and
14 some of the things. There's also within the FICA
15 regulation a whole load of definitions. And there
16 may be other terms and sources that we find that
17 we need to utilize to make sure we're all on the
18 same page.

19 It shows on the next slide some of the
20 volume of these things that I think that we need
21 to work through. It may be appropriate to have
22 some group go out and do this work and bring it

1 to the committee.

2 But there is a wide variety of
3 definitions that I think need to be detailed.
4 Some of them are pre-existing such as within the
5 FAA 14 CFR 193 as well as in the FICA
6 regulations. So I think we have to look at others
7 to make sure that for instance that the
8 information definition in the FAA regulation
9 meets our needs. And we need to be cognizant of
10 it because it is a commonly used definition in a
11 regulation currently.

12 DR. BORENER: So I have a -- This is
13 Sherry Borener. I think that's crucial in two
14 ways. There's a need to have a common language
15 for the definition of the actions of this
16 committee and whatever subcommittees you launch.

17 And then in addition to that, there's
18 a need for common taxonomy of events just in
19 order to be able to exchange information. For
20 instance, one of the callers I think said that
21 they would call what I had referred to as near
22 miss as a close call. That's a different kind of

1 taxonomy that's different than these definitions
2 that are on the board here which have to do with
3 the actual structure of our work.

4 An ongoing issue is a standard
5 definition of events and conditions that would be
6 reported in both accident and incident data. I
7 think that's an important working group for us to
8 put together.

9 CHAIR BURMAN: Thank you. Does anyone
10 have any comments on the phone?

11 (No verbal response)

12 Okay, Chris.

13 MR. McLAREN: On the next slide
14 actually shows some of the definitions that were
15 within 193 that I found. And there weren't very
16 many. I thought I would have found 15 or 20
17 personally and I found these. But de-identified
18 for instance is one word that Sherry used this
19 morning.

20 And there's information. It sounds
21 like during this discussion of information and
22 data that we're going to need maybe to refine

1 that a little bit more in terms of what we mean,
2 in terms of the information versus the more
3 granular data since we are dealing with very
4 technical reports.

5 DR. BORENER: Yes, actually the FAA
6 publishes a lot of airworthiness directives and
7 other documents that aren't in the rule, but that
8 are interpretations. They're like your
9 frequently asked questions. And they provide
10 more clarification about. For instance all of
11 the FOQA constraints are published within an AD.

12 If you remind me I'll go back and find
13 the other documents that link to 14 CFR 193. But
14 there's also something specifically that was
15 published in 1975 on ASRS that has more
16 definition that we can also use if that's
17 helpful.

18 MEMBER MAYBERRY: This is Alan
19 Mayberry. Just a point of clarification just to
20 make sure people understand and maybe it is
21 understood, but this is FAA regulation and we're
22 just talking about what can be. So if we proceed

1 with this, we would need to propose part of it.

2 You look at what we're going to
3 deliver in the end. It would be a recommendation
4 for something like this that would be applicable
5 to the pipeline industry. Just wanted to clarify
6 that. Thanks.

7 CHAIR BURMAN: Does anyone have any
8 questions or comments in the room? On the phone?

9 (No verbal response)

10 And just an order of business before
11 we go to Joe that after this section we will open
12 it up to the public in the audience if they have
13 any comments or questions as well before we move
14 to the next action item. Joe.

15 MEMBER SUBSITS: When I look at the
16 description of duties, (1) A and C clearly seem
17 to indicate that this should be looking at inline
18 inspection activities where B is a little more
19 general in that. Is this all within the context
20 of inline inspection or can we assume that B
21 deviates from A and C in terms of going beyond
22 inline inspection?

1 CHAIR BURMAN: So we're looking now at
2 the charter, correct?

3 MEMBER SUBSITS: Yes.

4 CHAIR BURMAN: Okay. Do you need
5 Legal up here?

6 MR. McLAREN: No, I think Alaina
7 specifically addressed that within talking about
8 the diversity of the team and the intent of the
9 authors of the statute that C is the intent, but
10 B describes that this shall be a diverse group
11 meeting these membership guidelines.

12 So I think the answer to your
13 question, Joe, is there's no deviation. They are
14 talking about C and these are the individuals
15 that would work on it.

16 MEMBER SUBSITS: One more question.
17 A asks for a process to ensure that dig
18 validation data is shared. And a lot of
19 discussion today tend to focused on near miss and
20 unique situations where this seems to indicate
21 that reporting of routine validation information.
22 Was that the intent?

1 CHAIR BURMAN: Alan will also talk for
2 a minute. But I do think that if you look at the
3 entire section in the description of duties I
4 think that gets back to Dan's original question
5 which is the scope. Some of these can also be
6 pulled out to make it broader or narrower. When
7 we get to the scope we're going to have to in the
8 subcommittees look at exactly what we mean when
9 we're talking about different groups that might
10 be outside of this group that we need to include
11 in that as well as who might be part of any
12 information sharing collaborative efforts.

