

# Pipeline Advisory Committee



## Update on Mandates and Recommendations

*August 25, 2015*

Alan Mayberry

-  
1



# Topics

- Congressional Mandates
- NTSB Recommendations
- OIG Recommendations
- GAO Recommendations



# Summary

- 28 of the mandates and actions are complete; 20 remain open
  - 26 mandates and 2 actions
- 9 of 26 NTSB pipeline accident related recs closed
- NTSB adopted a Safety Study on Integrity Management of Gas Transmission Pipelines
  - 1 of 22 closed
  - 1 of the 21 remaining open, open-unacceptable
- 14 of 16 OIG recs closed
- 1 of 7 GAO recs closed



# Congressional Mandates

-  
4



Topic		Mandate	Deadline	Status
<b>Administrative Enforcement and Civil Penalties</b>	2	No mandate, but PHMSA should update Part 190 to be consistent with new penalty provisions.	None	Completed.
<b>Damage Prevention</b>	3(a)-(c)	Incorporate into PHMSA's grant program new standards for state one call programs, such as no state and local exemptions.	1/3/2014	Completed.
<b>Damage Prevention</b>	3(d)	Conduct a study and report to Congress on the impact of excavation damage on pipeline safety, including frequency, severity and type of damage, and a survey of state exemptions.	1/3/2014	Complete. Sent to Congress on 10/9/14.
<b>Automatic and Remote-Controlled Shut-Off Valves</b>	4	Require the use of automatic or remote-controlled shut-off valves on transmission pipelines constructed or entirely replaced after the date of the rule, if appropriate.	1/3/2014	Study completed (not-required) and relayed to Congress by 1/3/13. Rule drafting underway.
<b>IMP Expansion and Class Location Replacement</b>	5(a)-(d)	Conduct an evaluation on whether IMP should be expanded beyond HCAs and whether gas IMP should replace class locations.	7/3/2013	60 day FR notice published 8/1/13 to ask for comment by 11/1/13. Comments under review. A workshop is planned for April.



<b>IMP Expansion and Class Location Replacement</b>	5(a)-(d)	Report findings from the evaluation to Congress.	1/3/2014	Report to Congress is late.
<b>IMP Expansion and Class Location Replacement</b>	5(e)	PHMSA may extend a gas pipeline operator's 7-year reassessment interval by 6 months if the operator submits written notice with sufficient justification of the need for an extension. PHMSA should publish guidance on what constitutes sufficient justification.	None	Being considered in rulemaking. If rule goes final, guidance will be developed.
<b>IMP Expansion and Class Location Replacement</b>	5(f)	If appropriate, issue regulations expanding IMP and/or replacing class locations (but may not issue during review period unless there is a risk to public safety).	As soon as practicable after review period (1/3/2015)	Determinate on 5(a)-(d).
<b>Public Education and Awareness</b>	6	Maintain operators' most recent oil facility response plans and provide a copy to any requester, but exclude sensitive information.	Immediately	Implemented with continuing improvements to FRP program.



<b>Public Education and Awareness</b>	6	Maintain a map of all HCAs as part of NPMS.	Immediately	Continuing implementation.
<b>Public Education and Awareness</b>	6	Update the map biennially.	Every 2 yrs	Continuing implementation.
<b>Public Education and Awareness</b>	6	Implement a program for promoting greater awareness of NPMS to state and local emergency responders and other parties.	1/3/2013	Ongoing through ER Outreach program and CATS program, articles in ER publication.
<b>Public Education and Awareness</b>	6	Issue guidance to operators on providing system-specific information to emergency responders after consulting with them on current practice.	7/3/2013	Completed with ADB to operators and on-going through ER Outreach program.
<b>Cast Iron Gas Pipelines</b>	7	Conduct a follow-up survey on industry's progress in replacing cast iron gas pipelines.	12/31/2012 and every 2 yrs thereafter	Online system to track cast iron inventories developed and implemented.
<b>Cast Iron Gas Pipelines</b>	7	Submit status report to Congress	12/31/2013	Letter sent to Congress by 1/3/13.





<b>Leak Detection</b>	8(a)	Submit a report to Congress on leak detection systems used by hazardous liquid operators.	1/3/2013	Study completed and relayed to Congress by 1/3/13.
<b>Leak Detection</b>	8(b)	If appropriate, issue regulations requiring leak detection on hazardous liquid pipelines and establishing leak detection standards (but may not issue during review period unless there is a risk to public safety).	As soon as practicable after 1/3/2014	Rule drafting underway.
<b>Accident and Incident Notification</b>	9(a)-(b)	Revise regulations to require telephonic reporting no later than 1 hour following “confirmed discovery” and to require revising initial telephonic report after 48 hours if practicable.	7/3/2013	ADB issued 1/30/2013. Operator Qualification, Cost Recovery and Other Proposed Changes Rulemaking. Published on July 10, 2015.
<b>Accident and Incident Notification</b>	9(b)(2)	Review and revise, as necessary, procedures for operators and the NRC to notify emergency responders, including 911.	7/3/2013	ADBs issued 11/3/2010 and 10/11/12.
<b>Administrative Enforcement and Civil Penalties</b>	10	No mandate, but PHMSA should update Part 190 to be consistent with new authority to enforce Part 194 regulations. <b>(Mandate counted as part of Section 2)</b>	None	Completed.
<b>Data collection (flow lines, etc.)</b>	11	No mandate, but PHMSA may collect other geospatial and technical data for NPMS.	None	NPMS Information Collection.