13 Alan, do you have anything to add?

14 MEMBER MAYBERRY: Just some thoughts.
15 I think when we're talking about sharing inline
16 inspection data really it's about improving the
17 performance of the tools, improving the
18 information sharing which necessarily I think you
19 also talking about miss or near miss reporting.

20 Really these are opportunities to
21 learn. They are cases where when I think about
22 the data that we'll be seeing in such a system

1 obviously it will be the ones that don't go to
2 failure, but they'll be ones that almost went to
3 failure.

4 So it's kind of a miss by chance. And
5 it's all with the goal of learning from that
6 dataset. I mean there's more to learn. But that
7 dataset I'm thinking in particular about.

8 While we dodged right there, what can
9 we learn from that to make sure that we can apply
10 learning nationwide and prevent, help ensure
11 safety and then prevent accidents? I think we're
12 all kind of talking about that when we're talking
13 about information sharing. I think it
14 automatically goes to that. Thanks.

15 CHAIR BURMAN: Thank you and, Chris,
16 do you want to continue? Thank you.

17 MR. McLAREN: That is the last slide
18 on that discussion. And thank you, Sherry, for
19 leading such a vigorous discussion prior to lunch
20 and getting a lot of those talking points out.

21 CHAIR BURMAN: I think before we go on
22 to the next section we want to open it up for any

1 comments or questions in general before we get to
2 the committee planning. If anyone on the phone or
3 at the table before we open it up to the public
4 to weigh, this is an opportunity now to also give
5 some feedback from what you've heard so far.

6 MEMBER EDWARDS: Diane, this is
7 Sherina Edwards in Illinois. I just wanted to say
8 that I'm not sure if we were ever able to get
9 past that lobby with the online visuals. But
10 it's pretty difficult to follow along without the
11 presentation slides.

12 I know we're trying to listen, but to
13 the extent were we ever able to get that up and
14 loaded? I know we were told that it was being
15 worked on, but have we advanced past that stage?

16 MEMBER PERRY: This is Simona Perry.
17 I can see it on my computer.

18 MEMBER JONES: This is Walter Jones.
19 I can see it as well.

20 MEMBER EDWARDS: Okay. I guess I for
21 some reason still can't. I'll try to reload
22 maybe. Thank you.

1 CHAIR BURMAN: And, Commissioner
2 Edwards, someone is sending you the slides as we
3 speak.

4 MEMBER EDWARDS: Okay. Thank you.

5 CHAIR BURMAN: Does anyone have any
6 comments, questions, discussion, whether on
7 action six or on anything else we've heard so far
8 today?

9 MEMBER MACNEILL: Yes, John MacNeill,
10 Utility Workers Union of America. My question is
11 we're looking out to industry for data sharing to
12 get information. I don't see anybody from the
13 utility industries like Con Edison or Detroit
14 Edison. Are we going to be reaching out to any
15 utilities for any information?

16 CHAIR BURMAN: I'm going to let Dan
17 respond to that.

18 MEMBER COTE: I'm Dan Cote. I'm with
19 NiSource. We operate distribution companies in
20 seven states and the AGA is here as well. But I
21 am the LDC representative.

22 MEMBER MACNEILL: Okay. Thank you.

1 CHAIR BURMAN: With that, does anyone
2 else have any comments, questions, that they want
3 to identify now in the room? On the phone? In
4 the audience?

5 MR. HEVIE: Drew Hevie, Kinder Morgan.
6 The charge seems to focus the charter towards
7 risk analysis. And pipeline integrity risk
8 analysis has a specific definition of evaluating
9 whether a particular threat exists, what is the
10 severity or likelihood of that threat, what are
11 the consequences resulting from that threat.

12 And I just wanted to mention that the
13 deliverables don't really seem to be going
14 towards risk analysis. They seem to be going
15 towards improving assessment technologies. Just
16 a comment.

17 CHAIR BURMAN: Alan.

18 MEMBER MAYBERRY: Thanks, Drew. I
19 mean referring to risk analysis or risk
20 management is the overall goal here. I think
21 when we're talking information sharing we are
22 really dealing with risk analysis because we're

1 informing that program.

2 Risk analysis is much better if you
3 have valid information in that risk analysis. To
4 that end, what we're delivering or what we will
5 deliver -- I think we'll vote on whether or not
6 we deliver -- will support risk management to
7 that end.

8 And I think it's up to the committee.
9 We ended up with a statutory language and that's
10 what we must do. But if there are some
11 recommendation, I think we really need to develop
12 recommendations. If there's anything we need to
13 tweak and really the conversation is set up like
14 this, we need to tweak it. Here's where we
15 really need to go. I think that will need to be
16 part of the outcome of this group to help frame
17 the conversation of where it needs to go and come
18 out with a recommendation like that. Thanks.

19 CHAIR BURMAN: So I look at this then
20 as we have these statutory duties and we're
21 looking to see how to implement it best. It gets
22 back to Eric's comments in the beginning in terms

1 of the scope and then us as a committee deciding
2 whether it meets the definition of the statutory
3 duties. But also in the spirit of what the
4 intent is to also look at how we incorporate
5 that. It's also keeping in mind that that's part
6 of the working group in working together to
7 identify those issues.

8 To the extent that it's helpful also
9 keep in mind that I think we heard loud and clear
10 the over core scope is on continuing and
11 improving pipeline safety. To the extent that
12 there may be other issues that we identify we
13 need to make sure that we're laser-focused on the
14 clear objectives and then those flight issues
15 that may come up that may have a place or the
16 working group may determine is too broad or too
17 far off from the overall objective of our duties
18 here. Is that fair?

19 MEMBER MAYBERRY: I think so, yes.

20 CHAIR BURMAN: And, John, do you still
21 have your tent card up because you want to add
22 more?

1 MEMBER MACNEILL: I'm sorry.

2 CHAIR BURMAN: Okay. Thanks. Sherry.

3 DR. BORENER: This is Sherry Borener.

4 I believe under our recommended deliverables or
5 recommendation deliverables there's something
6 about options to create a secure system. And in
7 that sense, there's a requirement I think on our
8 side, from PHMSA's side, to support SMS which is
9 a Safety Management System, not just a risk
10 analysis system that's a step in that process.

11 But also somewhere in here we should
12 probably address governance and that includes the
13 data quality, data format and also the management
14 of the data itself. So that governance could be
15 a partnership as well. It doesn't have to be a
16 single entity or a government only. And either
17 under the regulatory or legal framework or in the
18 actual control of the data, I think we should
19 talk about governance.

20 CHAIR BURMAN: Okay. Does anyone else
21 at the table have any comments, questions or
22 discussion? On the phone? In the audience?

1 (No verbal response)

2 Now we'll move onto the next agenda
3 item.

4 CHAIR BURMAN: All right. So now
5 we're here. Committee planning, next steps. I
6 think one of the threshold questions for me is
7 after hearing all that we've learned today the
8 threshold question of do we have any more work to
9 do. Do we have any work to do? And is this
10 something that we should continue and then drill
11 down on the specifics of what that means and what
12 the scope is? Is there a need for the voluntary
13 information sharing system working group to
14 continue?

15 If someone wants to discuss that and
16 then we can maybe open it up for a vote. I'm not
17 looking to shut it down right now. I'm just
18 looking to make sure that we clarify the
19 threshold question of is there a need for this
20 and should we move on. Mark.

21 MEMBER HERETH: This is Mark Hereth
22 from PPIC. Should we do that in form of making a

1 motion at this point then? Okay. I'll make a
2 motion to move that the voluntary information
3 system work group has a purpose and that we vote
4 to establish this group to meet the objectives of
5 the charter.

6 MEMBER COTE: I second the motion.

7 CHAIR BURMAN: Okay. Any discussion?

8 (No verbal response)

9 Okay. Let's move for a vote. All
10 those in favor say aye.

11 (Chorus of ayes)

12 All those opposed.

13 (No verbal response)

14 All those abstaining.

15 (No verbal response)

16 Hearing none, the motion passes.

17 All right. So now we come to the next
18 step which is the hard work that needs to be
19 done. I guess for me it's really opening it up
20 to the committee to now offer their thoughts. My
21 perspective we're also looking at what would be
22 the identifiable subcommittees that we might be

1 looking at from topic areas so that we can open
2 it up for some discussion and then see what we're
3 looking at and then what the next steps would be
4 from that.

5 I think I did hear -- and I'll start
6 the conversation, but I hope others join in --
7 that there was some identifiable needs for some
8 discussion on what the scope should be. There
9 was some focus on the need for cybersecurity.

10 There was some focus on the need for what I call
11 those things that should be in the bucket and out
12 of the bucket and looking at what the --

13 Look. There are some suggestions. So
14 these are at least some suggestions that are up
15 there, best practices, policy/legal/funding, data
16 and information structures and system
17 development. To the extent that we can use this
18 as a framework for some of our discussion on what
19 seems relevant, what seems not relevant and what
20 we also need to make sure we include.

21 Understanding that this is really our
22 first committee meeting, our first working group

1 meeting, that is helping us from an educational
2 perspective but also a getting to know what we
3 need to know and what we need to do. I also see
4 that there's also a need for looking at what
5 other things may come down the pipe that we need
6 to keep in mind. That gets to the in-the-
7 bucket/out-of-the-bucket, kitchen sink
8 subcommittee.