<b>Data collection (flow lines, etc.)</b>	12	No mandate, but PHMSA may collect geospatial and other data on “transportation-related oil flow lines,” as defined in the Act.	None	Under consideration.
<b>Cost Recovery for Design Reviews</b>	13	Prescribe fee structure and procedures for assessment and collection in order to implement authority to recover design review costs for projects that cost over \$2.5 billion or that involve “new technologies.”	None	<b>Operator Qualification, Cost Recovery and Other Proposed Changes Rulemaking. Published on July 10, 2015.</b>
<b>Cost Recovery for Design Reviews</b>	13	Issue guidance on the meaning of the term “new technologies.”	<b>1/3/2013</b>	<b>Guidance completed and posted on PHMSA website by 1/3/13.</b>
<b>Biofuel Pipelines</b>	14	No mandate, but PHMSA may issue regulations for pipelines transporting non-petroleum fuels, such as biofuels.	None	<b>May be covered in proposed rulemaking.</b>
<b>CO<sub>2</sub> Pipelines</b>	15	Issue regulations for transporting carbon dioxide by pipeline in a gaseous state.	None	Report in concurrence.
<b>Diluted Bitumen</b>	16	Review and report to Congress on whether current regulations are sufficient to regulate pipelines transporting diluted bitumen.	<b>7/3/2013</b>	<b>Completed.</b>



<b>Non-Petroleum Hazardous Liquids</b>	17	PHMSA may analyze the extent to which pipelines are transporting non-petroleum hazardous liquids, such as chlorine, whether they are unregulated, and whether being unregulated presents risks to the public. The results of any analysis must be made available to Congress.	None	Report in concurrence.
<b>Maintenance of State Efforts</b>	19	Grant waivers of the maintenance of effort clause in FY12 and FY13 to States that demonstrate an inability to maintain funding to their safety program due to economic hardship.	<b>FY12 and FY13</b>	<b>Completed</b>
<b>Maintenance of State Efforts</b>	19	PHMSA may grant such a waiver for FY 14.	FY14	<b>Completed</b>
<b>Administrative Enforcement and Civil Penalties</b>	20	Issue regulations for enforcement hearings that require a presiding official, implement a separation of functions, prohibit ex parte, etc.	1/3/2014	<b>Completed</b>
<b>Gathering lines</b>	21(a)-(b)	Review and report to Congress on existing Federal and State regulations for <u>all</u> gathering lines, existing exemptions, and the application of existing regulations to lines not presently regulated.	<b>1/3/2014</b>	<b>Completed</b>



<b>Gathering lines</b>	21(c)	If appropriate, issue regulations subjecting offshore <u>liquid</u> gathering lines to the same standards as other liquid gathering lines.	None	Under consideration.
<b>Excess Flow Valves</b>	22	Issue regulations requiring the use of excess flow valves on new or entirely replaced distribution branch services, multi-family facilities, and small commercial facilities, if appropriate.	1/3/2014	Rulemaking on track.
<b>MAOP Verification</b>	23	Require tests to confirm the material strength of previously untested gas transmission pipelines in HCAs.	7/3/2013	Annual rpt/info collection due by 6/15 will inform rulemaking. IVP process flowchart by team. Aug 7 IVP workshop. May be covered in proposed rulemaking.
<b>MAOP Verification</b>	23	Require operators to report any exceedance of MAOP within 5 days, and regulations to ensure safety of pipelines without records to confirm MAOP.	None	ADB issued 12/21/12. May be covered in proposed rulemaking.
<b>MAOP Verification</b>	23	Require operators to report by 7/3/2013 any pipelines without sufficient records to confirm MAOP.	Prior to 7/3/2013	ADBs issued 1/10/11 and 5/7/2012. Annual report info. Completed
<b>MAOP Verification</b>	23	Issue Advisory Bulletin regarding existing requirements to verify records confirm MAOP in Classes 3 and 4 and in HCAs.	Prior to 7/3/2012	Completed