9 With that in terms of looking at these
10 different subcommittees, does anybody have any
11 thoughts on this? For those who are on the phone
12 who may not have it up, the subcommittees are
13 four committees.

14 The first is Best Practices which
15 understands current industry initiatives
16 applicable to this effort and lessons learned.
17 The second, Policy/Legal/Funding which is
18 addressing system security, proprietary data and
19 funding and other policy concerns, the
20 recommendations.

21 And the third is Data Information
22 Structures which is consider appropriate pipeline

1 inspection and other safety data and information
2 and data structures. And the fourth is system
3 development, identify system development
4 standards, technologies and alternatives.

5 I will say that I know this is a lot
6 to digest and this doesn't mean that because we
7 may or may not decide to do one or all or more of
8 these subcommittees that that will lock us in
9 forever and ever. But this is really an
10 opportunity for us to figure out what might be
11 the things that we want to focus on while we move
12 forward.

13 It may also be that maybe some of you
14 think that we should before we initiate
15 subcommittees have some more time to think about
16 it and weigh in. And that also is something that
17 we should discuss now and look at what we need to
18 do before we get to some of the drill down work
19 that might be applicable.

20 From my perspective, it's really an
21 opportunity for us to have some real conversation
22 around this. And I am not wedded to any

1 particular idea in going forward. My focus is on
2 helping us since we have decided that we do want
3 to move forward to look at it from the
4 perspective of how can we collaborate together
5 with the goal of continuing and improving
6 pipeline safety and the voluntary information
7 sharing systems that may be needed to help with
8 that. That's really it from where I come from.

9 I'm open to anyone who might have some
10 thoughts on this in the room. Mark?

11 MEMBER HERETH: So there were -- Mark
12 Hereth with PPIC. There were several of us that
13 discussed what we had talked about this morning
14 and really appreciated the background that was
15 provided and the context.

16 One of the things that we discussed
17 was in one of our future meetings was to actually
18 have several ILI service providers and several
19 operators come in and present their perspectives
20 and do it in the context of opportunities and
21 obstacles or potential obstacles. So what are
22 the opportunities that we have here and those are

1 really set out to a great degree within the
2 charter and set out very well. But it's what are
3 the challenges and obstacles.

4 We talked about doing that as a large
5 group. You could do it as a subcommittee and
6 have the subcommittee come back. But we talked
7 about doing it as a large group because we felt
8 it was important in terms of being transparent
9 and having people fully appreciate the nature of
10 the issues in terms of proprietary information
11 and intellectual property. Then people will have
12 an appreciation for those. Then we then find a
13 way to work through those. But we saw a great
14 value in it.

15 You might have a set of the top ILI
16 service providers and a selection of operators.
17 We even talked about having a combination of an
18 operator and an ILI service provider talking
19 about how they do data exchange today, sort of
20 the current state. Just some thoughts. And
21 those of you at lunch may want to share other
22 ideas, but just some initial thoughts there.

1 CHAIR BURMAN: Thank you. Eric.

2 MEMBER AMUNDSEN: Maybe just -- Eric
3 Amundsen again -- to add to what Mark said. I
4 always try to simplify things when you're dealing
5 with a complex problem. And this is a complex
6 problem because there is a lot of different
7 stakeholders and constituencies and it's not an
8 easy thing to do on the scale that we're talking
9 about.

10 Maybe a good starting point is a
11 strawman of sorts. So what does a good process
12 like this look like? Even if it's in generic
13 terms, how do we do plan-do-check-act today
14 generically?

15 Take the next step further. What does
16 that look like within certain companies. With
17 energy transfer, how do we do this process today
18 with ROSEN? They're one of our service providers
19 and one of our partners in what we do.

20 To Mark's point as an example, we come
21 in and Bryce and I present how do we do this
22 process today. How does it work? How does it

1 not work so well? How does it work on maybe
2 certain of our pipeline systems and not so well
3 on others? And why is that? That will give the
4 audience and the committee a sense of the
5 difficulty in doing this so broadly.

6 It's kind of how do we do it today.
7 What does best practice look like? And what
8 keeps it from doing it or not?

9 And then take it to the next level
10 that we're talking about it as an industry level.
11 How do you take that and deploy that across the
12 industry? Does it look different than it does
13 within an individual company? Does it look
14 different than it does generically? And what are
15 those challenges?

16 And then a real key part of this is
17 what's going to motivate or what's going to
18 compel the industry to do this at that broad
19 level. What's in it for us? What's in it for
20 the industry? What's in it for all of the
21 stakeholders? How do we get value doing it at
22 that broader level? Because we're doing it very

1 well at a company and service provider level,
2 what's going to compel us to expand the
3 application?

4 I'm not saying there won't be benefit,
5 but those are the questions that we have to
6 answer. That's in the charter. It's ways to
7 encourage the exchange. So we're going to have
8 to compel each other to do this. So we're going
9 to have to come up with those reasons. So again
10 just kind of work it through that process makes
11 sense to me as an approach.

12 CHAIR BURMAN: And it sounds like also
13 from what you're saying what are the barriers
14 that may prevent us from doing what we would like
15 to do which gets to some of the FAA issues in
16 terms of non-punitive focus.

17 MEMBER AMUNDSEN: I think there are a
18 lot of barriers. One is the propriety of the
19 information. We're doing this in the context of
20 safety. I think that will tend to undermine that
21 issue. But there's just a lot of challenge I
22 guess mechanically in doing such a broad

1 application of this process.

2 I think if we can just get our arms
3 around what's a good process look like and how do
4 you expand it to an industry level, what does
5 that look like, what are the challenges, what are
6 the outcomes that we can expect to compel us to
7 go forward. I think the propriety and the
8 security are easier problems to solve. I think
9 the bigger challenge is going to be how do we do
10 it at an industry level and how do we compel
11 participation.

12 CHAIR BURMAN: Administrator.

13 MS. DOMINGUEZ: Just building off of
14 what Eric put on the table, something for you all
15 to think about as well is if there's opportunity
16 for large operators to share current practices
17 now and how you're doing the proposal that you've
18 outlined. What's that gamut of operators because
19 everybody is different? If you're looking at
20 different --

21 Not everybody is here represented at
22 the table in terms of membership of this work

1 group. But just a suggestion, if that is a way
2 forward that you all take on as a working group
3 how do you get that larger perspective of the
4 entire industry and not just some of the larger
5 players that are investing in some of the ILI
6 tools and technologies, etc. and then discerning
7 them. But what does the entire industry look
8 like and could you in your presentation look to
9 try and represent that larger picture?

10 I think you're right. At the end of
11 the day, it's looking to see how do you get folks
12 to find in the value in all of this. And that's
13 the entire scope of the industry, not just
14 individual players.

15 CHAIR BURMAN: Leif.

16 MEMBER JENSEN: Thank you. Once
17 again, Leif Jensen. To take Eric's example one
18 step further which gets to an issue I had raised
19 before lunch and it's around the immunity and
20 confidentiality issues.

21 One option would be to bring a case
22 study in front of the group, not just like Eric

1 suggests, best practices today, but perhaps a
2 miss. And say Sunoco Logistics brought in a case
3 study where we had a release. We had a corrective
4 action order and present the root causes that led
5 up to that. I think that would be a great
6 learning opportunity for this group.

7 But in order for that to happen, there
8 has to be a confidentiality agreement amongst
9 this group of 24 people so that that information
10 isn't compromised. And I don't know if it fits
11 in the Policy/Legal/Funding area. But that issue
12 needs to get resolved in order to build that
13 trust and faith that our data and information
14 isn't going to be compromised as we build our
15 recommendation.

16 CHAIR BURMAN: Alan.

17 MEMBER MAYBERRY: I was thinking in
18 terms of the briefing on the current state that
19 it would be good to hear about current practices
20 there. I'd like to think too that we'd focus on
21 what can be. I guess that would come out of
22 identifying obstacles, but what can be.

1 I know there are some operators out
2 there that would be great to hear from that have
3 really done a good job of trying to find that
4 needle in the haystack. So it would be great to
5 really find who the leaders are in doing that for
6 looking at a briefing that is focusing on what
7 can be. Who is really ahead of the curve on that
8 since we really want to look toward where we can
9 be as opposed to reacting to the last accident.

10 I guess it's under the Legal part. If
11 there's anything we need to do to address the
12 concern over your coming to the table here to
13 share information, we certainly want to have open
14 dialogue.

15 If we're looking at a case study like
16 that, are there other issues that we need to
17 address that might prevent open dialogue here? I
18 guess that's a thought I had, too. I'd be
19 interested in hearing about that.

20 CHAIR BURMAN: Dan.

21 MEMBER COTE: Just a recommendation,
22 Madam Chairman. As I listen to the discussion, I

1 agree with virtually everything the prior
2 speakers have said. But before we get to that
3 stage, it seems to me the critical enabler for
4 all of this and particularly for populating
5 subteams or subgroups is determining what the
6 scope is.

7 So my recommendation to the committee
8 is there are two ways to go about that. One,
9 it's such a critical issue that, Madam Chairman,
10 you may want the entire committee to work it.
11 But maybe a little more expedient a way is set up
12 a subcommittee to do that between now and the
13 next meeting and have them bring recommendations
14 back to this committee to work. I believe that
15 will expedite the process and will help us frame
16 by the next meeting exactly what the committee's
17 strategy is going forward.

18 With that, I believe populating the
19 subworking groups will be relatively simple
20 because based on scope very logical next steps
21 will follow. Thank you.