<b>Limitation on Incorporation By Reference</b>	24	PHMSA may not incorporate by reference into its regulations or guidance material any document that is not made publicly available free of charge on an internet website.	1/3/2015	<b>Completed</b>
<b>Training for State Personnel</b>	25	No mandate, but PHMSA may provide training personnel at state-operated training facilities, and may require reimbursement for expenses, such as travel.	None	<b>Completed</b>
<b>Cover Over Buried Pipelines</b>	28	Conduct a study and report to Congress on hazardous liquid pipeline accidents at water crossings to determine if depth of cover was a factor.	<b>1/3/2013</b>	<b>Study completed and relayed to Congress by 1/3/13.</b>
<b>Cover Over Buried Pipelines</b>	28	If study shows depth of cover was a factor, review the sufficiency of existing depth of cover regulations and make any legislative recommendations to Congress.	1 yr from completion of study	<b>Completed.</b>
<b>Seismicity</b>	29	No mandate, but PHMSA should issue regulations to be consistent with requirement in statute that operators consider seismicity in identifying and evaluating all potential threats to each pipeline pursuant to Parts 192 and 195.	None	<b>May be covered in proposed rulemaking.</b>

-  
1  
2



<b>Tribal Consultation</b>	30	Develop and implement a protocol for consulting with Indian tribes to provide technical assistance for the regulation of pipelines that are under the jurisdiction of Indian tribes.	1/3/2013	Protocol/policy completed and posted on PHMSA website by 1/3/13.
<b>Pipeline Inspection and Enforcement Needs</b>	31	<p>Report to Congress on the total number of FTEs for pipeline inspection and enforcement, the number of such FTEs that are not presently filled and the reasons they are not filled, the actions being taken to fill the FTEs, and any additional resources needed.</p> <p>PHMSA may increase the number of such FTEs by 10 in FY14 only if all the original FTEs are filled on or before 9/30/14.</p>	1/3/2013	Completed and report sent to Congress on 12/20/12.
<b>Pipeline Transportation R&amp;D</b>	32	After the initial 5-year program plan under § 12 of the PSIA of 2002 has been carried out, prepare a research and development program plan every 5 years, in coordination with NIST, as appropriate.	Immediately, and every 5 yrs thereafter	Report transmitted to Congress on 7/30/13. Completed.



<b>Pipeline Transportation R&amp;D</b>	32	Transmit a report to Congress on the status and results-to-date of implementation of the program every 2 years.	1/3/2014 and every 2 yrs thereafter	Completed and reoccurring
<b>Pipeline Transportation R&amp;D</b>	32	Ensure at least 30% of the costs of program-wide R&D activities are carried out using non-Federal sources.	Immediately	Completed



# Open NTSB Audit Recommendations

-  
1  
5



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

To Protect People and the Environment From the Risks of  
Hazardous Materials Transportation





Rec#	Recommendation	Action	NTSB Status	Status
<b>P-01-2</b>	Require that excess flow valves be installed in all new and renewed gas service lines, regardless of a customer's classification, when the operating conditions are compatible with readily available valves.	Notice of Proposed Rulemaking (NPRM) titled "Pipeline Safety: Expanding the Use of Excess Flow Valves in Gas Distribution Systems to Applications Other Than Single-Family Residences." Published on July 15, 2015 in the Federal Register.	Open – Acceptable Response	In Progress
<b>P-04-1</b>	Remove the exemption in regulations that permits pipe to be placed in natural gas service after pressure testing when the pipe cannot be verified to have been transported in accordance with the American Petroleum Institute's (API) recommended practice RP5L1.	Closed. "Pipeline Safety: Miscellaneous Changes to Pipeline Safety Regulations." Final rule published .	Closed	Complete
<b>P-04-3</b>	Evaluate the need for a truck transportation standard to prevent damage to pipe and, if needed, develop the standard and incorporate it into regulations for both natural gas and hazardous liquid line pipe.	Closed. "Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Amendments." This adopts adopt API Recommended Practice 5L T, "Recommended Practice for Truck Transportation of Line Pipe." Final rule published.	Closed	Complete



<b>P-09-1</b>	Conduct a comprehensive study to identify actions that can be implemented by pipeline operators to eliminate catastrophic longitudinal seam failures in electric resistance welded (ERW) pipe; at a minimum, the study should include assessments of the effectiveness and effects of in-line inspection tools, hydrostatic pressure tests, and spike pressure tests; pipe material strength characteristics and failure mechanisms; the effects of aging on ERW pipelines; operational factors; and data collection and predictive analysis.	Closed	Closed	Complete
<b>P-09-2</b>	Based on the results of the study from NTSB Open Recommendation P-09-1, implement the actions needed.	To further develop how to evaluate seam issues, PHMSA added a Phase 2. Remains on track.	Open – Acceptable Response	In Progress
<b>P-11-8</b>	Require operators of natural gas transmission and distribution pipelines and hazardous liquid pipelines to provide system-specific information about their pipeline systems to the emergency response agencies of the communities and jurisdictions in which those pipelines are located. This information should include pipe diameter, operating pressure, product transported, and potential impact radius.”	NTSB supports the establishment of the public awareness working group and awaits the results. The recommendation remains open.	Open – Acceptable Response	In Progress