22 CHAIR BURMAN: Does anyone have any

1 thoughts on what Dan said or any other related to
2 this topic?

3 MEMBER PERRY: Hi, this is Simona
4 Perry on the phone. Yes, Dan. I think that's a
5 great idea. I would ask just do you consider --
6 I think the definitional questions -- and by
7 definitions I don't mean the specific taxonomy.
8 I mean the common language that we're speaking in
9 -- should also be something that we I guess
10 prioritize. The scope and the common language
11 that we're all working in.

12 I wouldn't be opposed if it is not too
13 burdensome that actually I think these are really
14 valuable discussions to have as a fully
15 committee. But I'm not sure. That might take
16 too long. But that's just my addition to what
17 Dan had to say. Thank you.

18 MEMBER BLYSTONE: Kate Blystone. You
19 said the word expedient. I have a feeling that
20 very little about what we're going to be doing is
21 expedient. I don't know about anyone else in
22 this room, but I'm fairly certain that most of us

1 want to be on the scoping subcommittee which
2 means it's just the full committee.

3 And I agree with Dr. Perry who just
4 spoke. I think that we have a responsibility.
5 This is the foundation for what we're going to
6 do. And I think we almost have to have that
7 discussion in a full group.

8 Maybe instead of establishing a
9 subcommittee for that that we all go away and
10 think about that answer to that question
11 ourselves. So when we come back to this meeting
12 we can bring that perspective.

13 I also think that we have a lot of
14 trust building to do in this room to make sure
15 that we have good recommendation going forward.
16 If we break into subcommittees too quickly, it
17 could make it difficult for us to achieve that
18 level of trust. Those are just my thoughts.

19 CHAIR BURMAN: Thank you. Does anyone
20 else have anything on the phone? Around the
21 table? In the audience?

22 (No verbal response)

1 Okay. So from what I'm hearing there
2 are a lot of different issues that we need to
3 cover. I mean obviously we've done a deep dive
4 today at a high level on some of the things and
5 especially because many of us, myself included,
6 really came to this last week at the end of the
7 week and then came here are still trying to
8 digest all that's there and what this may or may
9 not look like.

10 When I look at this -- then I'm going
11 to turn it over to Christie to help with some of
12 the next steps and action plan -- I look at I
13 think the key takeaway which is that we do find
14 value. We're very interested in having an
15 environment where we can voluntarily share
16 information that helps with the ultimate goal of
17 continuing and improving pipeline safety and not
18 only for evaluating past issues, but also helping
19 us on the future forward. So that we increase
20 our pipeline safety and reduce issues and learn.

21 A lot of the different issues now come
22 to the second threshold issue which is really the

1 scoping and the governance issues. I am hearing
2 that the majority of folks want to work on that
3 issue. I think that what's helpful from my
4 perspective is that while we do that scoping and
5 governance work between now and the next meeting
6 that we also look at what else needs to be on
7 that list or what's on the laundry list of things
8 that we need to keep in mind. Then we can
9 determine what should be a part of it and what
10 shouldn't be. And that will also help us with
11 our scoping and our governance.

12 And also who else may need to be part
13 of that group and may need to come to a meeting
14 to give us some feedback and their own
15 perspectives in terms of listening. We may need
16 different vendors that they need to be here as
17 well as different operators as well as others in
18 the public sector that we may need to have.

19 There is also the importance of how to
20 make the information confidential as well as to
21 the extent giving us an opportunity for future
22 case studies and analysis which really gets to

1 the FAA model of helping with taking that
2 information and doing the right data analysis
3 that will help us formulate some action plans for
4 better improvement.

5 With that, I am thinking that we
6 should focus on how to work through the process
7 so that the next working group meeting can be one
8 that's really detailed oriented and action
9 oriented to focusing on the next steps after
10 that. I do see the framework between now and
11 then needing to have those folks have an
12 opportunity to give us information following all
13 the legal and bureaucratic rules that need to be
14 in place to make that happen.

15 To the extent that it may not be --
16 and this gets back to again, Eric. You asked a
17 lot of good questions in the beginning because
18 one of the question you asked is about the formal
19 and informal process. This gets to between now
20 and then we may have a formal subcommittee that's
21 under the charter and the bylaws where the
22 chairman can designate a subcommittee with the

1 approval of the DFO.

2 But before that, I'd like to make sure
3 that we have as many people who want to be a part
4 of that work participate. So I'm not necessarily
5 unless somebody has a motion they want to make on
6 other committees thinking that really our
7 direction going forward is scope and governance,
8 to have another committee meeting in the first of
9 2017. That way we can look to that as the work
10 product.

11 We will need to have some drill down
12 work beforehand getting to Dan's initial question
13 when we first came which is needing to have the
14 time to digest it as well as to help to
15 facilitate a robust and informative meeting.
16 Then we are making decisions based on a
17 thoughtful process.