1  
7



<b>P-11-9</b>	Require operators of natural gas transmission and distribution pipelines and hazardous liquid pipelines to ensure that their control room operators immediately and directly notify the 911 emergency call center(s) for the communities and jurisdictions in which those pipelines are located when a possible rupture of any pipeline is indicated	Rule drafting begun.	Open – Acceptable Response	In Progress
<b>P-11-10</b>	Require that all operators of natural gas transmission and distribution pipelines equip their supervisory control and data acquisition systems with tools to assist in recognizing and pinpointing the location of leaks, including line breaks; such tools could include a real-time leak detection system and appropriately spaced flow and pressure transmitters along covered transmission lines.	Rule drafting begun. R&D initiatives.	Open – Acceptable Response	In Progress
<b>P-11-11</b>	Amend Title 49 Code of Federal Regulations Section 192.935(c) to directly require that automatic shutoff valves (ASV) or remote control valves (RCV) in high consequence areas and in class 3 and 4 locations be installed and spaced at intervals that consider the population factors listed in the regulations.”	Rule drafting begun.	Open – Acceptable Response	In Progress



<b>P-11-12</b>	Amend 49 CFR 199.105 and 49 CFR 199.225 to eliminate operator discretion with regard to testing of covered employees. The revised language should require drug and alcohol testing of each employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident.	“Pipeline Safety: Operator Qualification, Cost Recovery, and Other Proposed Changes.” Published on July 10, 2015.	Open – Acceptable Response	In Progress
<b>P-11-14</b>	Amend Title 49 Code of Federal Regulations 192.619 to delete the grandfather clause and require that all gas transmission pipelines constructed before 1970 be subjected to a hydrostatic pressure test that incorporates a spike test.	PHMSA may propose the IVP and address the Grandfather Clause in the Gas Transmission NPRM.	Open – Acceptable Response	In Progress
<b>P-11-15</b>	Amend Title 49 Code of Federal Regulations Part 192 of the Federal pipeline safety regulations so that manufacturing- and construction-related defects can only be considered stable if a gas pipeline has been subjected to a post-construction hydrostatic pressure test of at least 1.25 times the maximum allowable operating pressure.	PHMSA may propose the IVP in the Gas Transmission NPRM.	Open – Acceptable Response	In Progress



<b>P-11-16</b>	Assist the California Public Utilities Commission in conducting the comprehensive audit recommended in Safety Recommendation P-11-22.	Closed	Closed	Complete
<b>P-11-17</b>	Require that all natural gas transmission pipelines be configured so as to accommodate in-line inspection tools, with priority given to older pipelines.	Closed	Closed	Complete
<b>P-11-18</b>	Revise your integrity management inspection protocol to (1) incorporate a review of meaningful metrics; (2) require auditors to verify that the operator has a procedure in place for ensuring the completeness and accuracy of underlying information; (3) require auditors to review all integrity management performance measures reported to the Pipeline and Hazardous Materials Safety Administration and compare the leak, failure, and incident measures to the operator's risk model; and (4) require setting performance goals for pipeline operators at each audit and follow up on those goals at subsequent audits.	Issued a revision of the HL IM Enforcement Guidance. Series of IM questions have been added to the question set used for inspections. Stood up gas and liquid data and metrics teams.	Open – Acceptable Response	In Process



<b>P-11-19</b>	(1) Develop and implement standards for integrity management and other performance-based safety programs that require operators of all types of pipeline systems to regularly assess the effectiveness of their programs using clear and meaningful metrics, and to identify and then correct deficiencies; and (2) make those metrics available in a centralized database.”	Closed	Closed	Complete
<b>P-11-20</b>	Work with state public utility commissions to (1) implement oversight programs that employ meaningful metrics to assess the effectiveness of their oversight programs and make those metrics available in a centralized database, and (2) identify and then correct deficiencies in those programs.	<a href="http://primis.phmsa.dot.gov/comm/States.htm?nocache=7437">http://primis.phmsa.dot.gov/comm/States.htm?nocache=7437</a>  A thorough review of the metrics will be conducted with each state pipeline program as part of their annual on-site program evaluation. Each state program will be asked to address and correct any noted deficiencies. This is ongoing.	Open – Acceptable Response	In Process

-  
2  
1





<b>P-12-3</b>	Revise Title 49 Code of Federal Regulations 195.452 to clearly state (1) when an engineering assessment of crack defects, including environmentally assisted cracks, must be performed; (2) the acceptable methods for performing these engineering assessments, including the assessment of cracks coinciding with corrosion with a safety factor that considers the uncertainties associated with sizing of crack defects; (3) criteria for determining when a probable crack defect in a pipeline segment must be excavated and time limits for completing those excavations; (4) pressure restriction limits for crack defects that are not excavated by the required date; and (5) acceptable methods for determining crack growth for any cracks allowed to remain in the pipe, including growth caused by fatigue, corrosion fatigue, or stress corrosion cracking as applicable.”	May be addressed in NPRM “Pipeline Safety: Safety of On-Shore Hazardous Liquid Pipelines.”	Open – Acceptable Response	In Process
<b>P-12-4</b>	Revise Title 49 Code of Federal Regulations 195.452(h)(2), the "discovery of condition," to require, in cases where a determination about pipeline threats has not been obtained within 180 days following the date of inspection, that pipeline operators notify the Pipeline and Hazardous Materials Safety Administration and provide an expected date when adequate information will become available.	May be addressed in NPRM “Pipeline Safety: Safety of On-Shore Hazardous Liquid Pipelines.”	Open – Acceptable Response	In Process

-  
2

2





<b>P-12-5</b>	Conduct a comprehensive inspection of Enbridge Incorporated's integrity management program after it is revised in accordance with Safety Recommendation P-12-11.	Closed	Closed	Complete
<b>P-12-6</b>	Issue an advisory bulletin to all hazardous liquid and natural gas pipeline operators describing the circumstances of the accident in Marshall, Michigan, including the deficiencies observed in Enbridge Incorporated's integrity management program, and ask them to take appropriate action to eliminate similar deficiencies.	Closed	Closed	Complete
<b>P-12-7</b>	Develop requirements for team training of control center staff involved in pipeline operations similar to those used in other transportation modes.	“Pipeline Safety: Operator Qualification, Cost Recovery, and Other Pipeline Safety Proposed Changes.” Published on July 10, 2015.	Open – Acceptable Response	In Process

-  
2  
3



<b>P-12-8</b>	Extend operator qualification requirements in Title 49 Code of Federal Regulations Part 195 Subpart G to all hazardous liquid and gas transmission control center staff involved in pipeline operational decisions.	“Pipeline Safety: Operator Qualification, Cost Recovery, and Other Pipeline Safety Proposed Changes.” Published on July 10, 2015.	Open – Acceptable Response	In Process
<b>P-12-9</b>	Amend Title 49 Code of Federal Regulations Part 194 to harmonize onshore oil pipeline response planning requirements with those of the U.S. Coast Guard and the U.S. Environmental Protection Agency for facilities that handle and transport oil and petroleum products to ensure that pipeline operators have adequate resources available to respond to worst-case discharges.	Considering rulemaking options.	Open – Acceptable Response	In Process
<b>P-12-10</b>	Issue an advisory bulletin to notify pipeline operators (1) of the circumstances of the Marshall, Michigan, pipeline accident, and (2) of the need to identify deficiencies in facility response plans and to update these plans as necessary to conform with the nonmandatory guidance for determining and evaluating required response resources as provided in Appendix A of Title 49 Code of Federal Regulations Part 194, "Guidelines for the Preparation of Response Plans.	Closed	Closed	Complete

-  
2  
4



<p><b>P-14-1</b></p>	<p>Revise Title 49 Code of Federal Regulations Section 903, Subpart O, Gas Transmission Pipeline Integrity Management, to add principal arterial roadways including interstates, other freeways and expressways, and other principal arterial roadways as defined in the Federal Highway Administration’s Highway Functional Classification Concepts, Criteria and Procedures to the list of “identified sites” that establish a high consequence</p>	<p>Rulemaking being drafted</p>	<p>Open – Acceptable Response</p>	<p>In Progress</p>
----------------------	---	---------------------------------	-----------------------------------	--------------------



# Open NTSB IM Study Recommendations

-  
2  
6



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

To Protect People and the Environment From the Risks of  
Hazardous Materials Transportation



Rec#	Recommendation	Action	NTSB Status	PHMSA Status
P-15-1	Assess (1) the need for additional inspection protocol guidance for state inspectors, (2) the adequacy of your existing mentorship program for these inspectors, and (3) the availability of your subject matter experts for consultation with them, and implement the necessary improvements.	PHMSA will conduct an assessment of each of these aspects of federal support for state pipeline safety inspection agencies, and report the results and any identified actions for improvement to the NTSB by September 30, 2015.	In progress	Open – Acceptable Response
P-15-2	Modify the overall state program evaluation, training, and qualification requirements for state inspectors to include federal-to-state coordination in integrity management inspections.	PHMSA will conduct an evaluation of each of these aspects of federal support for state pipeline safety inspection agencies, including a reassessment of past internal and external evaluations of our state programs, and report the results, along with any corrective actions for improvement and a schedule for these corrective actions, to the NTSB by July 31, 2016.	In progress	Open – Acceptable Response

-  
2  
7



P-15-3	Work with the National Association of Pipeline Safety Representatives to develop and implement a program to formalize, publicize, and facilitate increased state-to-state coordination in integrity management inspections.	PHMSA will work with the National Association of Pipeline Safety Representatives (NAPSR) to develop and implement a program to formalize, publicize, and facilitate increased state-to-state coordination in integrity management inspections by December 31, 2015.	In progress	Open – Acceptable Response
P-15-4	Increase the positional accuracy of pipeline centerlines and pipeline attribute details relevant to safety in the National Pipeline Mapping system.	PHMSA will continue to evaluate positional accuracy concerns and is writing a revised information collection notice that addresses this issue. We anticipate publication by December 31, 2015.	In progress	Open – Acceptable Response