18 I don't know. I want to open it up if
19 anyone has any comments or questions at this time
20 on what we've heard. So is your silence
21 agreement or disagreement?

22 MEMBER EDWARDS: Yes. Hi, this is

1 Sherina Edwards in Illinois. I think what you
2 said is spot on. And I think even though because
3 this is our first meeting and we're supposed to
4 try for introductory purposes determine what the
5 overall marching orders will be for this
6 committee.

7 I think sticking to those that are
8 outlined for now is good. But I think as we
9 continue to meet perhaps in our second meeting or
10 as we perhaps continue to find out other things
11 that perhaps we need to be evaluating, then at
12 that time we can maybe propose another
13 subcommittee. At your discretion or your wish,
14 we can add those in. But I do agree for now that
15 we should keep a limited scope just so as not to
16 put the cart before the horse in a sense.

17 CHAIR BURMAN: Thank you. Anyone else
18 at the table? On the phone? In the audience?

19 (No verbal response)

20 All right. So I think we now leave it
21 to Christie and to Alan to wrap up in terms of
22 where we are and next steps.

1 MEMBER MAYBERRY: I was going to
2 suggest that actually this is really an add-on to
3 the last discussion related to scope. I just
4 want to be clear. We have in the statute a
5 somewhat clearly identified path for direction
6 that's focused on talking about addressing the
7 full scope of what we cover beyond what's in the
8 statute. Is that kind of where we are as far as
9 how far encompassing we are?

10 CHAIR BURMAN: I do want to add to
11 that. I think that the minutes of this meeting
12 will be helpful also to help us make sure that we
13 didn't miss anything. You know there was a lot
14 of robust discussion around transmission vs.
15 distribution, in terms of the different folks
16 that might need to be a part of this discussion,
17 in terms of cybersecurity and others.

18 I think the minutes will help us in
19 terms of figuring out our scope, understanding
20 that we are limited and not limited in a sense to
21 the statutory duties. And to that extent, we're
22 looking at how now we work within that and expand

1 it or not based on that need and keeping in mind
2 the overall threshold goal of continuing and
3 improving pipeline safety which is the first and
4 foremost core issue.

5 MEMBER MAYBERRY: Thanks. So I was
6 going to suggest maybe at the next meeting we
7 have a robust discussion on that. Really I think
8 we'll need to be conversing in the meantime
9 thought as far as what would be the scope and
10 really coming next time prepared to really close
11 that out, close that discussion out if possible.

12 The other part of that meeting would
13 likely be if everyone is agreeable -- we haven't
14 really discussed it -- a briefing as what Mark
15 had described with some vendors and operators.
16 It might be an opportunity for education plus
17 really peaking the conversation or seeding the
18 conversation on what can be in that area. With
19 that, I'll turn it over to Christie for any other
20 thoughts.

21 MS. MURRAY: Thank you, Alan. This is
22 Christie Murray. I just wanted to -- if we're at

1 the point in the agenda where we're actually
2 doing an action item recap and our next steps --
3 thank you all for participation, great dialogue.

4 Some of the key things that I heard
5 which really tie back to where we're going to
6 with the next meeting is what is the scope, can
7 it be expanded, how do we address sensitivities,
8 confidentiality, FOIA concerns. There was a
9 common theme around pipeline safety being the
10 true focus of our efforts.

11 Also I heard mentioned how do we get
12 people to translate risk in a clear and concise
13 way and to factor in social and cultural gaps in
14 communication. There was a lot of discussion
15 around transparency in the industry. A key theme
16 around building trust as part of this working
17 group and even beyond as we move forward with
18 information sharing activities and initiatives.

19 Also there was discussion around SMS.
20 How do we keep pace without sacrificing safety in
21 our industry? How are we quantifying the impact
22 on safety? Can we focus on preventing the next

1 accident? Expanding to include other key
2 pipeline safety areas like distribution systems.

3 Human factors, making sure we continue
4 to have a focus on that. Also how do we look at
5 the data and information we currently have? How
6 do we make sure it's of quality? It's accurate.
7 How do we build on that from an analysis
8 standpoint?

9 Also there was a key point about how
10 do we use the data we have, leverage technology
11 to effectively characterize the risk so that we
12 can take appropriate and relevant actions? How
13 do you share voluntarily in a relevant way again
14 focused around with a specific goal of taking
15 action moving forward?

16 There was a concern that some
17 stakeholders will use this process and the
18 efforts of this working group to question whether
19 pipelines should operate or whether new pipelines
20 should be constructed or just to serve different
21 interests outside of the intent of this working
22 group.

1 It was also pointed out that we need
2 to really focus on what constitutes success for
3 this overall effort and how do we make sure that
4 we focus on making pipelines safe.