P-15-5	Revise the submission requirement to include high consequence area identification as an attribute data element to the National Pipeline Mapping System.	PHMSA will continue to evaluate HCA identification as a NPMS attribute data element and is writing a revised information collection notice that addresses this issue. We anticipate publication by December 31, 2015.	In progress	Open – Acceptable Response
P-15-6	Assess the limitations associated with the current process for identifying high consequence areas, and disseminate the results of your assessment to the pipeline industry, inspectors, and the public.	PHMSA will perform an assessment of the impact regarding these two key types of information needed for identifying HCAs, and will publish the results in an advisory bulletin and in updated inspection protocol guidance, as needed, by May 2016.	In progress	Open – Acceptable Response
P-15-7	Amend 49 CFR 199.105 and 49 CFR 199.225 to eliminate operator discretion with regard to testing of covered employees. The revised language should require drug and alcohol testing of each employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident.	By June 30, 2015, PHMSA will hold a discussion with the Federal Geographic Data Committee (FGDC) on making the current NPMS data model and standards available. PHMSA will report back to the NTSB on the outcome in its next comprehensive recommendations update submitted in the fall of 2015.	In progress	Open – Acceptable Response





P-15-8	Work with the appropriate federal, state, and local agencies to develop a national repository of geospatial data resources for the process for high consequence area identification, and publicize the availability of the repository.	PHMSA will evaluate the feasibility of such a repository and publish the results of its evaluation. PHMSA will evaluate additional datasets that can aid in HCA identification and will provide an update to the NTSB by March 31, 2016.	In progress	Open – Acceptable Response
P-15-9	Establish minimum criteria for eliminating threats, and provide guidance to gas transmission pipeline operators for documenting their rationale for all eliminated threats.	PHMSA will perform an evaluation to establish criteria for eliminating threats and publish the results in an advisory bulletin and updated inspection protocol guidance, as needed, by May 31, 2016.	In progress	Open – Acceptable Response
P-15-10	Update guidance for gas transmission pipeline operators and inspectors on the evaluation of interactive threats. This guidance should list all threat interactions that must be evaluated and acceptable methods to be used.	PHMSA will perform an evaluation of interactive threats and publish the results in an advisory bulletin and as updated inspection protocol guidance, as needed, by May 31, 2016.	In progress	Open – Acceptable Response

-  
3  
0



<p>Develop and implement specific risk assessment training for inspectors in verifying the technical validity of risk assessments that operators use.</p>	<p>PHMSA will evaluate existing risk assessment training, identify needed improvements, and develop a corrective action plan, as required, by May 31, 2016, to facilitate more effective verification of the technical validity of risk assessments that operators use.</p>	<p>In progress</p>	<p>Open – Acceptable Response</p>
<p>Evaluate the safety benefits of the four risk assessment approaches currently allowed by the gas integrity management regulations; determine whether they produce a comparable safety benefit; and disseminate the results of your evaluation to the pipeline industry, inspectors, and the public.</p>	<p>PHMSA will conduct an evaluation of the safety benefits of the four risk assessment approaches currently allowed by the gas integrity management regulations and disseminate the results by July 31, 2016.</p>	<p>In progress</p>	<p>Open – Acceptable Response</p>
<p>Update guidance for gas transmission pipeline operators and inspectors on critical components of risk assessment approaches. Include (1) methods for setting weighting factors, (2) factors that should be included in consequence of failure calculations, and (3) appropriate risk metrics and methods for aggregating risk along a pipeline.</p>	<p>Upon completion of the action noted in P-15-12, PHMSA will conduct an evaluation of its guidance on critical components of risk assessment approaches, identify needed improvements, and revise its guidance, as required, by December 31, 2017.</p>	<p>In progress</p>	<p>Open – Acceptable Response</p>



P-15-14	Revise 49 Code of Federal Regulations section 192.915 to require all personnel involved in integrity management programs to meet minimum professional qualification criteria.	PHMSA will review options for setting qualification criteria based on the NTSB's and its own internal evaluations. PHMSA will use this information and the regulations to clarify and reiterate the importance of these requirements in an advisory bulletin by May 31, 2016. We will also place renewed emphasis on compliance in future IM inspections.	In progress	Open – Unacceptable Response
P-15-15	Revise Form F7100.1, Annual Report Form, to collect information about which methods of high consequence area identification and risk assessment approaches were used.	PHMSA believes this data would be best obtained as a data attribute in the NPMS geospatial information collection initiative discussed in PHMSA's response to P-15-5.	In progress	Open – Acceptable Response
P-15-16	Revise Form F7100.2, Incident Report Form, (1) to collect information about both the results of previous assessments and previously identified threats for each pipeline segment involved in an incident and (2) to allow for the inclusion of multiple root causes when multiple threats interacted.	PHMSA will evaluate adding an additional cause section to the Incident Report Form. We will work to include this change in the next form update scheduled for October 31, 2016.	In progress	Open – Acceptable Response

-  
3  
2



P-15-17	Develop a program to use the data collected in response to Safety Recommendations P-15-15 and P-15-16 to evaluate the relationship between incident occurrences and (1) inappropriate elimination of threats, (2) interactive threats, and (3) risk assessment approaches used by the gas transmission pipeline operators. Disseminate the results of your evaluation to the pipeline industry, inspectors, and the public annually.	PHMSA will evaluate the method for conducting the analysis to include potential changes to our investigation and data systems and communicate our findings to the NTSB by July 31, 2016.	In Progress	Open – Acceptable Response
P-15-18	Require that all natural gas transmission pipelines be capable of being in-line inspected by either reconfiguring the pipeline to accommodate in line inspection tools or by the use of new technology that permits the inspection of previously uninspectable pipelines; priority should be given to the highest risk transmission pipelines that considers age, internal pressure, pipe diameter, and class location. (Supersedes Safety Recommendation P-11-17, which is classified “Closed—Superseded.”)	PHMSA believes that the in-process gas transmission safety NPRM will achieve the intention of this recommendation by maximizing the safety achievable given cost-benefit and technology constraints. The NPRM is currently under OMB review, and we expect to publish it in the summer of 2015.	In Progress	Open – Acceptable Response



P-15-19	Revise Form F7100.1, Annual Report Form, to collect information on the mileage of both HCA and non-HCA pipeline that can accommodate in-line inspection tools.	PHMSA has already incorporated the requested information into the gas transmission annual report form PHMSA F 7100.2-1 published in October 2014. Section R of this form requires reporting the mileage able and not able to be internally inspected, by HCA status. PHMSA believes it already meets the intent of this recommendation.	Ongoing	Closed - Reconsidered
P-15-20	Identify all operational complications that limit the use of in-line inspection tools in piggable pipelines, develop methods to eliminate the operational complications, and require operators to use these methods to increase the use of in-line inspection tools.	PHMSA plans to incorporate by reference consensus industry standard NACE RP0102-2010 into the gas transmission safety rulemaking. PHMSA believes this will meet the intent of this recommendation. The NPRM is currently under OMB review, and we expect to publish it in the summer of 2015.	Being addressed in the Gas Transmission NPRM. Awaiting OMB approval.	Open – Acceptable Response



P-15-21	Develop and implement a plan for eliminating the use of direct assessment as the sole integrity assessment method for gas transmission pipelines	PHMSA plans to address this in the in-progress gas transmission safety NPRM, which would allow the use of direct assessment only in instances where the line is not capable of inspection by internal inspection tools or where it is not practical to assess using pressure testing or other methods specified (due to low operating pressures and flows, lack of inspection technology, and critical delivery areas such as hospitals and nursing homes). The NPRM is currently under OMB review, and we expect to publish it in the summer of 2015. PHMSA believes that this will meet the intent of the recommendation.	In progress.	Open – Acceptable Response
P-15-22	Develop and implement a plan for all segments of the pipeline industry to improve data integration for integrity management through the use of geographic information systems.	PHMSA, as part of its in-process rulemaking on gas transmission safety, plans to enhance and expand minimum requirements for performing risk assessment and threat identification to include specific requirements to address standards for minimum data sets used, data validation, data integration (including identification and analysis of spatial relationships), and subject matter expert bias. PHMSA believes that these improved requirements will address the root cause of previous shortcomings in data integration, by improving operator understanding of data integration requirements, and would address this recommendation. The NPRM is currently under OMB review, and we expect to publish it in the summer of 2015.	In progress.	Open – Acceptable Response





# Open OIG Recommendations

-  
3  
6





## Hazardous Liquid Pipeline Operator's Integrity Management Programs Need More Rigorous PHMSA Oversight

Rec	Lead	OIG Status	Recommendation Description	PHMSA Response	Actions Taken
3	Seeley	Closed	Implement a pilot program to determine whether the IM Field Implementation Directive provides sufficient onsite field testing of operator's IM program implementation	Concur	Closed
5	Gale	Open	Update IM requirements to mandate baseline and recurring assessments for non-line pipe facilities, given the availability of new assessment technologies and methodologies	Concur	Awaiting feedback
8	Murray	Open	Create a database of pipeline physical characteristics, accidents, and inspections—including geographic location—of individual pipeline units in order to identify and monitor at-risk pipelines	Concur	Awaiting feedback