5 There was a discussion on the need for
6 common language as a part of the committee itself
7 and expanding beyond that with a common taxonomy
8 with the whole information sharing system work
9 moving forward. And how do we make sure we
10 address data, governance, the format, the
11 structure as part of what we're doing?

12 As I say all that, there are a lot of
13 great pieces that we'll need to flush out. I
14 think this was great to have that much come out
15 of a first working group meeting.

16 So what will be important as I've
17 heard throughout today is making sure that we
18 focus and make sure that we do some work offline
19 as a committee, to organize around how to derive
20 at a scope.

21 What I anticipate prior to our next
22 face-to-face meeting is we may need to have a

1 little homework with the committee and ask for
2 priorities, information that can do a few things.
3 One will be reaching out to poll so that we can
4 understand your calendar and availability. I
5 would say between February and March for the next
6 meeting. But we'll send something out related to
7 that. We can then gauge the availability of the
8 majority.

9 Two is we'll also be teeing up some
10 areas that we believe the committee based on what
11 we've heard today and going back and getting the
12 transcript data to understand key themes that
13 came out that certainly need to be teed up as a
14 part of the scope. Then summarizing that and
15 sending that back to the group and asking for
16 additional items for consideration for our next
17 meeting's face-to-face scope discussion.

18 What we'll commit to do is take back
19 what we heard today to try to make sure that we
20 come back with our next face-to-face meeting with
21 a process that will help this group better focus
22 and zoom on where the focus really needs to be as

1 far as the scope and governance for the working
2 group and getting more input.

3 Also we will likely be reaching out if
4 there are information briefings that are of
5 interest to the working group that we will ask
6 ahead of time. And if there are recommendations
7 on entities and organizations and/or individuals
8 who are best to come and share on key topics we
9 will also be reaching out to the working group to
10 understand what that could look like as well.

11 With that being said, I want to thank
12 everybody again. That's all I have. Thank you.

13 CHAIR BURMAN: I just want to take a
14 moment of personal privilege to thank the
15 Administrator. I started talking in the beginning
16 about it's not enough to stare at the steps. You
17 must walk up the steps.

18 From my perspective, she's been laser-
19 focused in her leadership on this being an
20 important issue. And as we heard from AGA, this
21 has been something that is not new. Folks have
22 been talking about it for a number of years and

1 trying to grapple with it.

2 And we really have an opportunity to
3 take this vision and decide how do we as
4 individuals and then within this working group
5 actually do something that we can look at and say
6 we made a difference.

7 From my perspective, I really am
8 looking forward to trying to work together
9 collaboratively, understanding that there will be
10 some robust discussion. And some of that robust
11 discussion may be more animated than others. But
12 at the end of the day, the core focus is we want
13 to try to do something that has legs not just for
14 now but for the future.

15 I am cognizant of the fact that
16 learning to walk up steps and the stairs is
17 difficult not just for dogs and babies but for
18 all of us. And we can't necessarily seek to run
19 full force especially if we're wearing slippers
20 up the steps because we may fall down flat on our
21 faces.

22 To the extent we can take this

1 opportunity to think about how do we do it, how
2 do we do it carefully, responsibly and with due
3 diligence so that we have a pathway here. Really
4 with that, I think -- Are we done?

5 Administrator.

6 MS. DOMINGUEZ: Yes, thank you.
7 Diane, first and foremost, thank you very much
8 for your willingness to serve and lead this work
9 group. I think it's terribly important and I
10 very much appreciate your words.

11 You've been very adept. It's pulling
12 together a number of the issues that are being
13 placed on the table and helping guide the
14 discussion already in the first meeting today.

15 But I wanted to thank each of you. I
16 really meant my comments in the beginning of this
17 session. This really is ground-breaking work
18 that you're undertaking. I thank you for your
19 time. I thank you for your energies that you're
20 going to be devoting to this.

21 I really think that path forward that
22 you've defined in taking this offline about

1 scoping the work of this committee is terribly
2 important, understanding the governance of how
3 you want to work and then also the governance of
4 data is important and understanding how to do
5 that in a system where obviously we've got some
6 legal thresholds to be cognizant of as well.

7 But I do want -- I love the Teddy
8 Roosevelt quote "Man in the Arena." You guys
9 have stepped up. You're in the arena. And
10 you're doing good. So I greatly appreciate the
11 challenges that are ahead of you. I thank you
12 for taking it on. Thank you.

13 And a big, huge thank you to the PHMSA
14 team who literally work day and night. But I
15 very much appreciate you all on short notice of
16 coming and clearing your calendars for this first
17 meeting. It really is an inaugural step forward.

18 I wish you all well. Congratulations.

19 CHAIR BURMAN: And with that, the
20 meeting is adjourned.

21 (Whereupon, the above-entitled matter
22 went off the record at 2:46 p.m.)

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