<b>Rec</b>	<b>OIG Status</b>	<b>Recommendation Description</b>	<b>PHMSA Response</b>
1	<b>Closed</b>	Revise the staffing formula so that it accounts for risk and non-standard inspections, and periodically analyze State-provided inspection unit data to validate staffing formula results.	Partially Concur
2	<b>Closed</b>	Develop and include in PHMSA's State Program Guidelines: a) Minimum training standards for State inspector qualifications for leading inspections (i.e., classroom and/or on-the-job training). b) A system that tracks revisions to Federal inspection forms and actively notifies States when these new forms are available. c) Standards for time allowed between inspections for all inspection types.	Concur
3	<b>Closed</b>	Develop and implement procedures to review the adequacy of inspection procedures as part of the annual program evaluation.	Partially Concur
4	<b>Closed</b>	Provide States with comprehensive guidance to ensure States effectively implement PHMSA's risk analysis methods for scheduling inspections.	Partially Concur
5	<b>Closed</b>	Document the procedures for conducting triennial grant reviews to ensure consistency of oversight.	Concur
6	<b>Closed</b>	Develop a training program that ensures PHMSA evaluators can successfully conduct the following program evaluation procedures: a) Determine and verify whether States have complied with all Program Evaluation requirements according to its procedures. b) Accurately notify States of non-compliance with Program Evaluation requirements to ensure States take correct action to achieve compliance.	Partially Concur
7	<b>Closed</b>	Develop and implement a plan for auditing States' use of suspension funds, and work with State program managers to identify current suspension fund administration challenges requiring additional guidance.	Concur

3  
8



# Open GAO Recommendations

-  
3  
9



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

To Protect People and the Environment From the Risks of  
Hazardous Materials Transportation



Report #	Title	Recommendation	Status
GAO-12-388	Collecting Data and Sharing Information on Federally Unregulated Gathering Pipelines Could Enhance Safety	Collect data from operators of federally unregulated onshore hazardous liquid and gas gathering pipelines, subsequent to an analysis of the benefits and industry burdens associated with such data collection. Data collected should be comparable to what PHMSA collects annually from operators of regulated gathering pipelines (e.g., fatalities, injuries, property damage, location, mileage, size, operating pressure, maintenance history, and the causes of incidents and consequences).	Collecting data from operators may be addressed in the HL and GT NPRMs. PHMSA may also propose that all gathering lines be subject to annual and incident reporting.
		Establish an online clearinghouse or other resource for states to share information on practices that can help ensure the safety of federally unregulated onshore hazardous liquid and gas gathering pipelines. This resource could include updates on related PHMSA and industry initiatives, guidance, related PHMSA rulemakings, and other information collected or shared by states.	Closed

-  
4  
0



<b>GAO-13-168</b>	Better Data and Guidance Needed to Improve Pipeline Operator Incident Response	To improve operators' incident response times, improve the reliability of incident response data and use these data to evaluate whether to implement a performance-based framework for incident response times.	PHMSA has proposed information collection changes to each of the four inc/accident reports to collect date/time of "failure awareness" and date/time arrived onsite. PHMSA proposes to require the time sequence fields in part A18 for every report. Instructions have been modified to clarify that PHMSA will use the time sequence data to calculate accident response time.
<b>Report #</b>	<b>Title</b>	<b>Recommendation</b>	<b>Status</b>
		To assist operators in determining whether to install automated valves, use PHMSA's existing information-sharing mechanisms to alert all pipeline operators of inspection and enforcement guidance that provides additional information on how to interpret regulations on automated valves, and to share approaches used by operators for making decisions on whether to install automated valves.	Rule drafting has begun.

-  
4  
1



<b>GAO-13-577</b>	Gas Pipeline Safety: Guidance and More	To improve how operators calculate reassessment intervals, we recommend that the Secretary of Transportation direct the	In progress
<b>Report #</b>	<b>Title</b>	<b>Recommendation</b>	<b>Status</b>
	Needed before Using Risk Based Reassessment Intervals	Materials Safety Administration to develop guidance for operators to use in determining risks and calculating reassessment intervals.	
		"To better identify the resource requirements needed to implement risk-based reassessment intervals beyond 7 years for gas transmission pipelines, we recommend that the Secretary of Transportation direct the Administrator for the Pipeline and Hazardous Materials Safety Administration to collect information on the feasibility of addressing the potential challenges of implementing risk-based reassessment intervals beyond 7 years, for example by preparing a report or developing a legislative proposal for a pilot program, in consultation with Congress, that studies the impact to regulators and operators of a potential rule change."	In progress

-  
4  
2



GAO-14-667	Gale	<b>Yes</b>		To address the increased risk posed by new gathering pipeline construction in shale development areas, the Secretary of Transportation, in conjunction with the Administrator of the Pipeline and Hazardous Materials Safety Administration, should move forward with a Notice of Proposed Rulemaking to address gathering pipeline safety that addresses the risks of larger-diameter, higher-pressure gathering pipelines, including subjecting such pipelines to emergency response planning requirements that currently do not apply.	In progress
------------	------	------------	--	---	-------------







## Questions

-  
4  
4



4  
5



U.S. Department of Transportation  
Pipeline and Hazardous Materials  
Safety Administration

To Protect People and the Environment From the Risks of  
Hazardous Materials Transportation

